

Compliance Assessment Report CAR_NRW0048471

Permit being assessed: WP3231NB.

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

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

Type of assessment: Report/Data Review,

Reason: Routine.

On: 21/07/2025 - 24/10/2025.

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 24/10/2025.

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

Part of permitted activity assessed (compliance criteria)	Assessment result	Permit condition
IR2E - Installations - Operations - Improvement programme	Action only (X)	
IR2E - Installations - Operations - Improvement programme	Action only (X)	
IR2E - Installations - Operations - Improvement programme	Action only (X)	
IR2E - Installations - Operations - Improvement programme	C3 Minor	2.4.1

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
IR2E	Action REF CAR_NRW0048471.1 - Dairy Partners to implement noise mitigation as proposed (and deem suitable by the operator) within timeframes specified in DPCW.01.08_IC21b response issue 1.pdf. Submit relevant	30/04/2026

Criteria	Action needed	Complete by
	evidence to NRW.	
IR2E	Action REF CAR_NRW0048471.2 -Dairy Partners to submit a revised version of the noise implementation plan/programme to include details and timeframes of when and how they will reassess the effectiveness of the noise improvements implemented. Including but not limited to: • Details of monitoring assessments planned for pre and post installations of improvement measures. - o Including the chiller roof mitigation once the roof has been installed. - o The effectiveness of the vat room exhaust louvers and investigation to additional measures such as induct silencers. - o Review of other measures implemented and consideration to further improvements that may be necessary. Including sources previously deemed "low priority" that warrant additional mitigation, particularly where they may not meet BAT standards Evidence of findings are to be submitted to NRW.	31/01/2026
IR2E	Action REF CAR_NRW0048471.3 - Dairy Partners to provide a progress review of the noise improvement programme by 31st January 2026. Including a summary of progress to date and updated implementation plan/Gantt chart.	31/01/2026
IR2E	Action REF CAR_NRW0048471.4 Dairy Partners must address the gaps in the information as identified above and include within the submissions in relation to Action REF CAR_NRW0048471.2.	31/01/2026

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

Improvement Condition 21b (IC21b)

The requirements of IC21b are listed in Table S1.3 of the environmental permit EPR/WP3231NB as follows:

IC21b - The Operator shall carry out a BAT review assessment of the noise pollution from the whole installation. Paying attention to the potential for minimising noise pollution from the whole installation. The review shall include:

- *Determination of the level of impact by completion of a noise impact assessment as required by IC21a*
 - *Review of the noise control techniques and measures outlined in BAT Conclusion 14 of the Food, Drink and Milk Industries BRef Document (EU 2019) to demonstrate noise emissions have been prevented or minimised as far as reasonably practicable. The review should include a feasibility study of installing further noise control techniques and measures, including a cost-benefit analysis where required.*
 - *An implementation plan where improvements to the noise control techniques and measures are identified including a timetable for their installation.*
- The BAT review assessment shall be submitted to Natural Resources Wales by the date specified for approval.*
- The implementation plan shall be implemented in accordance with Natural Resources's Wales written approval.*

IC21b builds upon the previous Improvement Condition (IC21a), which required Dairy Partners to conduct a comprehensive Noise Impact Assessment (NIA) for the entire site. The findings of the NIA, based on on-site noise monitoring data, indicated that site activities are likely causing a significant adverse impact. These findings, combined with ongoing community noise complaints, highlight the critical need for Dairy Partners to implement appropriate noise control measures and mitigation improvements.

Documents submitted to satisfy the requirements of IC21b

The operator has submitted the following documents with an aim to satisfy the requirements of IC21b:

- *250428 - The Creamery Aber-arad BAT Noise Audit.pdf (written by consultants ParkerJones Acoustics Limited on behalf of the operator Dairy Partners (Cymru Wales) Ltd). (Revised version submitted 28.04.25).*
- *Noise Implementation Plan v2.xlsx.*
- *Feasibility Study ETP Tankers.docx*
- *Feasibility Study LNG Alternative Suppliers.docx*
- *Feasibility Study Whey Dispatch pump.docx*
- *Feasibility Study Pump House.docx*
- *Feasibility Study Production Hall Exhausts.docx*
- *Feasibility Statement Intake Tankers.docx*
- *Feasibility Study ETP.docx*
- *Feasibility Study LNG Alarm.docx*
- *Feasibility Study Boiler House Louvers.docx*

- Feasibility Study Borehole Water Tank.docx
- Feasibility Study Boiler House Pressure Release Valve.docx

The documents were submitted in response to Natural Resources Wales' (NRW) feedback on the initial *BAT Noise Audit and Noise Implementation Plan*, originally submitted on 13 February 2025. The revised documentation provides supplementary information regarding the proposed noise mitigation measures and site-wide improvements. These measures have been prioritised based on their relative significance, classified as either high or low priority^[1].

