

Compliance Assessment Report CAR_NRW0049269

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: Other,

Reason: Incident Response (Incident number 2507888).

On: 27/08/2025 - 26/09/2025.

Parts of permit assessed: 1.1 & 3.2 & 4.3.

NRW Lead Officer: Rhydian Cox, accompanied by Kirsty Thomas.

Report sent to: SHE Manager, The First Milk Cheese Company Ltd, on 26/09/2025.

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

Part of permitted activity assessed (compliance criteria)	Assessment result	Permit condition
IR3A(1) - Installations - Emissions and monitoring - Emissions to water	Action only (X)	
IR1A - Installations - Management - General Management	Action only (X)	
IR1A - Installations - Management - General Management	C3 Minor	1.1.1 (a)
IR3A(3) - Installations - Emissions and monitoring - Emissions to land	C3 Minor	3.1.1
IR4C - Installations - Information - Notification	C3 Minor	4.3.2

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

Total non-compliances recorded	Total non-compliance score
3	12

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
IR3A(1)	ACTION 1: Conduct further investigations to accurately determine if the road drain referenced has connectivity to Merlin's Brook, and provide a detailed response supported by appropriate evidence, including photographic documentation.	31/12/2025
IR1A	ACTION 2: Carry out further investigations to establish the root cause of the incident, and provide Natural Resources Wales with a comprehensive report detailing the findings. The operator must ensure they implement additional preventative measures based on the root cause findings.	31/12/2025
IR1A	ACTION 3: Based on the findings of ACTION 2 (Root cause investigations), review and update management plans accordingly.	31/12/2025
IR3A(3)	ACTION 4: Undertake the remedial actions outlined within the Schedule 5 part B to prevent reoccurrence of issue.	31/12/2025
IR4C	ACTION 5: Make improvements to the current site NRW notification procedure. Ensure NRW are notified of all permit breaches via the correct notification procedure and within the timeframes outlined within the permit.	31/12/2025

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.

You are non-compliant with your permit.

At this time, we are issuing you with a warning for the non-compliance recorded above. Warnings may influence future enforcement response for continued or further non-compliance.

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

Schedule 5 Notification Review

Operator: The First Milk Cheese Company Ltd

Site: Haverfordwest Creamery, Pembroke Road, Merlin's Bridge, Haverfordwest, SA61 1JN

Permit Number: EPR/XP3830UR

Date of Notification: 27 August 2025

This Compliance Assessment Report has been issued following the submission of a Schedule 5 notification by The First Milk Cheese Company Ltd (Hereafter, First Milk) on 27

August 2025. The notification relates to an unauthorised release of effluent at the Haverfordwest Creamery, Pembroke Rd, Merlin's Bridge, Haverfordwest, SA61 1JN under Environmental Permit EPR/XP3830UR.

1. Background

On 24 August 2025 at 09:12, Natural Resources Wales (NRW) received a report from a member of the public regarding an unknown effluent entering the Merlin's Brook watercourse, Merlin's Bridge, Haverfordwest. An NRW Officer attended the location at 09:41 on the same day and substantiated the pollution. The NRW officer attempted to contact and access The First Milk site to investigate the source of the pollution. No definitive source was identified during the initial investigation.

Due to the proximity of the site to the reported pollution, a site notification was issued to First Milk via NRW's Incident Communication Centre (ICC) at 09:32 on 24 August 2025. A response was received from the First Milk Site Director at 17:42, stating that internal enquiries had not identified any incidents at the site that could have resulted in the pollution described.

On 26 August 2025 at 12:36, NRW contacted the operator to determine whether further investigations had been undertaken. First Milk subsequently informed NRW of a spill that had occurred onsite on 24 August 2025, which may have impacted Merlin's Brook, although it was considered unrelated to the pollution initially reported.

Further investigations confirmed that the pollution reported on 24 August 2025 originated from a discharge via a pipe upstream. This was confirmed by the original reporter and evidenced by First Milk as part of their internal investigation. Further investigations relating to this discharge are currently being undertaken by the local Environment Team.

2. Schedule 5 Notification

A Schedule 5 Notification, Parts A and B were submitted to NRW on 27 August 2025 at 14:04, following a formal request issued by the NRW site officer at 14:18 on 26 August 2025.

