Cyfoeth Naturiol Cymru
Natural Resources Wales

Compliance Assessment Report CAR_NRW0052924

Permit being assessed: WP3231NB.

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

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

Type of assessment: Site Inspection,

Reason: Routine.

On: 07/09/2026 between 10:30 and 11:45.

Parts of permit assessed: 3. Emissions and Monitoring.

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

Report sent to: Dairy Partners (Cymru Wales) Limited, Health & Safety and Environmental Manager, on 24/09/2026.

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

Part of permitted activity assessed (compliance criteria)	Assessment result	Permit condition
IR3B - Installations - Emissions and monitoring - Emissions of substances not controlled by emission limits	Action only (X)	
IR3B - Installations - Emissions and monitoring - Emissions of substances not controlled by emission limits	Action only (X)	
IR3C - Installations - Emissions and monitoring - Odour	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?

Criteria	Action needed	Complete by
IR3B	Action 1 - The operator is to confirm the availability of the SCL as-built drawings and associated construction verification documentation. Upon availability, the	08/10/2026

Criteria	Action needed	Complete by
	documentation must be submitted to NRW and demonstrate that the secondary containment system has been constructed in accordance with the approved scheme agreed with NRW, including the design details and drawings referenced within the Regulation 36 Notice issued on 16/04/2025	
IR3B	Action 2: The operator shall provide evidence that: Suitable operational procedures, inspection regimes and maintenance arrangements are in place for the SCL bund, flood barrier systems and associated containment infrastructure. Containment integrity is routinely verified through regular inspections, maintenance and housekeeping measures, and that enhanced inspections are undertaken in advance of predicted flood conditions. Relevant personnel have been trained and are competent in the implementation of the Accident Management Plan (AMP), Storm and Flood Management Procedure (EP-024) and other relevant procedures. Roles and responsibilities are clearly defined for weather monitoring, inspection activities, flood barrier management, emergency response actions and notification to NRW.	08/10/2026

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.

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 Natural Resources Wales (NRW) site officers findings for a site inspection undertaken on 07/09/2026 at The Creamery, Aberarad, Newcastle Emlyn SA38 9DQ for activities by Dairy Partners (Cymru Wales) Limited (the operator) under the Environmental Permit EPR-WP3231NB. The visit purpose was to inspect the Effluent Treatment Plant (ETP) to confirm secondary containment arrangements in place.

Background

A Regulation 36 Notice was issued (17/12/2021) in response to a non-compliance with permit condition 3.2.3 which was first identified in April 2021 (CAR_NRW0038334).

Condition 3.2.3 of the permit stated:

"*All liquids in containers, whose emission to water or land could cause pollution, shall be provided with secondary containment, unless the operator has used other appropriate measures to prevent or where that is not practicable, to minimise, leakage and spillage from the primary container".*

The Regulation 36 Notice included 2 steps; initially, submission of a variation application for the new ETP with a proposed secondary containment system for the aeration and balance tanks, and secondly, construction of an approved secondary containment system, subject to the relevant permissions.

A Secondary Containment Lagoon (SCL) design was agreed as part of the permit variation V004 (variation issued 09/03/2023). The agreed design is required to be implemented to provide adequate containment provisions for the new ETP in line with permitting requirements, as well as CIRIA 736 standards ('containment systems for the prevention of pollution') and therefore meeting Best Available Techniques (BAT).

Retrospective planning permission for the new ETP (including the proposed secondary containment lagoon) was granted 28/03/2024. The Regulation 36 Notice required construction of the approved secondary containment system if both permissions were obtained and within 10 months of whichever was granted later. This therefore created a compliance deadline for construction of the SCL by 28/01/2025.

NRW officers undertook a site inspection on the 29/01/2025 where it was confirmed the operator had not implemented secondary containment provisions as per the Regulation 36 Notice and was continuing to operate the new ETP with now SCL. Details of this site inspection in documented in CAR_NRW0046116.

A new Regulation 36 Enforcement Notice was issued 16/04/2025 requiring the operator to construct the approved secondary containment system by the 04/09/2026.

Site Observations

NRW officers attended the Dairy Partners site on 07/09/2026.

NRW officers proceeded to the ETP area where it was evident that construction work for the SCL had been undertaken. From an initial visual inspections only, the SCL in place appeared to be as per the design required by the Regulation 36 Notice and as per the drawings provided and agreed during a previous permitting determination. No construction design details, "as-built" drawings or construction verification documentation were available at this time, therefore no detail design checks were undertaken.