NRW provided a further response to the operator on the 26th June 2025.

At the time of this response, NRW requested Dairy Partners take immediate action to implement suitable noise mitigation measures and submit a detailed project Gantt chart to NRW. NRW also requested that the project Gantt chart must clearly specify the proposed noise mitigation measures, specific implementation dates and key task details. Details of contractors undertaking the work must also be included.

ECL on behalf of Dairy Partners provided additional information on the noise improvement implementation timeframes and addressed tonality queries raised. Document provided:

- *DPCW.01.08_IC21b response issue 1.pdf* – Document prepared by ECL on behalf of Dairy Partners on 21 July 2025.

NRW comments

The operator has demonstrated a commitment, in their responses, to addressing site-related noise through ongoing improvement measures. While certain aspects of the noise mitigation plan lack some detail and could benefit from further refinement, the information submitted to date is considered a reasonable basis from which to initiate the proposed mitigation strategy, in support of the operator's efforts to progress with on-site improvements.

The updated BAT Noise Audit Report indicates certain measures will be implemented in a phased approach. While this approach is reasonable, it will require ongoing updates and validation from Dairy Partners to clarify the decision-making process at each stage.

The operators has committed to implementing noise mitigation measures at the site, with an aim of high priority items being targeted first.

As indicated in submitted documentation (*DPCW.01.08_IC21b response issue 1.pdf*), several improvements are due for completion by January 2026 (some as soon as end of November 2025) including:

High priority

- **Chillers** – construction of a roof with acoustic panels as part of the broader enclosure strategy. The enclosure will remain partially open for ventilation

purposes[2].

A phased approach is being adopted for the chiller roof. Option to further improve the enclosure by sealing any remaining ventilation gaps—such as by installing acoustic louvres or replacing open sections with ducted systems incorporating in-line silencers.

The operator will reassess the effectiveness of the mitigation once the roof has been installed and consider the option to further improve the enclosure by sealing remaining ventilation gaps.

This improvement will also benefit noise sources within the chiller compound, including the **glycol pumps (chiller base)**.

- **Vat room exhausts (east and south)** – Install acoustic louvres. *The BAT Noise Audit Report* concludes further improvements are possible such as the "future installation of additional silencing measures—such as externally ducted flues incorporating in-line silencers—which could offer improved attenuation, particularly at lower frequencies. However, this would require more significant structural alterations and design considerations, and would need to be investigated further by DP". In summary, further investigation into additional silencing measures are recommended but no information provided to date. Further review of the effectiveness of the proposed noise mitigation is required and additional mitigation implemented if required.

Low priority

- **Boiler house louvres** – Replacing existing louvres with acoustic louvres.
- **Borehole water tank** – Construct an enclosure around the pump. Dairy Partners/ECL have reported that this work has been completed. The pumps have been boxed in and the water drop height has been removed.
- **Compressor room exhaust** – Install a new acoustic louvre and acoustic duct.

Improvements are planned for the cooling tower pumps for completion by end of April 2026:

High priority

- **Cooling tower pumps** – Fully seal the existing enclosure with acoustic panels.

The operator has also confirmed there will be a change to the effluent tanker loading operations. Tankers will be loaded using a roto pump (RLCB 671) which is claimed will result in noise reduction to silent running. This measure is proposed to be installed approximately December 2025. This was deemed a low priority item, such improvements are welcomed. However, it is not clearly understood how ETP tanker idling is still required during pumping operations and therefore other recommendations within *The BAT Noise Audit Report* must also be considered if required. No feasibility study has been provided for other recommendations such as the repositioning of the vehicle. It is also assumed Dairy

Partners still plan to implement an acoustic barrier at the side of the tanker during loading operations as is still listed within the document *DPCW.01.08_IC21b response issue 1.pdf*. Please also note NRW concerns around the effectiveness of such temporary acoustic barriers. Dairy Partners have also confirmed tanker loading will be restricted to daytime hours, starting from 08:00am.

