

Compliance Assessment Report CAR_NRW0041272

Permit being assessed: CB3091HY.

For: Llangadog Pet Foods Plant, held by United Petfood UK Limited

At: Tywi Valley Food Park, Station Road, Llangadog, SA19 9LY.

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: Chris Moore, Head of Technical on 20/02/2023.

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

Part of permitted activity assessed (criteria)	Assessment result	Permit condition
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	C4 No impact	4.2.3
E3 - Emissions - Surface water	C3 Minor	3.1.2 - "The limits given in schedule 3 shall not be exceeded"
E3 - Emissions - Surface water	C3 Minor	3.1.2 - "The limits given in schedule 3 shall not be exceeded"
E3 - Emissions - Surface water	C3 Minor	3.1.2 - "The limits given in schedule 3 shall not be exceeded"
E3 - Emissions - Surface water	C3 Minor	3.1.2 - "The limits given in schedule 3 shall not be exceeded"

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

Total number of non-compliances recorded	Total non-compliance score
5	16.1

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
G4	Submit outstanding Q4 monitoring return data and ensure	28/02/2023

Criteria	Action needed	Complete by
	that all returns are sent within the grace period in future.	
E3	Maximum daily discharge volume limit of 1000 cubic metres exceeded. If the operator cannot comply with this limit and continues to exceed its permitted parameters, it should consider applying for a permit variation to increase the daily discharge.	Already completed
E3	As above.	Already completed
E3	As above	Already completed
E3	As above.	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

Introduction

This Compliance Assessment Report (CAR) records Natural Resources Wales' (NRW) evaluation of United Petfood UK Limited's monitoring and reporting requirements for the 2022 compliance year. This is specified within the environmental permit **EPR-CB3091HY** held for activities at Unit 1 Tywi Valley Food Park, Station Road, Llangadog, Carmarthenshire, SA19 9LY.

This is a desk-based audit that focuses on the operator's monitoring return data and the Schedule 5 notification submissions for 2022.

Permit Compliance Categories

If NRW substantiate reasonably foreseeable risks or actual impact to the environment, we can breach activities against permit conditions; these are scored on a Category 1 - 4 basis:

Non-compliance category	Description
C1 - Major	Potential to have a major, serious, persistent and/or extensive impact or effect on the environment, people and/or property
C2 - Significant	Potential to have a significant impact or effect on the environment, people and/or property
C3 - Minor	Potential to have a minor or minimal impact or effect on the

	environment, people and/or property
C4 - No environmental impact	Non-compliance at a regulated site that cannot foreseeably have any impact on the environment, people and/or property

Deadlines for submitting Waste Returns

Quarters	Deadline for Return
January 1 to March 31	April 30
April 1 to June 30	July 31
July 1 to September 30	October 31
October 1 to December 31	January 31

Annual return period	Deadline for return
January 1 to December 31	January 31 of the following year

Permit Breach

C4 Permit Breach
G4 (MONITORING AND RECORDS, MAINTENANCE AND REPORTING)

Condition 4.2.3 of the operator’s permit states that:

“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.”*

The operator has not submitted its monitoring returns for Quarter 4 of the 2022 compliance year. Failure to submit reporting data is a breach of permit condition 4.2.3. As a result, this has been assigned a non-compliance category of **C4** under sub-criteria G4 - REPORTING AND NOTIFICATION.

Action
Submit outstanding Q4 monitoring return data and ensure that all returns are sent within the grace period in future.

General compliance comments

The monitoring returns submissions for Q1, Q2 and Q3 were 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 submissions | Emission exceedances in 2022

Background on Permit Requirements

Condition 3.5.1 of the Operator's permit states:

"The Operator shall, unless otherwise agreed in writing by Natural Resources Wales, undertake the monitoring specified in the following tables in Schedule 3 to this permit:

(a) point source emissions specified in tables S3.1 and S3.2"

Table S3.2 of Schedule 3(a) to the environmental permit is partially reproduced below, showing parameters relevant to this compliance report:

Table S3.2 Point Source emissions to water (other than sewer) and land – emission limits and monitoring requirements

Emission point ref. & location	Source	Parameter	Limit (including unit)	Reference period	Monitoring frequency	Monitoring standard or method
		Maximum daily discharge volume	1000 m ³ /day	Total Daily volume	Continuous	MCERTS certified flow meter

Schedule 3(a) - Emissions and monitoring above details emission limit values monitored via continuous measurement. To maintain compliance with the Operator's environmental permit, emission levels specified above shall not be exceeded as stated in condition 3.1.2 - *the limits given in Schedule 3 shall not be exceeded.*

In accordance with the Operator's environmental permit, NRW must be notified of all permit

breaches as per the following conditions:

1. *The Operator shall:*
 - a. *In the event of a breach of any permit condition the operator must immediately –*
 - i. *Inform Natural Resources Wales, and*
 - ii. *Take the measures necessary to ensure that compliance is restored within the shortest possible time;*

4.3.2 Any information provided under condition 4.3.1(a)(i), or 4.3.1 (b)(i) where the information relates to the breach of a limit specified in the permit, shall be confirmed by sending the information listed in schedule 5 to this permit within the time period specified in that schedule.

