

Compliance Assessment Report CAR_NRW0049594

Permit being assessed: WP3231NB.

For: The Creamery , **held by:** Dairy Partners (Cymru Wales) Limited

At: Aberarad, Newcastle Emlyn, Carmarthenshire, SA38 9DQ.

Type of assessment: Other,

Reason: Incident Response (Incident number 2509056).

On: 07/10/2025 between 12:00 and 13:30.

Parts of permit assessed: See section 4.

NRW Lead Officer: Kirsty Thomas, accompanied by Alex Bowder.

Report sent to: Dairy Partners (Cymru Wales) Limited, HSE Manager, on 17/10/2025.

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

Part of permitted activity assessed (compliance criteria)	Assessment result	Permit condition
IR3C - Installations - Emissions and monitoring - Odour	C2 Significant	3.3.1
IR3D - Installations - Emissions and monitoring - Noise and vibration	Assessed (A)	

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

Total non-compliances recorded	Total non-compliance score
1	31

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
IR3C	Dairy Partners to submit an updated Odour Management Plan (OMP) as required by Improvement Condition 20 (IC20) of the site's environmental permit. Additionally, the submission must include a detailed response to the comments provided by Natural Resources Wales (NRW) on 30 July 2025, which were issued to Dairy Partners via their consultants, ECL, regarding the site's odour management.	24/10/2025

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.

We are currently considering taking enforcement action against you for the non-compliance recorded above. We will contact you in due course.

4. Details of our assessment

This CAR has been reissued to amend the scoring of permit non-compliances to reflect the activities observed by NRW Officers during the off-site monitoring. This amended CAR captures the additional monitoring assessment conducted on the 14th October 2025 (as well as the 7th October 2025) and details the non-compliance score escalation. This revised CAR report replaces the report issued on the 8th October 2025.

This Compliance Assessment Report (CAR) details the comments of Natural Resources Wales (NRW) officers for the unannounced off-site monitoring conducted on Tuesday 7th October 2025 at The Creamery, Aberarad, Newcastle Emlyn SA38 9DQ for activities undertaken by Dairy Partners (Cymru Wales) Limited (the Operator) under environmental permit **EPR-WP3231NB**.

Odour – 7th October 2025

An odour assessment was undertaken by two NRW Officers between 12:22hrs and 12:56hrs at five locations around and outside of the Dairy Partners (the Creamery) site boundary.

Weather conditions during the observation were damp and overcast, with a mild to cool ambient temperature. Wind direction was recorded as south-easterly, accompanied by a light breeze.

During the assessment, NRW Officers detected/perceived distinct and offensive odours at locations to the east, south-east, and north-east of the Dairy Partners facility. Although the prevailing wind direction was recorded as south-easterly, the presence of intermittent offensive odours at these locations suggests the potential influence of localised air movements, variable wind patterns, and topographical factors etc.

NRW Officers perceived the odour to be originating from the site effluent treatment plant with a sewage/sludge like smell recorded.

Odour – 14th October 2025

On 14th October 2025, NRW received 8 odour complaints relating to the area surrounding the Dairy Partners facility in Newcastle Emlyn. An odour assessment was undertaken by two NRW Officers between 13:00hrs and 13:28hrs at five locations around and outside of the Dairy Partners (the Creamery) site boundary.

NRW Officers detected/perceived distinct, strong and offensive odours at several off site

locations. See Compliance Assessment Report CAR_NRW0049699 for further details.

Compliance breach

Permit condition 3.3.1 - *Emissions from the activities shall be free from odour at levels likely to cause pollution outside the site, as perceived by an authorised officer of Natural Resources Wales, unless the operator has used appropriate measures, including, but not limited to, those specified in any approved odour management plan, to prevent or where that is not practicable to minimise the odour.*

NRW Officers perceived odour at levels likely to cause pollution outside the site with the odour source attributed to the ETP area. NRW Officers are aware that Best Available Techniques (BAT) are not being fully utilised on the site's ETP e.g. absence of appropriate covers or enclosure of odour sources such as the sludge and crude pits.

The operator has failed to prevent odour at levels to cause pollution outside the site boundary as required by Condition 3.3.1. This represents a non-compliance against Condition 3.3.1. **This non-compliance has been assessed as an ongoing permit breach and as a result, the non-compliance score has been escalated from a Category 3 (C3 minor) to a Category 2 (C2 significant) breach.** This is in accordance with NRW's compliance scoring guidance, a non-compliance score of C2 has been recorded against sub-criteria IR3C - odour.

Action – Dairy Partners to submit an updated Odour Management Plan (OMP) as required by Improvement Condition 20 (IC20) of the site's environmental permit. Additionally, the submission must include a detailed response to the comments provided by Natural Resources Wales (NRW) on 30 July 2025, which were issued to Dairy Partners via their consultants, ECL, regarding the site's odour management.

Noise

NRW Officers did not perceive noise or vibration at levels likely to cause pollution. The operator informed NRW Officers that noise improvement works across the site are progressing.

Rive Arad

The River Arad was observed to be fast-flowing and visually clear at both upstream and downstream locations.

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.