

Compliance Assessment Report CAR_NRW0048218

Permit being assessed: BL9941IC.

For: Pwllheli Creamery EPR/BL9941IC, **held by:** SOUTH CAERNARFON CREAMERIES LTD

At: Rhyd-y-Gwistl , Chwilog, PWLLHELI, Gwynedd, LL53 6SB.

Type of assessment: Site Inspection,

Reason: Other.

On: 17/04/2025 between 10:00 and 12:30.

Parts of permit assessed: 1. Management.

NRW Lead Officer: Anthony Roberts.

Report sent to: Elwyn Jones, Compliance Manager, on 07/05/2025.

1. Summary of our findings (full details in section 4)

Part of permitted activity assessed (compliance criteria)	Assessment result	Permit condition
IR1A - Installations - Management - General Management	C3 Minor	1.1 General Management

Result types are explained in more detail in the 'Important Information' section below.

Total non-compliances recorded	Total non-compliance score
1	4

How we use the non-compliance score to calculate your annual fee is explained in the 'Important Information' section below.

2. What action is required?

Criteria	Action needed	Complete by
IR1A	Ensure all relevant containers are stored within suitably bunded areas and change orientation of spill containers on new containment and storage area. Ensure no SW drains are at risk from spills of polluting materials which are stored on site.	31/05/2025

Compliance criteria codes are listed in the 'Important information' section below.

3. What will happen next?

Any non-compliance we have identified and recorded on this form is an offence. It can result in criminal prosecution and/or suspension or revocation of your permit.

At this time, we do not intend to take any further action.

This statement does not stop us from taking additional enforcement action if further relevant information comes to light or offences continue.

4. Details of our assessment

Food, Drink and Milk BRef - Improvement Condition 25 -Follow up, Progress Meeting and Site Inspection.

Secondary and Tertiary Containment Plan for South Caernarfon Creamery; Effluent Treatment Plant, Bunding and Site Extension Review.

Site Meeting and Inspection 17th April 2025 @ 10:00 hrs

Present: T Roberts NRW, Elwyn Jones, SCC.

The Food, Drink, and Milk BRef requires an improvement programme to be undertaken by installations falling into this category. In 2022, South Caernarfon Creamery submitted a risk assessment and a detailed plan for secondary and tertiary containment of the new effluent treatment plan for the protection of the nearest receptor of note the Afon Erch.

This condition was added as a result of the European Union BRef Review Process which requires NRW to review permits and add conditions relating the Food Drink and Milk sector, this is something that NRW statutorily must do.

The permit was then varied, and this improvement condition was included in the new permit dated 09/06/2022.

A site meeting and inspection was conducted on Wednesday the 7th of December 2022 to discuss the plan and progress towards compliance with the improvement programme.

The review carried out in 2022 met the requirements of condition IC 25, the agreed conclusions of which should be delivered within 5 years of this review.

Subsequently to this a secondary and tertiary containment Plan has been submitted in accordance with IC 25. Proposals include:

- Adaptation of the earth mound located opposite the ETP and extend with earth embankments both to the left and right of the mound. ***This action has been completed and forms an 'all encompassing barrier' between the ETP and the Afon Erch.***
- This was discussed during the site visit and would provide additional protection whilst the design and installation of the proposed CIRIA compliant bunding scheme is constructed over the agreed time frame. This structure would then form a tertiary barrier between the newly bunded ETP area and the river.
- Proposals for the secondary containment of the ETP will be in the form of a solid reinforced wall enclosing an area including all the balancing tanks, sludge tanks and pipework with reinforced concrete at ground level.
- The size of the bund area, and the bund wall heights, has been determined to allow for a minimum holding capacity equal to 110% of the largest balance tank normal volume as per CIRIA guidance.

Timescales/Deadlines

The timescale for full completion of the secondary bunding will be by the 31st December 2027.

Conclusion and Actions

Dates and completion times have now been agreed following the site meeting on the 17th April 2025. These proposals when delivered will be compliant with the requirements of the above improvement condition.

Please submit a more detailed engineering proposals and date for start of works in due course leaving time for assessment by NRW of the detail before the work is undertaken.

General Site Inspection

Chemical Storage and Bunded Areas

Some IBC's and other containers were not stored in bunded areas. Of particular concern was the pallet containing various containers and empty containers scattered across the top of site storage area. Please ensure housekeeping id improved in this area. See Photo 1 below.

Other concerns included the IBC labelled 'Nitric Acid' which was stored outside a bunded area and showed impact damage. All such containers must be stored in CIRIA

compliant bunded areas. See Photo 2 and 3 below.

Due to the storage/bundling issues highlighted in this CAR form you have been scored a CCS 3.

PHOTO 1



PHOTO 2



PHOTO 3



Creamery Extension Works - Bunding and Storage

inspection of the new creamery extension works was conducted with Mr Elwyn Jones of SCC and the surface water swale and pre river runoff areas are well designed as pollution and flood control measures.

The bunding and storage of the new IBC elevated storage areas was inspected and the following issues raised:

- In some cases, the IBC portable bunded containers were placed in the wrong orientation to serve their purpose. Please can these be adjusted to ensure

they are functioning as designed by the 21st May 2025 – Photos 4 and 5 below.

- The new IBC use and storage area does not have a lip or bund in case of failure or spillage, (Photo's 6 and 7 below), which means that any pollutant load could run to the surface water drain close by and thereby enter the Afon Erch.

Please can you submit an engineering solution to this issue by the 31st May 2025.