The Operator submitted six Schedule 5 Notifications across Q1, Q2, and Q3 2022, relating to 22 exceedances of the limits presented above at emission point S1 on the site plan in Schedule 7 to the Afon Tywi.

QUARTER 1

Date	Time	Parameter	Measured Value
15/02/2022	23.57	Maximum Daily Discharge Volume	1241.59m ³
16/02/2022	23.57	Maximum Daily Discharge Volume	1308.36m ³
17/02/2022	23.57	Maximum Daily Discharge Volume	1018.70m ³
20/02/2022	23.57	Maximum Daily Discharge Volume	3233.83m ³
21/02/2022	23.57	Maximum Daily Discharge Volume	2929.55m ³

Permit emission limits - Table S3.2 point source emissions to water dictates that:

Maximum daily discharge volume shall not exceed:
 • **1000 m³/day**

In accordance with NRW's non-compliance scoring guidance, the non-compliance scores for the breaches during Quarter 4 2022 reporting period have been consolidated into one non-compliance score.

As a result of this breach, a consolidated non-compliance score of **C3 has been recorded against compliance sub-criteria E3.**

C3 Permit Breach - E3 (EMISSIONS TO SURFACE WATER)

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

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QUARTER 2

Date	Time	Parameter	Measured Value
20/06/2022	23.57	Maximum Daily Discharge Volume	1018.68m ³
22/06/2022	23.57	Maximum Daily Discharge Volume	1024.66m ³
28/06/2022	23.57	Maximum Daily Discharge Volume	1147.72m ³

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In accordance with NRW's non-compliance scoring guidance, the non-compliance scores for the breaches during Quarter 4 2022 reporting period have been consolidated into one non-compliance score.

As a result of this breach, a consolidated non-compliance score of **C3 has been recorded against compliance sub-criteria E3.**

C3 Permit Breach - E3 (EMISSIONS TO SURFACE WATER)

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

QUARTER 3

Date	Time	Parameter	Measured Value
4/07/2022	23.57	Maximum Daily Discharge Volume	1229.96m ³
5/07/2022	23.57	Maximum Daily Discharge Volume	1167.22m ³
6/07/2022	23.57	Maximum Daily Discharge Volume	1073.04m ³
13/07/2022	23.57	Maximum Daily Discharge Volume	1107m ³
18/07/2022	23.57	Maximum Daily Discharge Volume	1046m ³
19/07/2022	23.57	Maximum Daily Discharge Volume	1096m ³
20/07/2022	23.57	Maximum Daily Discharge Volume	1068m ³
08/08/2022	23.57	Maximum Daily Discharge Volume	1100.17m ³
5/09/2022	23.57	Maximum Daily Discharge Volume	1035.16m ³
6/09/2022	23.57	Maximum Daily Discharge Volume	1077.72m ³

7/09/2022	23.57	Maximum Daily Discharge Volume	1012.02m ³
22/09/2022	23.57	Maximum Daily Discharge Volume	1111.80m ³

In accordance with NRW's non-compliance scoring guidance, the non-compliance scores for the breaches during Quarter 4 2022 reporting period have been consolidated into one non-compliance score.

As a result of this breach, a consolidated non-compliance score of **C3 has been recorded against compliance sub-criteria E3.**

C3 Permit Breach - E3 (EMISSIONS TO SURFACE WATER)

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

QUARTER 4

Date	Time	Parameter	Measured Value
5/10/2022	23.57	Maximum Daily Discharge Volume	1028.10m ³
18/10/2022	23.57	Maximum Daily Discharge Volume	1070.79m ³

In accordance with NRW's non-compliance scoring guidance, the non-compliance scores for the breaches during Quarter 4 2022 reporting period have been consolidated into one non-compliance score.

As a result of this breach, a consolidated non-compliance score of **C3 has been recorded against compliance sub-criteria E3.**

C3 Permit Breach - E3 (EMISSIONS TO SURFACE WATER)

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

Reasons for emission exceedances

The Operator has provided root cause analysis for each respective emission breach:

- By-pass valve on the water silo being left open, which resulted in the silo constantly being topped up with cold water. A weather station was in place to monitor rainfall.

- Periods of prolonged heavy rainfall prior to the measurement - graphs sent from on-site weather station illustrate the readings. All site drainage enters the water effluent plant in addition to process and washdown water.
- Efforts were made in identifying the emission exceedances, and measures were promptly implemented to prevent further releases entering the local environment. Engineering management solutions have investigated solutions to re-use water and reduce water usage during cooling process.

Action

If the operator cannot comply with this limit and continues to exceed its parameters, the operator should consider applying for a permit variation to increase the daily discharge limit.

Note: This compliance assessment was undertaken on 20 February 2023. However, to ensure that the CCS score is 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.