Actions:

Action REF CAR_NRW0048471.1 - Dairy Partners to implement noise mitigation as proposed (and the operator deem suitable) within timeframes specified in *DPCW.01.08_IC21b response issue 1.pdf*. Submit relevant evidence to NRW.

Action REF CAR_NRW0048471.2 - Dairy Partners to submit a revised version of the noise implementation plan/programme to include details and timeframes of when and how they will reassess the effectiveness of the noise improvements implemented. Including but not limited to:

- **Details of monitoring assessments planned for pre and post installations of improvement measures.**
 - Including the chiller roof mitigation once the roof has been installed.
 - The effectiveness of the vat room exhaust louvers and investigation to additional measures such as induct silencers.
 - Review of other measures implemented and consideration to further improvements that may be necessary. Including sources previously deemed "low priority" that warrant additional mitigation, particularly where they may not meet BAT standards.

Evidence of findings are to be submitted to NRW.

As previously discussed with the operator, it is imperative that Dairy Partners take prompt and proactive steps to address noise emissions from the site, especially in light of the IC21a findings, which indicate that the site is likely having a significant adverse impact in terms of noise.

It is Dairy Partners responsibility to ensure appropriate and effective noise mitigation measures are implemented and must review noise mitigation plans/improvements on an ongoing basis.

It has been confirmed that the improvement work proposed will be mainly in-house, with the potential for approved contractors to support the work where necessary. Some equipment for improved noise mitigation will have lead times for delivery, which will be communicated with NRW wherever possible.

Dairy Partners have also committed to a monitoring assessment both pre- and post-installation, specifically on the High-priority measures, to evidence the effectiveness of the mitigation measures.

As stated within the submitted documentation, this is the first tranche of improvements and mitigation measures from the Noise Improvement Plan, which is a dynamic document and one which will be under review and regularly updated and shared with NRW.

This will help ensure that once the work has been carried out, and post-installation monitoring identifies improvements from those key measures; a follow-up review and re-evaluation of priorities will take place. This will help to enable any other mitigation measure from previously identified low sources of priority that don't meet BAT standards, are then considered for future upgrades where necessary, whilst considering other financial commitments across the business.

Action REF CAR_NRW0048471.3 Dairy Partners to provide a progress review of the noise improvement programme by 31st January 2026. Including a summary of progress to date and updated implementation plan/Gantt chart.

As previously conveyed to the operator, subsequent reviews must evaluate whether sources initially designated as "low priority" now warrant additional mitigation—particularly where they may no longer align with Best Available Techniques (BAT) standards. NRW have provided specific comments on Items such as the milk tanker bay intake area and production hall exhaust that must be addressed[3]. These must also be included in response to Action 2 of this CAR.

Milk Tankers

- Along with the BAT recommendation of the installation of an electric motor system, the installation of an acoustic barrier to provide partial shielding to the milk tanker area (an acoustic barrier) was also recommended as a potential mitigation measure. This mitigation measure however was not considered in the "Feasibility Statement Intake Tankers" word document (no cost benefit analysis provided either). **This remains outstanding.**
- Noting the relatively low suggested individual contribution mitigation of 2-4 dB, assigning this as a low priority appears reasonable. As noted, future reviews must consider whether sources previously deemed "low priority" such as this now warrant additional mitigation, particularly where they may not meet BAT standards.

Production Hall Exhausts

- The loudest source of noise for NSR3 is from the Production Hall Exhausts. Dairy Partners state they remain committed to continuously reviewing site noise impacts and will revisit this measure should circumstances or the complaint profile change. This noise source must be considered a priority as soon as possible/ immediately after the first set of mitigation measures have been implement. This should also be included within the revised implementation plan/project Gantt chart.

Please note that the above conclusions do not constitute formal approval of the proposed mitigation measures. NRW are not responsible for the effectiveness of the proposed mitigation measures. Any investment made by Dairy Partners at the Newcastle Emlyn site are done at the company's own risk.

It is the operator's responsibility to ensure that appropriate mitigation measures are

implemented. Further improvements may be required if the implemented measures do not achieve the desired noise reduction.

Noisy activities such as milk tanker deliveries and ETP tankers must be restricted to suitable operator hours, as Dairy Partners has committed to doing e.g restricting ETP tanker loading to suitable daytime hours. Such measures must be captured in the site's Noise Management Plan (NMP).

