

Compliance Assessment Report CAR_NRW0044344

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: Report/Data Review,

Reason: Routine.

On: 26/04/2024.

Parts of permit assessed: 2024 Q1 Monitoring Submission.

NRW Lead Officer: Benjamin Taylor.

Report sent to: Lee Mcardle, Environmental Manager , on 20/05/2024.

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

Part of permitted activity assessed (compliance criteria)	Assessment result	Permit condition
IR3A - Installations - Emissions and monitoring - Emissions to water, air or land	C3 Minor	Permit condition 3.1.2.
IR4C - Installations - Information - Notification	Action only (X)	

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

Total non-compliances recorded	Total non-compliance score
1	4

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	Operator to submit to NRW a plan of how they propose to meet the permitted compliance limits for Maximum Discharge Volume and projected timescales.	30/09/2024
IR4C	Ensure all Schedule 5 Part A Notifications are submitted to NRW within the required timescale as specified within you EPR permit.	20/05/2024

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

Introduction

This Compliance Assessment Report (CAR) is an assessment of Monitoring Data and associated Schedule 5 Notifications submitted by United Petfoods UK Ltd (the Operator), which covers the Quarter 1 (Q1) January to March 2024.

Scope

The following monitoring returns and reports have been assessed within this Compliance Assessment Report (CAR):

- UPF Reporting CB3091HY Q1 01.01.24 to 30.03.24.
- Schedule 5: Notifications.

Q1 2024 Monitoring Returns - Emissions to Water

The installation currently has one permitted discharge point to controlled waters, referenced S1. The returns for reporting of sampling and analysis of emissions to water (other than sewer) for the period Q1 2024 were submitted on the 26th of April 2024.

This data was sent within the reporting period (28 days), which is **compliant** with permit condition 4.2.3.

Maximum Permitted Discharge

Throughout the duration of Q1 monitoring period, there has been a reported total of twenty-two exceedances of the permitted Maximum Daily Discharge Volume. These are outlined within Table 1 below.

Date	Time	Parameter	Measured Value
January			
02/01/2024	23:57	Maximum Daily Discharge Volume	3628.85m ³
03/01/2024	23:59	Maximum Daily Discharge Volume	4286.92m ³
04/01/2024	23:57	Maximum Daily Discharge Volume	1017.11m ³
23/01/2024	23:57	Maximum Daily Discharge Volume	1017.17m ³
February			
06/02/2024	23:57	Maximum Daily Discharge Volume	1168.65m ³
08/02/2024	23:57	Maximum Daily Discharge Volume	1315.81m ³
13/02/2024	23:57	Maximum Daily Discharge Volume	1322.95m ³
14/02/2024	23:57	Maximum Daily Discharge Volume	1694.97m ³
15/02/2024	23:57	Maximum Daily Discharge Volume	1525.41 m ³
20/02/2024	23:57	Maximum Daily Discharge Volume	1221.73m ³
21/02/2024	23:57	Maximum Daily Discharge Volume	1411.62m ³
22/02/2024	23:57	Maximum Daily Discharge Volume	1838.34m ³
27/02/2024	23:57	Maximum Daily Discharge Volume	1163.49m ³
28/02/2024	23:57	Maximum Daily Discharge Volume	1255.91m ³
March			
06/03/2024	23:57	Maximum Daily Discharge Volume	1083.36m ³
12/03/2024	23:57	Maximum Daily Discharge Volume	1566.75m ³
13/03/2024	23:57	Maximum Daily Discharge Volume	1276.18m ³
19/03/2024	23:57	Maximum Daily Discharge Volume	1063.17m ³
20/03/2024	23:57	Maximum Daily Discharge Volume	1100.96m ³
21/03/2024	23:57	Maximum Daily Discharge Volume	1064.73m ³
27/03/2024	23:57	Maximum Daily Discharge Volume	1138.21m ³
28/03/2024	23:57	Maximum Daily Discharge Volume	1138.21m ³

Table 1: List of exceedances of Maximum Daily Discharge Volume noted throughout Q1 2024

A significant proportion of the exceedances have been associated with periods of heavy rainfall, the Operator has provided weather station graphs that corresponds with these attributed breach days. The attribution is due to the majority of the sites surface water drainage being channelled through the MCERTS flow meter prior to discharge to controlled waters. However, alternative causes for the following breaches have been provided by the Operator:

- 27th and 28th of February 2024
 - Retort water valves staying open longer than required.
- 21st of March 2024
 - Product blowing during retort cooking which resulted in contaminated retort water being diverted to the ETP.

Schedule 3: Table S3.2 of the permit, which covers point source emissions to water specifies that:

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

Permit condition 3.1.2 below states:

'The limits given in schedule 3 shall not be exceeded.'

The operator should ensure that the necessary control measures are implemented to prevent reoccurrence of this permit breach in the future.

Compliance:

For the above breaches, a non-compliance score of C3 against criteria IR3A has been allocated to this breach of permit condition 3.1.2.

In accordance with non-compliance scoring guidelines, the non-compliance scores for the breaches during Q1 2024 reporting period have been consolidated into one non-compliance score.

Action:

Operator to submit to NRW a plan of how they propose to meet the permitted compliance limits for Maximum Discharge Volume and projected timescales.

Schedule 5 Notifications – Q1 (01/01/2024 – 31/03/2024)

The Operator submitted three Schedule 5 Notifications throughout Q1 2024, relating to twenty-two exceedances of the maximum daily discharge volume (treated effluent) limits at emission point S1 on the site plan in Schedule 7 to the Afon Tywi.

The Schedule 5 Notifications were submitted monthly, detailing all breaches for the previous month. Permit condition 4.3.2 below states:

'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.'

Schedule 5 Part A states that NRW should be informed within 24 hours of detection of the exceedance, and as a result the Operator is in breach of permit condition 4.3.2.

Action:

Ensure all Schedule 5 Part A Notifications are submitted to NRW within the required timescale as specified within your EPR permit.

Air Emissions Monitoring

The installation has two permitted emissions points to air, referenced:

- A1: Main Boiler – 10.2MWth
- A2: Back-up Boiler – 9.0MWth

Both are classed as Medium Combustion Plant (MCP) due to being greater than 5MWth. It is specified within Schedule 4(b) Table S4.1 that the Operator is required to undertake air emissions monitoring on A1 on a three yearly basis. Whereas, monitoring on A2 is required on a five yearly basis, or following 1500 hours of operation.

MCERTs accredited monitoring of A1 air emissions were undertaken by an external contractor on the 15th of February 2024, which is **compliant** with permit condition 3.5.1a and 3.5.3. The results of which are displayed within the table below:

Date	Parameter	Units	Emission Limit Value	Measured Value
A1 Main Boiler - 10.2 MWth	Oxides of Nitrogen (as NO ₂)	mg/m ³	100	88.93
	Carbon Monoxide	mg/m ³	N/a	57.50
	Oxygen (Paramagnetic)	%	N/a	10.69

Table 2: MCERTs Emissions Monitoring Survey Results – 15th of February 2024.

Results from the emissions monitoring were below the permitted emission limit and as a result is **compliant** with permit condition 3.1.2. Monitoring of A2 emissions was not required during this monitoring period.

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 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.