Cyfoeth Naturiol Cymru Natural Resources Wales

Compliance Assessment Report

Report ID: CAR_NRW0034577

This form will report compliance with your permit as determined by an NRW officer					
Site	Llangefni Dairy EPR/BV8024IW	Permit Ref	BV8024IW		
Operator/Permit holder	Glanbia Cheese Ltd				
Regime	Installations				
Date of assessment	31/01/2019	Time in	N/A	Out	N/A
Assessment type	Report/Data Review				
Parts of the permit assessed	2018 Q4 and annual returns				
Lead officer's name	McGregor-Andrew, Sian				
Accompanied by					
Recipient's name/position	Baron Walkden/ Health, Safety and Environment Manager	Date issued	07/02/2019		

Section 1 – Compliance Assessment Summary

This is based on the requirements of the permit under the Environmental Permitting Regulations or the licence under the Water Resources Act 1991 as amended by the Water Act 2003. A detailed explanation is captured in "Compliance Assessment Report Detail" (Section 2) and any actions you may need to take are given in the "Action(s)" (section 4). This summary details where we believe any non-compliance with the permit has occurred, the relevant condition and how the non-compliance has been categorised using our Compliance Classification Scheme (CCS). CCS Scores can be consolidated or suspended where appropriate, to reflect the impact of some non-compliances more accurately. For more details of our CCS scheme, contact your local office.

Permit conditions and compliance summary	CCS Category	Condition(s) breached
C2 - General Management - Management system and operating procedures	C4	1.1.1
E3 - Emissions - Surface water	A	
G1 - Monitoring and Records, Maintenance and Reporting - Monitoring of emissions and environment	C3	3.1.2
G4 - Monitoring and Records, Maintenance and Reporting - Reporting and notification to Natural Resources Wales	C4	3.3.1

KEY: See Section 5 for breach categories, suspended scores will be indicated as such.
A = Assessed or assessed in part (no evidence of non-compliance), **X** = Action only,
O = Ongoing non-compliance, not scored.

Number of breaches recorded	3	Total compliance score (see section 5 for scoring scheme)	4.2

If the Number of breaches recorded is greater than zero, please see Section 3 for our proposed enforcement response

Section 2 – Compliance Assessment Report Detail

This section contains a report of our findings and will usually include information on:

- The part(s) of the permit that were assessed (eg. Maintenance, training, combustion plant, etc)
- Where the type of assessment was 'Data Review' details of the report/results triggering the assessment
- Any non-compliances identified
- Any non-compliances with directly applicable legislation
- Details of any multiple non-compliances
- Information on the compliance score accrued inc.
- Details of advice given
- Any other areas of concern
- Any actions requested
- Any examples of good practice
- A reference to photos taken

Review of monitoring returns for 2018 Q4 (01/10 to 31/12/2018) and Annual reporting requirements for 2018.

2018 Q4 - Monitoring returns for emissions to water (emission point W1) and emissions to sewer (emission point S1) for the period 01/10/2018 to 31/12/2018 were received on 17th January 2019 incompliance with conditions 4.2.3. Measured results were within permitted limits required by condition 3.1.2.

As recorded on the previous CAR form (CAR_NRW0034312) Condition 3.3.1 requires that analysis for emission point W2 should include Bromine, this was required by the permit variation V003 issued on 23/02/2017. It is noted on the returns that bromine monitoring will commence in Q1 of 2019. **Breach of condition 3.1.2 scored as CCS category 3 against criteria G1 - monitoring of emissions.**

2018 Annual reports - performance indicators, energy and water usage and waste disposal or recovery reports were received on 17th January 2019, in compliance with the timescales required by condition 4.2.2, however not all parameters required by version 003 of the permit (issued on 23/02/2017) were reported as old versions of reporting forms have been used. **Breach of condition 3.3.1, scored as CCS category 4 against criteria G4 - Reporting and notifications**

Action: Ensure all parameters required by condition 4.2.2 and Tables S4.2 and S4.3 are submitted in future annual reports. Copies of the correct forms are attached to this CAR form.

Use of incorrect reporting forms was raised in previous CAR forms. Copies of the correct forms containing all required performance parameters were previously provided (CAR form CAR_NRW0032863) with an action to update staff training and the EMS sections relevant to monitoring and reporting. **Breach of Condition 1.1.1 General management, scored as CCS category 4 against criteria C2 - Management system and operating procedures**

Action: Review the relevant EMS sections and monitoring procedures to ensure that the requirements of the current version of the permit are being met, and site personnel or contractors with responsibility for monitoring and reporting are aware of the relevant procedures. Please confirm in writing that these reviews have been completed **no later than 28/02/2019**.

