

Compliance Assessment Report CAR_NRW0047993

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: Incident Response (Incident number 2503080).

On: 28/03/2025 between 11:00 and 13:00.

Parts of permit assessed: 1. Management Systems. 3. Emissions.

NRW Lead Officer: Anthony Roberts.

Report sent to: Elwyn Jones, Compliance Manager, on 07/04/2025.

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
IR3A(1) - Installations - Emissions and monitoring - Emissions to water	C3 Minor	3, Emissions (3.1.2 - exceedance of permit limit)

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

Total non-compliances recorded	Total non-compliance score
2	8

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	Review risk assessment and pollution prevention procedures in written environment management system	30/04/2025
IR3A(1)	Review and improve operational warning and diversion system to ensure this cannot happen in the future	30/04/2025

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

SOUTH CAERNARFON CREAMERIES - EFFLUENT TREATMENT PLANT BREACH AND DISCHARGE INTO THE AFON ERCH 27/28 March 2025

Following a report to NRW (see photo 1 below) of a discoloured discharge into the Afon Erch (from the discharge point of South Caernarfon Creamery ETP.), on the afternoon of the 27th March 2025, the site was informed at 08:30 on the following day (the 28th March 2025) and the actions were taken as detailed in the site response report produced below.

A CCS 3 has been scored for 2 minor breaches of 1.1, Management Condition and 3, Emissions to water, permit breach. Actions to prevent any future occurrence are detailed in the site response detailed below.

NRW attended the site at 11:00 hours and walked the river noting that the discharge had ceased. The compliance Manager and the Effluent Plant Manager described the fault in the actuated effluent diversion system which is detailed below in the below site response report.

Photo 1



Effluent Treatment Plant - Permit Breach 28th March 2025

Introduction

The site is an installation with a Permit (EPR/BL9941IC) issued by Natural Resources Wales (NRW). At 8.30am on 28th March 2025, the site was contacted directly by Tony Roberts, our NRW Site Regulator, regarding a potential permit breach to the river Erch. Photographic evidence was provided showing a white/yellow discharge being deposited into the river via the Company's effluent plant discharge pipe.

Immediate Response

The Senior Effluent Technician was immediately contacted and carried out an immediate investigation, to include visually inspecting the site's discharge flume, and walking the river edge along the public footpath to inspect the actual river discharge pipe which were seen in the photographs provided. At this time, there was no sign of any visible breach from the flume or the discharge pipe.

Investigation

On further investigation, it was found that, during a period in the afternoon of the previous day, the turbidity, which is located within the final discharge flume, had been reading higher than normal levels. This would indicate that the treated effluent being discharged would also have been exceeding the total suspended solids permit levels of 30mg/l.

We were previously aware of the problems within our cheese production plant over the previous few days having resulted in whey being lost to drain. This was due to a faulty seal on one of the slating tables in turn leaking whey to the floor. The effluent plant is designed to cope with solids from milk and cream but struggles to cope with more prolonged whey losses to drain. It is thought that this whey lost to drain had upset the chemistry of the plant which resulted in a sudden increase in the final discharge total suspended solids and hence why the discharge was visible coming out of the pipe into the river.

When the final discharge turbidity reads a figure of above 100 NTU's for 15 minutes or more, the plant is designed to go into automatic divert. Effluent is then diverted from the final flume back into the dairy pit which subsequently pumps the effluent back up to the balance tank for re-treatment. The divert will continue until the turbidity reading is reduced to below its set level. However, on this occasion, the divert system failed to work. On further inspection, the automatic gate valve had seized in the closed position, and therefore when it received the signal to open, the valve stayed in the closed position. This in turn had resulted in effluent with a higher than normal total suspended solids continuing to feed through the final settler tanks and subsequently into the flume and discharged to the river.

Immediate Action

The divert valve that had been seized has now been loosened and is opening and closing as per the signal received. It is thought that the valve had not previously been given the signal to open for some time and had seized in the closed position. A weekly documented check of this valve will be introduced with immediate effect to include a check that it opens and closes upon receiving an automated signal as well as a manual signal. Checks will also include the integrity of plastic valves to

ensure they are not brittle with a risk of subsequent failure.

Whilst the effluent plant recovers from the recent whey hits, it will be monitored more closely than usual to ensure that any sudden change to its chemistry is managed accordingly.

Site operations will be tasked with investigating and reducing the levels of product, especially whey, to drain in order to reduce COD to an acceptable level that will have no adverse effect on the effluent plant.

Longer Term Action

There is currently a plan to convert the old BAFF plant system into an additional effluent settling tank that would further polish the discharged effluent. This plan also includes new solid pipework that would do away with flexible pipework, new valves, newly designed automatic divert system and an additional final effluent flow meter. This would further decrease any risk of the final discharge being out of consent.

This new divert system, valves and pipework will be enclosed for protection within the planned containment bund due to be installed within the next 2 years.

Timescales

The timescale for completion of the longer plan actions will be totally dependable on available capital. In the meantime, immediate actions will remain in place.

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.