PHOTO 4-Spill Tray Facing Wrong Way



PHOTO 5



PHOTO 6 – No Lip on Storage Access Area



PHOTO 7 – SW DRAIN



If you have any queries about this report, or to discuss completion of any actions, please contact the NRW Officer named above.

Important information

Legal status of this report

Your permit is issued to you under the Environmental Permitting Regulations. You have a responsibility to comply with the conditions of your permit and prevent pollution/harm of the environment. You must also ensure that you comply with any other relevant legislation that may apply to your site's operations.

This report explains the findings of our assessment and any action you are required to take. We categorise non-compliance using our guidance for assessing non-compliance at regulated sites.

When we find potential non-compliance/s we will normally give you advice on how to maintain compliance.

To correct non-compliance, we may:

- require you to take specific actions
- issue a notice
- review the conditions of your permit.

Any advice and guidance we give will be without prejudice to any other enforcement response that we consider may be required.

Assessment results and non-compliance categories (used in section 1):

Assessment result	Description
Assessed (A)	Assessed or assessed in part, no evidence of non-compliance found
Action only (X)	Action only relating to the activity assessment
Ongoing (O)	Ongoing non-compliance, not scored

Non-compliance category	Description	Score
C1 Major	Potential to have a major, serious, persistent and/or extensive impact or effect on the environment, people and/or property	60
C2 Significant	Potential to have a significant impact or effect on the environment, people and/or property	31
C3 Minor	Potential to have a minor or minimal impact or effect on the environment, people and/or property	4
C4 No environmental impact	Non-compliance at a regulated site that cannot foreseeably have any impact on the environment, people and/or property	0.1

How we use assessment scores

The number and severity of non-compliances recorded in a year will affect your annual subsistence fee the following year. A non-compliance factor is added to your site's Operator

Performance Risk Appraisal (OPRA) score when we calculate your fee to reflect the additional resource we use to assess permit compliance.

If your assessment result in Section 1 is suspended, what does this mean?

In line with our guidance, we may suspend scores for up to six months to allow time for remedial action to be taken. Suspended scores will be re-instated if the action is not completed.

Full list of Industry compliance criteria (used in section 1 and 2):

1. Management

- IR1A – General management
- IR1B – Finance (only applicable to Landfill)
- IR1C – Energy efficiency
- IR1D - Efficient use of raw materials
- IR1E - Avoidance, recovery and disposal of wastes produced by the activities
- IR1F - Multiple operator installations

2. Operations

- IR2A – Permitted activities
- IR2B – The site
- IR2C – Operating techniques
- IR2D – Technical requirements
- IR2E – Improvement programme
- IR2F – Pre-operational conditions
- IR2G – Landfill engineering (only applicable to Landfill)
- IR2H – Waste acceptance (only applicable to Landfill)
- IR2I – Leachate levels (only applicable to Landfill)
- IR2J – Closure and aftercare (only applicable to Landfill)
- IR2K – Landfill gas management (only applicable to Landfill)

3. Emission and Monitoring

- IR3A – Emissions to water, air or land
- IR3B – Emissions of substances not controlled by emission limits
- IR3C – Odour
- IR3D – Noise and vibration
- IR3E – Monitoring
- IR3F – Pests
- IR3G – Air quality management plans
- IR3H – Monitoring for the purposes of the Industrial Emissions Directive (this heading includes Large Combustion Plants)
- IR3I – Fire

4. Information

- IR4A – Records
- IR4B – Reporting
- IR4C – Notification

Enforcement response

Any non-compliance with a permit condition is an offence and we may take legal action against you. Action we take can include prosecution, serving a notice on you and/or

suspension or revocation of your permit. See our Enforcement and Sanctions Guidance for further information.

Data protection notice

You should make sure that anyone named in this report knows that the information it contains will be processed by Natural Resources Wales to fulfil its regulatory and monitoring functions and to maintain the relevant public register(s).

We may also use and/or disclose the report in connection with:

- offering or providing you with our literature or services relating to environmental matters
- consulting with the public, public bodies and other organisations (e.g. Health and Safety Executive, local authorities) on environmental issues
- carrying out statistical analysis, research and development on environmental issues
- providing public register information to enquirers
- investigating possible breaches of environmental law
- assessing customer service satisfaction and improving our service
- Freedom of Information Act or Environmental Information Regulations requests.

We may also pass it on to our agents or representatives to do these things on our behalf.

Disclosure of information – this report will be available to view on-line

If you think this report contains commercially confidential information that should not be placed on our public register, you must contact your local Natural Resources Wales office within **fifteen working days** of receiving this report, using the contact details in the accompanying email or letter. You must give a full explanation of why it should not be added to our public register, including specifying which information is commercially confidential. We will assess your request and respond to you within twenty working days to let you know if we agree to your request.

What do I do if I disagree with the report or have a complaint?

If you disagree with this compliance assessment report, you should contact the lead officer without delay to discuss your concerns.

If you are unable to resolve the issue with the lead officer or their line manager you should contact our Customer Contact team on 0300 065 3000 (Monday to Friday 08:00 to 18:00), or email enquiries@naturalresourceswales.gov.uk for details of how to raise your dispute further through our Complaints and Commendations procedure.

If you are dissatisfied with our response, you can contact the Public Services Ombudsman for Wales by phone on 0300 7900203 or by email at ask@ombudsman.wales

Welsh Language Standards

We are committed to establishing Natural Resources Wales as a naturally bilingual organisation. We will provide compliance reports in your preferred language.