Cyfoeth Naturiol Cymru Natural Resources Wales	**EPR Compliance Assessment Report**	**Report ID: CAR_NRW0034577**

This form will report compliance with your permit as determined by an NRW officer

Site	Llangefni Dairy EPR/BV8024IW	Permit Ref	BV8024IW
Operator/Permit holder	Glanbia Cheese Ltd	Date	31/01/2019

Section 3 – Enforcement Response

You must take immediate action to rectify any non-compliance and prevent repetition.
Non-compliance with your permit conditions constitutes an offence and can result in criminal prosecutions and/or suspension or revocation of a permit. Please read the detailed assessment in Section 2 and the steps you need to take in Section 4 below.

We will now consider what enforcement action is appropriate and notify you, referencing this form.

Section 4 – Action(s)

This section summarises the actions identified during the assessment along with the timescales for when they will need to be completed.

Criteria Ref.	**CCS Category**	**Action required/advised**	**Due Date**
See Section 1 above			
C2	C4	review relevant EMS sections and procedures for monitoring and reporting to ensure the permit requirements are being met and that relevant personnel are aware of those requirements.	28/02/2019
G4	C4	ensure the correct parameters are reported, as shown on the updated reported forms (copy attached)	28/02/2019
G1	C3	Ensure Bromine is monitored as required for emission point W2	28/02/2019

Section 5 – Compliance notes for the Operator

To ensure you correct actual or potential non-compliance we may

- Advise on corrective actions verbally or in writing
- Require you to take specific actions verbally or in writing
- Issue a notice
- Require you to review your procedures or management system
- Change some of the conditions of your permit
- Decide to undertake a full review of your permit

Any breach of a permit condition is an offence and we may take legal action against you

- We will normally provide advice and guidance to assist you to come back into compliance either after an offence is committed or where we consider that an offence is likely to be committed. This is without prejudice to any other enforcement response that we consider may be required.
- Enforcement action can include the issue of a formal caution, prosecution, the service of a notice and/or suspension or revocation of the permit.

See our Enforcement and Civil Sanctions guidance for further information

This report does not relieve the site operator of the responsibility to

- Ensure you comply with the conditions of the permit at all times and prevent pollution of the environment
- Ensure you comply with other legislative provisions which may apply

Non-compliance scores and categories

CCS category	Description	Score
C1	A non-compliance that could have a major environmental effect	60
C2	A non-compliance which could have a significant environmental effect	31
C3	A non-compliance which could have a minor environmental effect	4
C4	A non-compliance which has no potential environmental effect	0.1

Operational Risk Appraisal (Opra) - Compliance assessment findings may affect your Opra score and/or your charges. This score influences the resource we use to assess permit compliance.

Section 6 – General information

Data protection notice

The information on this form will be processed by the Natural Resources Wales (NRW) to fulfil its regulatory and monitoring functions and to maintain the relevant public register(s). The NRW may also use and/or disclose it in connection with:

- Offering/providing you with its literature/services relating to environmental matters
- Consulting with the public, public bodies and other organisations (eg. 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 its service
- Freedom of Information Act/Environmental Regulations request

The NRW may pass it on to its agents/representatives to do these things on its behalf. You should ensure that any persons named on this form are informed of the contents of this data protection notice.

Disclosure of information

The NRW will provide a copy of this report to the public register(s). However, if you consider that any information contained in this report should not be released to the public register(s) on the grounds of commercial confidentiality, you must write to your local area office within fifteen working days of receipt of this form indicating which information it concerns and why it should not be released, giving your reasons in full.

Customer charter

What can I do if I disagree with this compliance assessment report?

If you are unable to resolve the issue with your site officer, you should firstly discuss the matter with officer's line managers using the informal appeals procedure. If you wish to raise your dispute further through our official Complaints and Commendations procedure, phone our general enquiry number 0300 065 3000 (Mon to Fri 08.00 – 18.00) and ask for the Customer Contact team or send an email to enquiries@naturalresourceswales.gov.uk. If you are still dissatisfied you can make a complaint to the Public Services Ombudsman for Wales. For advice on how to complain to the Ombudsman phone their helpline on 0845 607 0987.

Welsh Language
If you would like this form in Welsh please contact your Regulatory Officer.