

Compliance Assessment Report

Report ID:
CAR_NRW0027085

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

Site	Amex Park	Permit Ref	YP3937SH		
Operator/Permit holder	Mekatek Limited				
Regime	Installations				
Date of assessment	28/01/2017 - 07/02/2017	Time in	N/A	Out	N/A
Assessment type	Check Monitoring/Sampling				
Parts of the permit assessed	emissions				
Lead officer's name	Thomas, Ffion				
Accompanied by					
Recipient's name/position	Daniel Lewis/ Site Manager	Date issued	07/02/2017		

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
A1 - Specified by permit	A	
E3 - Emissions - Surface water	C3 - Suspended	2.3.1 (Table S1.2).
G4 - Monitoring and Records, Maintenance and Reporting - Reporting and notification to Natural Resources Wales	A	

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	1	Total compliance score (see section 5 for scoring scheme)	0
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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

Condition 3.5.1 of the operator's environmental permit requires the monitoring of emissions to water. Tables S4.2 and S4.4 set out the permitted Emission Limit Values (ELVs) to water for certain monitored substances. In addition, the permit variation was issued on 06 April 2010 requiring the operator to review the ELVs for particular metals and set appropriate maximum emissions limits to water based on previous monitoring data. New limits for these metals were subsequently set in CAR 3449, the new limits for part of the operating techniques, condition 2.3.1 (Table S1.2).

Condition 4.3.1 & 4.3.2 require that NRW are notified without delay following the detection of any malfunction, breakdown or breach of a limit specified in the permit. Schedule 6 specifies the information required to be confirmed.

Exceedance for Nickle, Chromium and copper in December 2016

On 28 January 2017 you submitted a Schedule 6 Notification as detailed below. You have therefore been assessed as compliant against criteria G4 (Monitoring and records, maintenance and reporting - Reporting and Notification to Natural Resources Wales) as you have submitted the notification without delay.

You have been given a score of CCS 3 against criteria E3 (Emissions to surface water) due to the release being above the limits set in CAR3449. An agreement has been in place for a number of years regarding the metals limits in the permit, and as such, the score has been suspended against this breach of the permitted ELV, until such time as the limits are remodelled.

Permit Number	EA/EPRYP3937SH/V003
Name of Operator	Mekatek Limited
Location of Installation	Amex Park, Johnstown, Carmarthen, SA31 3NF
Location of the emission	W1
Time and date of the emission	Exceedance for Nickel, chromium and copper for December 2016

Substance(s) emitted	Media <i>eg air, groundwater</i>	Best estimate of the quantity or the rate of emission	Time during which the emission took place
Copper and its compounds	Source emissions to water	159 µg/l of copper identified within the monthly composite sample result.	December 2016
Nickel and its compounds	Source emissions to water	55.9 µg/l of nickel identified within the monthly composite sample.	December 2016
Chromium and its compounds	Source emissions to water	51.2 µg/l of chromium identified within the monthly composite sample.	December 2016

Measures taken, or intended to be taken, to stop the emission	<p>Discussions with NRW are ongoing regarding the modelling and permit revision.</p> <p>Although discussions are ongoing with NRW with regards to the discharge limits an internal investigation is ongoing regarding the elevated levels. Results from samples collected have been received and a further set of samples sent for analysis for comparison purposes, the sampling programme put in place include, incoming material and material at various stages of the processes.</p>
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END

EPR Compliance Assessment Report

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Operator/Permit holder	Mekatek Limited	Date	28/01/2017

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.

Other than the provision of advice and guidance, at present we do not intend to take further enforcement action in respect of the non-compliance identified above. This does not preclude us from taking enforcement action if further relevant information comes to light or advice isn't followed.

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			
E3	C3	no further action	07/02/2017

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.