The notification detailed a release of rinse water and cleaning caustic from one of the Clean-in-Place (CIP) bays, detected at 07:50 on 24 August 2025. First Milk claim action was taken to stop the emission which involved isolating the flow (emergency stop) once the incident had been discovered. The operators estimated that approximately 2,900 litres of rinse water and cleaning caustic effluent was discharged to the yard. The operator estimated 25% of this volume exiting the site boundary via the yard gate. In further correspondence, the operator explained that the effluent that had escaped the boundary had entered a roadway drain to the north of the site. First Milk stated that they do not believe this drain connects to Merlin's Brook. Further investigations at the brook by First Milk staff, including pH testing, did not indicate that the onsite spill contributed to the pollution observed in the brook.

There was potential for the significant spill of rinsewater and caustic material to enter Merlin's Brook via the road drain referenced in the correspondence with the operator. Introduction of caustic effluent into a watercourse has the potential to significantly alter the pH and other chemical parameters, which could ultimately harm or kill fish and other aquatic life.

ACTION 1: Conduct further investigations to accurately determine if the road drain referenced has connectivity to Merlin's Brook, and provide a detailed response supported by appropriate evidence, including photographic documentation.

Due Date : 31 December 2025

Within the Schedule 5 Notification Part B response, First Milk has outlined a series of remedial actions in response to the incident, aimed at reducing the risk of recurrence and enhancing site controls. These actions include:

- Initiating discussions with the site's automation provider to explore the implementation of additional control measures on the Clean-in-Place (CIP) system to minimise the risk of unintentional releases.
- Installing sandbags at the site gateway as a precautionary measure to prevent potential off-site discharges.
- Engaging with external contractors to assess the feasibility of installing flood gates at the gateway to further strengthen containment infrastructure.
- Conducting an internal investigation in collaboration with the site's haulage contractor to review the circumstances and individual behaviours that contributed to the discharge from the CIP system.
- Commencing refresher training for all drivers to reinforce appropriate operational procedures and environmental responsibilities.

Root Cause: we have not assessed the root cause into the release as this is now subject to the ongoing investigation and will be determined at a later date.

ACTION 2: Carry out further investigations to establish the root cause of the incident, and provide Natural Resources Wales with a comprehensive report detailing the findings. The operator must ensure they implement additional preventative measures based on the root cause findings.

Due Date: 31 December 2025

3. Permit Breaches and Compliance Classification

Permit Condition 1.1.1(a) Breach:

"The operator shall manage and operate the activities: (a) in accordance with a written management system that identifies and minimises risks of pollution, including those arising from operations, maintenance, accidents, incidents, non-conformances, closure and those

drawn to the attention of the operator as a result of complaints”

NRW considers there to be a failure by the operator to enact sufficient control measures to prevent pollution, relating to the release of effluent from the site. As a result, NRW considers this to be a contravention of permit condition 1.1.1 (a). As a result, First Milk has been issued a **Category 3 non-compliance**, scored in accordance with the Compliance Classification Scheme (CCS) under Compliance Criteria IR1A.

ACTION 3: Based on the findings of ACTION 2 (see above), review and update management plans accordingly.

Due Date: 31 December 2025

Permit Condition 3.1.1 Breach:

“There shall be no point source emissions to water, air or land except from the sources and emission points listed in schedule 3 tables S3.1 and S3.2.”

The offsite release of rinse water and cleaning caustic had the potential to have a minor or minimal impact or effect on the environment, which therefore constitutes a breach of the above condition. As a result, First Milk has been issued a **Category 3 non-compliance**, scored in accordance with the Compliance Classification Scheme (CCS) under Compliance Criteria IR3A.

ACTION 4: Undertake and evidence accordingly the intended remedial actions outlined within the Schedule 5 part B to prevent reoccurrence of the issue.

Due Date: 31 December 2025

Permit Condition 4.3.2 Breach

“Any information provided under condition 4.3.1 (a)(i), or 4.3.1 (b)(i) where the information relates to the breach of a limit specified in the permit, shall be confirmed by sending the information listed in schedule 5 of this permit within the time period specified in that schedule.”

The Schedule 5 Part A notification was not submitted within the required 24-hour timeframe following the incident. Consequently, First Milk has been issued a **Category 3 non-compliance** for failure to notify NRW of a permit breach in accordance with permit conditions. This has been scored in accordance with the Compliance Classification Scheme (CCS) under Compliance Criteria IR4C.

ACTION 5: Improve the current site NRW notification procedure and include contingency measures in the event of staff absence (weekends/bank holidays/reduced operational activity etc) and submit evidence to NRW of the changes accordingly. First Milk must notify NRW of all permit breaches (or activities that give rise to an incident or accident which significantly affects or may significantly affect the environment) via the correct notification procedure and within the timeframes outlined within the permit.

Due Date: 31 December 2025

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.