LNG tank refuelling

The LNG delivery (pressure fill and alarm) has been identified as a high priority noise source. The operator has an approved operating technique and manner in which the operator will control noise from LNG deliveries – “*Report into LNG delivery systems at the Newcastle Emlyn Dairy*” dated 30th December 2019. The 2019 report states that ‘*only tankers with the silent delivery option will be permitted to deliver to the Newcastle Emlyn site*. Non-compliances have been recorded (since December 2023) for undertaking LNG refuelling deliveries using techniques other than those agreed i.e. silent delivery (non-compliance of condition 2.3.1), and for noise pollution substantiated by NRW officers outside of the permit boundary caused by the refuelling activities (non-compliance of condition 3.4.1).

As detailed in numerous previous CARs, Dairy Partners must only refill the LNG tank following approved operating techniques, until alternative abatement measures are agreed via the appropriate process (permit variation). Furthermore, NRW has advised previously and reiterates, that any investment made by Dairy Partners at the Newcastle Emlyn site, where these are subject to permit variation, are done at the company's own risk. Applying for a permit variation does not guarantee that proposed changes will be approved.

The feasibility document provided *Feasibility Study LNG Alternative Suppliers*, claimed that reinstating the silent delivery service is not feasible due to its unavailability in the UK and unacceptable health and safety risks associated with the required delivery model. From more recent discussions with Dairy Partners/ECL, it is now stated that similar system may exist in the UK but Dairy Partners have chosen not to pursue these further due to disproportionate costs (not been provided to NRW) and complexity.

Acoustic barrier

The operator has proposed a 0.7m concrete block base with a 2m Heras fence with an Echo H9 Acoustic barrier attached to the fence. Although this design is yet to be assessed through the permit determination process, NRW has expressed views around these types of portable acoustic barriers which are predominantly used as a temporary measures in industries such as construction and are not generally considered a permanent solution. Compared to other permanent acoustic barriers, these portable barriers may be more susceptible to weather conditions causing damage or movement of the barrier and subsequently degrading the performance. The consultant/Dairy Partners has not given consideration to a more "permanent" barrier structure and has not undertaken any cost benefit analysis of using other materials for an acoustic barrier such as a full height concrete block barrier (or any other appropriate alternative solutions).

Plans/timeframes for improvements within the recently submitted

document *DPCW.01.08_IC21b response issue 1.pdf* exclude specific details of the LNG refuelling activities. Further discussions regarding the Liquefied Natural Gas (LNG) delivery noise source are ongoing separately.

Compliance overview

Although progress has been made to meet the requirements of this IC, the responses provided have not fully satisfied the IC requirements (i.e no cost benefit analysis of using other materials for an acoustic barrier proposed to provide noise mitigation during LNG deliveries/ consideration to a more permanent solution, consideration of the installation of an acoustic barrier to provide partial shielding to the milk tanker area etc). Therefore, the failure to submit information complying with the requirements of improvement condition 21b is contrary to condition 2.4.1 of the permit. It also noted that ongoing review of improvement effectiveness and alignment with BAT will be required.

This permit contravention has been categorised as a non-compliance C3 – (minor) breach reflecting the fact that Dairy Partners have committed to making many noise improvements and will continually review noise from the whole installation. The non-compliance score has been recorded against sub-criteria IR2E. NRW will consider escalating their response should Dairy Partners fail to progress with the noise improvement plan they have provided (along with reviewing and implementing additional noise mitigation measures as required).

Action REF CAR_NRW0048471.4 Dairy Partners must address the gaps in the information as identified above and include within the submissions in relation to Action REF CAR_NRW0048471.2.

Summary

NRW acknowledge IC21b as being partially complete. Additional/ongoing review and assessment work of noise mitigation and improvements is required to ensure noise emissions have been prevented or minimised as far as reasonably practicable (as per Best Available Techniques). Further cost-benefit assessments are required where necessary (e.g milk tanker barriers) and further feasibility studies on some noise sources are also required.

Actions as detailed within this CAR require completion, sign off and agreement with NRW.

The timetable for installation of noise control techniques and measures is currently planned in a phased approach and will need frequent review and updating to include additional measures as required.

[1] High priority – noise sources where additional noise control is necessary and likely to yield meaningful benefit at receptors .e.g dominant noise sources. Low priority – noise sources with a lower impact. Where additional mitigation could be implemented but source is not considered a major contributor to receptor noise levels etc or are operationally or economically unfeasible.

- [2] NRW cannot comment on the effectiveness of the proposed mitigation. No technical drawings are available and modelling attempted to simulate the proposed arrangement has limitations.
- [3] As per comments made in NRW's response date 26th June 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.