

Compliance Assessment Report CAR_NRW0046258

Permit being assessed: XP3830UR.

For: Haverfordwest Creamery, **held by:** The First Milk Cheese Company Ltd

At: Haverfordwest Creamery Pembroke Road , Merlins Bridge, HAVERFORDWEST, Dyfed, SA61 1JN.

Type of assessment: Report/Data Review,

Reason: Routine.

On: 29/01/2025 - 01/04/2025.

Parts of permit assessed: General Management, Reporting.

NRW Lead Officer: Rhydian Cox.

Report sent to: SHE Manager, SHE Manager, on 01/04/2025.

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	Assessed (A)	
IR1A - Installations - Management - General Management	Assessed (A)	
IR4A - Installations - Information - Records	Assessed (A)	
IR1A - Installations - Management - General Management	Assessed (A)	
IR1A - Installations - Management - General Management	Assessed (A)	
IR3B - Installations - Emissions and monitoring - Emissions of substances not controlled by emission limits	Assessed (A)	

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

Total non-compliances recorded	Total non-compliance score
0	0

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?

No action required.

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

This Compliance Assessment Report (CAR) details the comments of Natural Resources Wales (NRW) Officers for the review of the response and documentation provided by The First Milk Cheese Company Limited (First Milk). Responses and documents are in regards to actions raised following the site inspection conducted on 11 December 2024 at The First Milk Cheese Company Limited, Haverfordwest Creamery, Pembroke Road, Merlins Bridge, Haverfordwest, Pembrokeshire, SA61 1JN for activities held by First Milk (the operator) under the environmental permit ERP-XP3830UR.

A site inspection was undertaken on 11 December 2024 with the purpose of inspecting and discussing the surface water outfall from the First Milk site to the Merlin's Brook (W1). Including an inspection of the pollution prevention measures in place, amongst other matters. Following the visit, CAR_NRW0045835 was issued on the 23 December 2024 containing six actions with a deadline to respond by 31 January 2025. A response to all actions raised was submitted to NRW on 29 January 2025 for review. This CAR form details the review of the responses to the actions listed in CAR_NRW0045835.

Action 1

Provide written procedures for the diversion mechanisms in place for the surface water runoff from site to the ETP, in particular, areas that previously drained to emission point W1 (including actions and checks to be undertaken by staff). Please also provide evidence of sufficient capacity at the ETP to cope with storm event.

In response to Action 1, the operator provided the Standard Operating Procedure (SOP) (*H-SOP-ENV-005 Surface water management*) for the management of surface water and the valve arrangement. This document outlines how surface water is managed across the site in order to manage flow to the ETP and to protect Merlin's Brook from contamination.

The operator also clarified the capacity of the ETP with regards to accommodating a storm event.

Upon review of the initial response, further information was requested to in order to satisfy Action 1. NRW requested that the operator confirm the capacity of the ETP in terms of a storm event (i.e. would the ETP be able to cope with a 1 in 10 year event).

The operator supplied further information on 18 March 2025. Which clarified that there is

sufficient capacity within the system to cope with a 1 in 10 year event.

Following a detailed review of the evidence and additional information provided, this action can now be considered **completed**.

Action 2

First Milk informed NRW Officers of a routine check of the W1 outfall undertaken by First Milk engineers. Please detail/provide the routine procedure and schedule of checks undertaken by First Milk at the W1 outfall.

In response to Action 2, the operator provided examples of the records of the monthly W1 outfall inspection carried out by the SHE manager, from the last three months of 2024. These records are timestamped and outline the findings of the inspection, alongside photographs of the outfall and outfall area taken during the inspection. The operator also clarified that these inspections are undertaken by the Site Health, Safety and Environment Manager (SHE Manager), not the engineering department.

Following a detailed review of the evidence provided, this action can now be considered **completed**.

Action 3

Provide the most recent site drainage plans for the site highlighting the areas that could drain to emission point W1. Please indicate on the drainage plans the diversion mechanisms in place.