One outstanding item identified during the inspection was the installation of the jetting protection shroud barrier for the balance tank. The operator explained that contractors who had initially attended site to undertake the work were not considered sufficiently competent to complete the installation.

The operator confirmed on the 24/09/2026 that the jetting protection shroud barrier had been installed and provided photographic evidence.

Photographs showing the newly installed SCL as seen in Images 1 & 2:



Image 1



Image 2

Action 1 - The operator is to confirm the availability of the SCL as-built drawings and associated construction verification documentation. Upon availability, the documentation must be submitted to NRW and demonstrate that the secondary containment system has been constructed in accordance with the approved scheme agreed with NRW, including the design details and drawings referenced within the Regulation 36 Notice issued on 16/04/2025.

The SCL concrete bund includes 2 x 1.2 m flood barrier systems (“Nautilus 400 Floor Barrier Systems”). These barriers are to remain in-situ continuously except in the event of an extreme storm weather event (1 in 100 year + 30 % climate change storm occurrence) being predicted by the Met Office where they will be removed. There is a ‘Storm and Flood Management Procedure’ (EP-024) which details how 48 hours before the event, tanks are to be inspected for leaks. Where leaks are detected, flood gates will not be removed, and emergency repairs will be carried out immediately. Where no leaks are detected and the flood barrier systems are removed, the ETP will be switched off and water levels in the SCL will be monitored to ensure flood water levels do not exceed pump level. NRW are to be

informed prior to flood barrier systems being removed and re-instated.

The operator has previously updated the site's Accident Management Plan (AMP) to include details of the SCL and flood system and references the relevant storm and flood management procedure (as part of Improvement Condition 15 (IC15)). The operator must ensure staff have awareness and are trained on the storm and flood management procedure.

The site's AMP states all bunds and hard surfaces are regularly checked during safety inspections to ensure adequate spill containment capacity and the integrity of each surface is maintained. There must also be relevant operating procedures in place to ensure enhanced checks of equipment and maintaining good house keeping of the SCL area is done and managed, particularly in advance of a storm event, Procedures must also clearly identify staff responsibilities e.g nominated person to monitor weather, those responsible for flood gate management and notification to NRW.

Action 2: **The operator shall provide evidence that:**

- **Suitable operational procedures, inspection regimes and maintenance arrangements are in place for the SCL bund, flood barrier systems and associated containment infrastructure.**
- **Containment integrity is routinely verified through regular inspections, maintenance and housekeeping measures, and that enhanced inspections are undertaken in advance of predicted flood conditions.**
- **Relevant personnel have been trained and are competent in the implementation of the Accident Management Plan (AMP), Storm and Flood Management Procedure (EP-024) and other relevant procedures.**
- **Roles and responsibilities are clearly defined for weather monitoring, inspection activities, flood barrier management, emergency response actions and notification to NRW**.

Note - NRW remains concerned that some elements of the ETP infrastructure, which pre-date the current ETP upgrades, are not benefiting from the containment improvements delivered through the newly constructed SCL. Improvements to these areas of concern should be progressed.

Odour

No odour was detected offsite.

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 required for the permit condition assessed to avoid non-compliance. No non-compliance scored at this time
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(1) – Emissions to water
- IR3A(2) – Emissions to air
- IR3A(3) – Emissions to 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.

Disputing the Content of this Compliance Assessment Report Form
If you disagree with the content of this Compliance Assessment Report form, you should submit your concerns, in writing, to the regulating officer who issued it within **15 working days** of its issue. This will be treated as a **Stage 1 review**.

If you are not satisfied with the outcome of the stage 1 review, you may request a **Stage 2 appeal**. This request must be submitted **within 21 working days** of receiving the response from the stage 1 review.

Further details on our review and appeal process are available at: Natural Resources Wales / Appeal a regulatory decision from Natural Resources Wales

Concerns Not Related to the Content of this Compliance Assessment Report Form
If your concerns do not relate to the content of the Compliance Assessment Report form, you should first attempt to resolve the issue with the regulating officer or their line manager.

If the issue remains unresolved, please contact our **Customer Contact Team**:

- **Telephone**: 0300 065 3000 (Monday to Friday, 09:00–17:00)
- **Email**: enquiries@naturalresourceswales.gov.uk

They will provide details on how to escalate your concerns through our **Complaints and Commendations procedure**.

If you are dissatisfied with our response, you may contact the **Public Services Ombudsman for Wales**:

- **Telephone**: 0300 790 0203
- **Email**: 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.