

Compliance Assessment Report CAR_NRW0038908

Permit being assessed: BL9941IC.

For: Pwllheli Creamery EPR/BL9941IC, held by SOUTH CAERNARFON CREAMERIES LTD

At: Rhyd-y-Gwistl, Chwillog, PWLLHELI, Gwynedd, LL53 6SB.

Type of assessment carried out: Site Inspection, Reason: Other.

On 28/10/2021 between 09:00 and 17:00.

Parts of permit assessed: 1, Management. 3, Emissions

NRW Lead Officer: Anthony Roberts.

Report sent to: Elwyn Jones, Manager on 05/11/2021.

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

Part of permitted activity assessed (criteria)	Assessment result	Permit condition
C2 - General Management - Management system and operating procedures	Assessed (A)	
E3 - Emissions - Surface water	Assessed (A)	

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

Total number of 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

SITE MEETING AND NEW ETP INSPECTION – 28/10/21

ETP/Site Expansion/Permitting and BAT Conclusions

A site Meeting and discussion was conducted with Elwyn Jones, Brian Eddy (ETP Project Manager) and Gwyn Jones, regarding the timeline for commissioning the new ETP. Permitting (including improvement conditions), BAT requirements and issues with increased throughput and planning boundaries to meet expansion plans were also discussed. This included the MCP implications of the new boiler proposals. Resource efficiency will also be key to addressing sustainability as required by the permit as the site develops.

- **Site Inspection**

Inspection of the new effluent treatment plant was undertaken with Brian Eddy, Elwyn Jones and Gwyn Jones. BE gave a technical description of the process. The site should be fully connected and operational before Christmas 2021 and has 3 days redundancy. This provides resilient reliable future proofing for the factory and improved effluent discharge into the river. Site to inform NRW during each stage of the commissioning process and final full switch to the new plant. Site are commissioning the new plant and the vast majority of effluent is now going through the new system.

- **Expansion and Pollution Prevention/Bunding Proposals/Improvement Conditions**

Permit variation has removed the improvement condition (IC) for treatment at the ETP. Whey processing plant is the next phase which will be in place by the start of 2023. It is a replacement plant. New building will be higher up and slightly detached. This will require a variation to expand the permit boundary. Planning has now been submitted. The IC for bunding report submission will be reviewed during the next site inspection and plans made for submission before the deadline in the IC

- **Planning and Variation applications**

The amount of wastewater generated is related to the volume of milk processed. Currently at limit so need to tanker out water which is not an

economic solution. SCC just want to tanker sludge. This year even more milk will be processed as the site sales grow leading to the new development. Acquiring more milk is a 12-month process. Increased Milk volumes have now been included and discharge volumes as well from the ETP. Works on the whey plant will start in 12 months and will require the boundary element to be resolved. SCC to look at fuel types for new boilers and power rating with possibility of incorporating this into the current variation application to save repeating and any further delays.

- **BREF Changes**

BREF changes for food and drink are due for implementation. We will serve a notice that says we will vary the permit to include the changes.

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.

What are suspended scores?

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 and Waste action criteria (used in section 1 and 2):**A: Permitted activities**

- A1 Specified by permit

B: Infrastructure

- B1 Infrastructure – Engineering for prevention and control of emissions
- B2 Infrastructure – Closure and decommissioning
- B3 Infrastructure – Site drainage engineering (clean and foul)
- B4 Infrastructure – Containment of stored materials
- B5 Infrastructure – Plant and equipment

C: General management

- C1 General management – Staff competency/training
- C2 General management – Management system and operating procedures
- C3 General management – Materials acceptance
- C4 General management – Storage, handling, labelling and segregation

D: Incident management

- D1 Incident management – Site security
- D2 Incident management – Accidents, emergency and incident planning

E: Emissions

- E1 Emissions – Air
- E2 Emissions – Land and groundwater
- E3 Emissions – Surface water
- E4 Emissions – Sewer
- E5 Emissions – Waste

F: Amenity

- F1 Amenity – Odour
- F2 Amenity – Noise
- F3 Amenity – Dust/fibres/particulates and litter
- F4 Amenity – Pests/birds and scavengers
- F5 Amenity – Deposits on road

G: Monitoring and records, maintenance and reporting

- G1 Monitoring and records, maintenance and reporting – Monitoring of emissions and environment
- G2 Monitoring and records, maintenance and reporting – Records of activity, site diary/journal/events
- G3 Monitoring and records, maintenance and reporting – Maintenance records
- G4 Monitoring and records, maintenance and reporting – Reporting and notification to Natural Resources Wales

H: Resources efficiency

- H1 Resource efficiency – Efficient use of raw materials
- H2 Resource efficiency – Energy efficiency

Enforcement response

Any permit condition non-compliance 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 20 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 – 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.