In response to Action 3, the operator provided a detailed drainage plan dated 26/04/2024 (*HC01 REV I SITE DRAINAGE Updated 26-04-2024*). The plan provided details surface water lines, process/foul effluent lines, abandoned lines, and the connections to the permitted outfalls.

Following a detailed review of the evidence provided, this action can now be considered **completed**.

Action 4

Provide NRW with evidence of how the additional load from site runoff will not affect the ETP process efficiency, overloading or shock loading from contaminants. Provide an update of First Milks' plan for any future segregation of clean waste streams from the ETP.

In response to Action 4, the operator has provided a response outlining that the ETP is currently operating within the parameters stated within the permit. The operator has also stated that there are no ongoing performance related issues with the ETP, which indicates that there are no ongoing performance issues relating to the inflow of surface water. The ETP Accident Management Plan, provided in response to Action 5, provides further information on how the management system is in place to deal with a risk of contaminated effluent impacting the ETP and the response to Action 1 confirms the capacity of the ETP in the event of additional loading from a storm event.

Further information was also provided in regard to future plans for the segregation of waste streams to the ETP. Internal discussions are currently ongoing, but due to the significant expenditure likely required to alter the current system, it is anticipated that any major

alterations to the rainwater system would unlikely take place until financial year 2027 at the earliest.

Following a detailed review of the evidence provided, this action can now be considered **completed**.

Action 5

Please provide the emergency procedure plan (for both First Milk and Aqua Operations Limited (AOL)) in the event of a spill at the factory demonstrating how the ETP would respond and cope.

In response to Action 5, the operator provided the SOP for the control of the Envirovalve system (*H-SOP-ENV-010 Control of the Envirovalve*). This document details the staff responsibilities and operation of the valve, including the routine maintenance of the system.

The operator has also provided the ETP Accident Management plan (*FIRST MILK HVC ETO ACCIDENT MANAGEMENT PLAN - HVC.AMP.001*). Section 4 of the plan details the risk and associated management of a spill upstream of the ETP. To summarise, there are monitoring devices which divert the incoming flow to the aforementioned divert tank, preventing the contamination from passing through the ETP. This action allows for the ETP operator to assess and determine appropriate next steps. Be that, slowly releasing/blending of the contamination into the plant as to not overwhelm the treatment process, or tankering away the contamination for example.

Following a detailed review of the evidence provided, this action can now be considered **completed**.

Action 6

Please provide further information on the conclusion of the investigations into the root cause of the green algae. Please also provide evidence demonstrating that the algae is not impacting ETP performance and/or the final discharge.

In response to Action 6, the operator provided a report (*2025.01.15 AOL Algae Investigation Report v1*) produced by the operator of the ETP (AOL) which details the investigation into the algal growth on the aeration lanes. The report outlines the conditions for the formation of the algae and provides the process data relating to the performance of the ETP. The report concludes that the algae is having no current impact on the performance of the ETP, nor on the quality of the final effluent. The report also lists actions currently being undertaken to reduce the risk of potential impacts and further actions to be implemented should there be any indication of an impact.

Upon review of the initial response, further information was requested to in order to satisfy Action 6. NRW requested that the operator confirm if the presence of the algae had been witnessed prior to the site upgrades (incl. installation of MBR filers & removal of secondary DAF), and if the increased presence of the algae within the system has resulted in an increased frequency of cleaning/replacing the filter membranes, if and how this is being monitored and could the algae potentially result in a decreased life expectancy of the filters.

The operator supplied further information on 18 March 2025. Which in response to the additional questions, outlined the following:

- The algae had not been witnessed/identified within the ETP system prior to the site upgrades.
- The ETP operators continuously monitor the pressure and flow through the MBR filter membranes to inform maintenance and clean in place (CIP) regimes, with pre-set alarms to indicate when a clean is required.
- No notable deterioration in flow or pressure has been identified as a result of the algae. Nor have the operators of the ETP seen an increase in the cleaning frequency of the filters, with the MBR filters being cleaned on average every 2.5 months.

Following a detailed review of the evidence and additional information provided, this action can now be considered **completed**.

END

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.