

## Compliance Assessment Report CAR\_NRW0043699

**Permit being assessed:** VP3339PD.

**For:** Electrical Carbon, Swansea, **held by:** Morganite Electrical Carbon Limited

**At:** Morgan Advanced Materials, Upper Fforest Way, Swansea Enterprise Park, Swansea, SA6 8PP.

**Type of assessment:** Check Monitoring/Sampling,

**Reason:** Routine.

**On:** 19/02/2024 - 20/03/2024.

**Parts of permit assessed:** Emissions & Monitoring, Reporting.

**NRW Lead Officer:** Rhydian Cox.

**Report sent to:** Mark Williamson, EHS Lead, on 20/03/2024.

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

Part of permitted activity assessed (compliance criteria)	Assessment result	Permit condition
IR3A - Emissions and monitoring - Emissions to water, air or land	Action only (X)	
IR2A - Operations - Permitted activities	Action only (X)	
IR4B - Information - Reporting	Assessed (A)	
IR4C - Information - Notification	Assessed (A)	
IR3A - Emissions and monitoring - Emissions to water, air or land	Assessed (A)	

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

Total non-compliances recorded	Total non-compliance score
0	0

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
IR3A	Undertake further monitoring to ensure that Emission Limit Values are within compliance, prior to decommissioning the process/emission point.	01/04/2024

Criteria	Action needed	Complete by
IR2A	Engage with NRW prior to submitting a permit variation to remove emission point.	31/05/2024

Compliance 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

#### **Morganite Returns Q1 2024**

This Compliance Assessment Report (CAR) has been issued in response to the submission of the Q1 (January to March) 2024 monitoring returns by Morganite Electrical Carbon Limited for activities at Electrical Carbon Swansea, Upper Fforest Way, Morriston, Swansea, SA6 8PP under permit number EPR/VP3339PD.

#### **Q1 (January to March) 2024 Monitoring Returns**

Schedule 4 of the permit outlines the reporting requirements – emissions to air parameters as required by condition 3.5.1. from Emission point A10 every quarter.

Emission Point	Substance	Emission Limit Value	Reference Period
A10	Lead	2 mg/m <sup>3</sup>	Quarterly
	Copper	2 mg/m <sup>3</sup>	
	Antimony	2 mg/m <sup>3</sup>	

The returns for reporting of sampling and analysis of emissions to air for Q1 2024 were submitted on 19 February 2024, within the reporting period, in compliance with permit condition 4.2.3.

Emission limit exceedance reported for Copper from Emission Point A10 with a result of 2.1 mg/m<sup>3</sup> against a permit limit of 2 mg/m<sup>3</sup>. This score has been discounted after applying the uncertainty figure of 0.63 mg/m<sup>3</sup>. Therefore, **no score** has been applied.

A Schedule 5 notification was submitted to NRW on the 19<sup>th</sup> February 2024, following identification of the exceedance. The schedule 5 outlined the following: Preventative maintenance of abatement system planned for 17/02/2024 to thoroughly clean down abatement filtration and review state of filter media. The process linked to the emission point is due to cease manufacturing at the end of March 2024. As discussed with NRW officer, re-monitoring is to be arranged prior to the end of March to determine that the maintenance has been effective.

All other emissions reported within this quarter are in compliance with ELV limits.

**Action 1** – Undertake further monitoring to ensure that Emission Limit Values are within compliance, prior to decommissioning the process/emission point.

**Action 2** – Engage with NRW prior to submitting a Permit Variation to remove emission point.

**END**

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.

**If your assessment result in Section 1 is suspended, what does this mean?**

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 compliance criteria (used in section 1 and 2):**

**1. Management**

- IR1A – General management
- IR1B – Finance (only applicable to Landfill)
- IR1C – Energy efficiency
- IR1D - Efficient use of raw materials
- IR1E - Avoidance, recovery and disposal of wastes produced by the activities
- IR1F - Multiple operator installations

**2. Operations**

- IR2A – Permitted activities
- IR2B – The site
- IR2C – Operating techniques
- IR2D – Technical requirements
- IR2E – Improvement programme
- IR2F – Pre-operational conditions
- IR2G – Landfill engineering (only applicable to Landfill)
- IR2H – Waste acceptance (only applicable to Landfill)
- IR2I – Leachate levels (only applicable to Landfill)
- IR2J – Closure and aftercare (only applicable to Landfill)
- IR2K – Landfill gas management (only applicable to Landfill)

**3. Emission and Monitoring**

- IR3A – Emissions to water, air or land
- IR3B – Emissions of substances not controlled by emission limits
- IR3C – Odour
- IR3D – Noise and vibration
- IR3E – Monitoring
- IR3F – Pests
- IR3G – Air quality management plans
- IR3H – Monitoring for the purposes of the Industrial Emissions Directive (this heading includes Large Combustion Plants)
- IR3I – Fire

**4. Information**

- IR4A – Records
- IR4B – Reporting
- IR4C – Notification

**Enforcement response**

Any non-compliance with a permit condition 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 twenty 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 to 18:00), or email [enquiries@naturalresourceswales.gov.uk](mailto: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](mailto: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.