

## Compliance Assessment Report CAR\_NRW0044193

**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:** Site Inspection,

**Reason:** Routine.

**On:** 23/04/2024 between 10:00 and 13:00.

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

**NRW Lead Officer:** Rhydian Cox, accompanied by Kirsty Thomas.

**Report sent to:** EHS Lead, EHS Lead, on 29/05/2024.

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

Part of permitted activity assessed (compliance criteria)	Assessment result	Permit condition
IR2B - Installations - Operations - The site	Assessed (A)	
IR3C - Installations - Emissions and monitoring - Odour	Assessed (A)	
IR3D - Installations - Emissions and monitoring - Noise and vibration	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?

No action required.

### 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) details the comments of Natural Resources Wales (NRW) Officers for the site inspection conducted on 23 April 2024 at Morganite Electrical Carbon Ltd, Upper Fforest Way, Morriston, Swansea, SA6 8PP, for activities held by Morganite Electrical Carbon Ltd (the operator) under the environmental permit EPR-VP3339PD.

The visit purpose was to conduct an introductory inspection of the site and to handover regulatory duties to senior officer Rhydian COX. No non-compliance scores were recorded against the operator's permit conditions on this inspection.

**Attendees**

- Rhydian Cox – Senior Regulatory Officer, NRW
- Kirsty Thomas – Lead Specialist Industry Regulation, NRW
- EHS Lead, Morganite
- Consultant to Morganite, Enzygo
- Global Projects Director, Morganite

**Inspection Commentary**

At 10:00am site officers arrived at the visitor's car park and met with Morganite EHS Lead. Weather conditions during the visit were overcast, light drizzle and good visibility with no wind. Officers signed into the site's register and were then taken to the site office. A meeting agenda was sent in advance by NRW, with requests for any items to be included in discussions. A request was made for further discussions with Morganite's Consultant and Global Projects Director on the permit variation application linked to future developments at the site.

Officers were provided with a presentation with an overview and the history of the site. With developments in technology the site has undergone a significant reduction in its operational area. Discussions were also had about the future of the site, including the decommissioning of the 'Theta' process, linked to air emission point A10. Brief discussions were also had around the commissioning of the new graphitisation furnace linked to the pre-application discussions with NRW held previously (31/01/2024). The permit variation application has been submitted by the operator.

Following a safety discussion and PPE, officers were then guided on a tour around the facility by the EHS lead starting in the Machine Test Labs, then continued to the Mixer Extruder, Slot Furnace, Kiln & Inspection area, warehouse, Theta Plant, Metal Graphite, before concluding in the Linear area. Information was provided on the processes, plant & equipment, and emission points. On conclusion of the site tour, officers were lead back to the site officer for further discussions and AOBs.

The final topic discussed during the meeting with Morganite's Consultant, Global Projects

Director and EHS Lead was in relation to the future developments (inc. the removal of the 'Theta' process), proposed projects at the site and the permitting implications. Meeting concluded at 13:00pm.

### **Q1 2024 Monitoring Returns – Further Monitoring**

On 19 February 2024 Morganite informed NRW of a potential breach of emission limit values (ELVs) from air emission point A10. A subsequent CAR form (CAR\_NRW0043699) was produced following the submission of a Schedule 5 notification. A follow-up action from the CAR was to undertake further monitoring prior to the decommissioning of the plant and removal of the emission point.

Further monitoring was undertaken on the 19<sup>th</sup> March 2024. Results were reported to NRW on 9 April 2024 with a result of 2.2mg/Nm<sup>3</sup> for Copper from emission point A10, in exceedance. The Theta process and emission point (A10) was taken offline on 28<sup>th</sup> March 2024. Decommissioning and removal of the emission point will begin from the 22<sup>nd</sup> April 2024, with the intention of converting the area into a 'Goods Inward' section. No further action required.

**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.