

Compliance Assessment Report CAR_NRW0041181

Permit being assessed: YP3937SH.

For: Amex Park, held by Mekatek Limited

At: Amex Park Llanstephan Road , Carmarthen, Carmarthenshire, SA31 3NF.

Type of assessment carried out: Report/Data Review, Reason: Routine.

On 31/12/2022.

Parts of permit assessed: E Emissions, G Monitoring and Records

NRW Lead Officer: Alex Bowder.

Report sent to: Peter Ryall, Daniel Lewis, Senior Compliance Officer, Technical and Compliance Director on 15/02/2023.

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

Part of permitted activity assessed (criteria)	Assessment result	Permit condition
E3 - Emissions - Surface water	C3 Minor	3.1.2
E3 - Emissions - Surface water	C3 Minor	3.1.2
G1 - Monitoring and Records, Maintenance and Reporting - Monitoring of emissions and environment	Assessed (A)	
G4 - Monitoring and Records, Maintenance and Reporting - Reporting and notification to Natural Resources Wales	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
2	8

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
E3	Ensure that appropriate measures are taken to see that emission levels are not exceeded in future.	Already completed
E3	Ensure that appropriate measures are taken to see that emission levels are not exceeded in future.	Already completed

Action 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) records Natural Resources Wales' evaluation of Mekatek Limited's monitoring and reporting requirements for the 2022 compliance year. This is specified within the environmental permit **EPR-YP3937SH/V006** held for activities at Amex Park, Llansteffan Road, Johnstown, Carmarthen SA31 3NF.

Condition **4.2.3** of the operator's permit states:

Within 28 days of the end of the reporting period the operator shall, unless otherwise agreed in writing by Natural Resources Wales, submit reports of the monitoring and assessment carried out in accordance with the conditions of this permit, as follows:

- a. *in respect of the parameters and emission points specified in schedule 4 table S4.1;*
- b. *for the reporting periods specified in schedule 4 table S4.1 and using the forms specified in schedule 4 table S4.4; and*
- c. *giving the information from such results and assessments as may be required by the forms specified in those tables.*

G4 (MONITORING AND RECORDS, MAINTENANCE AND REPORTING)

The monitoring returns for Quarter 4 of the 2022 compliance year were submitted by the operator via email on 27 January 2023. It contains three tables listed as form numbers Water 1 / 31/10/22, Water 1 / 30/11/22, and Water 1 / 31/12/22, reporting data on emissions to water on (other than to sewer) and land for the period between 1 October 2022 to 31 December 2022.

The monitoring returns submission was made inside the reporting window, which represents **compliance** with the environmental permit.

The monitoring returns submitted include reporting of monitoring carried out in respect of the parameters and emission points specified in table S4.1 of schedule 4, which represents **compliance** with the environmental permit.

The monitoring returns submitted are for the reporting periods specified in table S4.1 of schedule 4, which represents **compliance** with the environmental permit.

The monitoring returns have been submitted using the forms specified in table S4.4 of schedule 4, which represents **compliance** with the environmental permit.

The monitoring returns submitted include results and assessments as required by the forms specified in table S4.4 of schedule 4, which represents **compliance** with the environmental permit.

Schedule 5 - Part B | Emissions exceedance in May 2022

Category 3 breach - E3 (EMISSIONS TO SURFACE WATER)

Emissions and monitoring, condition 3.1.2:
"The limits given in schedule 3 shall not be exceeded"

Justification

This data was submitted by the operator on 1 July 2022 in connection with the Part A notification for the emissions recorded on 31 May 2022. This declared that, through daily spot sampling analysis, the ammonium as N levels for emission point W1 was recorded at **29.7mg/l**.

Also, through spot sampling analysis, this identified a second level exceedance for Biochemical Oxygen Demand with a value of **50mg/l**.

Table S3.2 of the permit dictates the parameters for the aforementioned emission types:

Emission point at W1 for **Ammonium as N** shall not exceed:

- 20mg/l (winter period, 1 October - 31 March)
- 15 mg/l (summer period, 1 April - 30 September)

Biochemical Oxygen Demand (BOD) shall not exceed:

- 75mg/l (winter)
- 40mg/l (summer)

Whilst efforts were made in identifying the emission exceedances and measures were promptly implemented to prevent further releases entering the local environment, the levels dictated by permit conditions were exceeded by **14.7mg/l** and **10mg/l** respectively.

As a result, this has scored two Category 3 breaches against permit condition 3.1.2 for sub-criteria (E3) Emissions to surface water.

Requested Operator Action

Ensure that appropriate measures are taken to see that emission levels are not exceeded in future.

It has been noted that corrective actions were immediately undertaken by the operator to address the emission exceedances; namely, implementing plant shut down procedures in a timely manner to stop the discharge, and setting the associated Plant on full recirculation to prevent further emissions from discharging to the environment until problem was investigated and resolved.

The overall findings of the investigation with regard to the source of the issues were inconclusive.

Note: This compliance assessment was undertaken on 15 February 2023. However, to ensure that the non-compliance scores are attributed to the correct financial year for permit billing fee purposes, the date on CARS system has been altered to 31 December 2022.

If you have any issues with this report, please contact Senior Regulation Officer Alex BOWDER at Alex.Bowder@cyfoethnaturiolcymru.gov.uk.

Thank you.

In this document 'Natural Resources Wales' means the Natural Resource Body for Wales established by Article 3 of the Natural Resources Body for Wales (Establishment) Order 2012

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.