Cyfoeth Naturiol Cymru Natural Resources Wales

Compliance Assessment Report

Report ID: CAR_NRW0032633

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	19/12/2017	Time in	N/A	Out	N/A
Assessment type	Report/Data Review				
Parts of the permit assessed	2.4, S1.3, 2.3.1, S1.2, 4.2.1				
Lead officer's name	Thomas, Ffion				
Accompanied by					
Recipient's name/position	Daniel Lewis/ Site Manager	Date issued	20/12/2017		

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	
C2 - General Management - Management system and operating procedures	A	
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	0	Total compliance score (see section 5 for scoring scheme)	0

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

This Compliance Assessment Report (CAR) form has been completed following receipt of the Mekatek submissions against permit Improvement condition IC18.

2.3 Operating techniques

2.3.1 (a) The activities shall, subject to the conditions of this permit, be operated using the techniques and in the manner described in the documentation specified in schedule 1, table S1.2, unless otherwise agreed in writing by the Agency.

Table S1.2 Operating techniques

Description	Parts	Date Received
Application	The response to questions B2.1.2, to B2.1.23, given in pages 13 to 25 of the application, excluding sections B2.1.4, B2.1.5, B2.1.12, B2.1.13, B2.1.17, B2.1.18, and B2.1.19.	19/10/05
Supplementary document and additional information to questions in sections B2.2.10 to 2.12.1 of the application provided by Mekatek Limited in their letter to the Environment Agency dated 17 October 2005	The response to sections B2.2.12 to B2.2.44 given in the additional information excluding responses to sections B2.2.14, B2.2.15, B2.2.16, B2.2.18, B2.2.24 and B2.2.36.	19/10/05
Application for variation	The response to questions 1.2, 2.1 to 2.12 (inclusive), 3.1 and 4.1 to 4.3 (inclusive) in Part C of the Application Form.	02/01/08
Response to Schedule 7 Notice	Answers to questions 1 to 8 in response to the Schedule 7 notice dated 14 March 2008.	04/04/08
Improvement Programme	All reports and plans submitted and agreed with the Agency, as part the Improvement Programme shall form part of the sites operating techniques.	See Improvement Programme in Table 1.4.1 of original permit and previous variations.

2.4 Improvement programme

2.4.1 The operator shall complete the improvements specified in schedule 1 table S1.3 by the date specified in that table unless otherwise agreed in writing by the Agency.

Table S1.3 Improvement programme requirements

Reference	Requirement	Date
Improvement Conditions IC1 to IC17 of the original permit have been submitted and reports and plans submitted to and approved by the Agency are now incorporated as site operating techniques via inclusion in Table S1.2.		
IC18	The Operator shall submit an Environmental Monitoring Programme which must contain documented objectives, design details and procedures to be adopted for site monitoring. The environmental monitoring programme shall incorporate specifications to include the following issues: 1. management structure and technical competence; 2. monitoring objectives; 3. the number and location of monitoring points; 4. monitoring measurements; 5. monitoring schedules; 6. assessment and compliance criteria, and contingency actions; 7. design of monitoring points; 8. monitoring methodology; 9. data management and reporting procedures; 10. Quality Assurance including Quality Control measures for items 7, 8 and 9 above; 11. Requirement to trend and interpret data to determine Environmental Impact. Control levels limits and Maximum Emission Limits shall be set within the plan, which as a minimum shall include the following metals and Cyanide: (a) Zinc and its compounds as Zn; (b) Mercury and its compounds as Hg; (c) Cadmium and its compounds as Cd; (d) Lead and its compounds as Pb; (e) Nickel and its compounds as Ni; (f) Copper and its compounds as Cu; The maximum emission limit for the first twelve months following receipt of the Environmental Monitoring Programme shall be based on the original permitted emission limit, or where exceeded, the maximum recorded value for monitoring data between 2007 – 2009 minus 10% (or less) unless agreed with the Agency. The following substances shall also be included with the monitoring programme. Monthly, composite samples shall be taken for: (a) Phosphate (b) Cynanide (c) Phenol The operator shall ensure the Environmental Monitoring Programme includes a requirement to review and reduce the emission limits on an annual basis. The review must take into account relevant Environmental Quality Standards and site monitoring data. A full justification for each limit must be provided annually. The operator must have due regard to the requirements of 'Technical Guidance Note (Monitoring) M18 – Monitoring of Discharges to Water and Sewer' when preparing the programme. The report shall ensure that a review of the document is undertaken on an annual basis.	30/06/10

The below submission was received, in compliance with IC 18, via email on 30th November 2017, as per the new agreed submission timeframe.

Quality Management System QP72, Environmental monitoring Programme

(the submission included the appendices referenced within QP72 which are:

SOP104 Data management and reporting procedures

SOP3 Monthly composite and spot sampling preparation and courier collection

SWP035 – effluent plant sample, collection and testing schedule

SWP412- Daily flow monitoring checks

QP23 Environmental Policy and

QP9 quality policy

A review of the submission shows it to be compliant with the requirements of IC18, aside from the submission of new emission limits and to determine environmental impact, which the regulatory officer has agreed will be completed following the submission of IC 19 and IC20 (c) which require modelling and further impact assessments to be undertaken and which form part of the exercise of establishing emission limits. It is agreed an addendum to this IC could be submitted following the completion of IC19 and IC20.

IC18 point 7 may need to be reviewed to include the design of all 7 monitoring points identified in addition to the final sampling point. This could be done as part of the future addendum

A copy fo the sites in date MCERTS certificate was also supplied on 15/12/17 following request for completeness of the IC review work.

NRW accepts the IC 18 submission.

Please note the acceptance of these documents does not in any way confer any approval on future development at this facility.

These documents will now form part of the operating techniques of the permit and added to table S1.2 operating techniques. At the next permit variation, they will be incorporated into the permit formally.

Cyfoeth Naturiol Cymru Natural Resources Wales	**EPR Compliance Assessment Report**	**Report ID: CAR_NRW0032633**

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	Date	19/12/2017

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.

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			

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.