

Compliance Assessment Report CAR_NRW0046003

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: 31/12/2024.

Parts of permit assessed: Permit conditions 3.1.2, 3.5.1a, 4.2.3, 4.3.2.

NRW Lead Officer: Benjamin Taylor.

Report sent to: Compliance Manager, United Petfoods (UK) Ltd, on 07/02/2025.

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

Part of permitted activity assessed (compliance criteria)	Assessment result	Permit condition
IR3A(1) - Installations - Emissions and monitoring - Emissions to water	C2 Significant (Suspended)	Permit condition 3.1.2.
IR3E - Installations - Emissions and monitoring - Monitoring	C3 Minor	Permit condition 3.5.1a.
IR4B - Installations - Information - Reporting	Assessed (A)	
IR4C - Installations - Information - Notification	Assessed (A)	

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

Total non-compliances recorded	Total non-compliance score
2	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(1)	This non-compliance score of C2 will be suspended pending submission of a permit variation application which is due by the 31st of March 2025 (as actioned by CAR_NRW0045683).	31/03/2025
IR3E	Operator is to progress with the acquisition of the required	28/04/2025

Criteria	Action needed	Complete by
	autosamplers and submit evidence to NRW once these are in-place. The Operator should then ensure that the correct monitoring i.e. frequency is undertaken as specified within Schedule 3(b): Table S3.2.	

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.

You are non-compliant with your permit.

We are currently considering taking enforcement action against you for the non-compliance recorded above. We will contact you in due course.

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 Quarter 4 (Q4): October to December 2024.

Scope

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

- UPF Reporting CB3091HY Q4 01.10.24 to 31.12.24
- Schedule 5: Notifications.

Quarter 4 2024 Monitoring Review – Emissions to Water

The installation currently has one permitted discharge point to controlled waters, referenced S1 within Schedule 7 of the permit. The returns for reporting of sampling and analysis of emissions to water (other than sewer) for the period Q4 2024 were submitted on the 9th of January 2025.

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 Q4 monitoring period, there has been a reported total of thirteen exceedances of the permitted Maximum Daily Discharge Volume (1000m³). These are outlined within Table 1 below.

Date	Time	Parameter	Measured Value
October			
01/10/2024	23.57	Maximum Daily Discharge Volume	1027.50m ³
08/10/2024	23:57	Maximum Daily Discharge Volume	1136.90m ³
09/10/2024	23.57	Maximum Daily Discharge Volume	1162.97m ³
16/10/2024	23.57	Maximum Daily Discharge Volume	1139.41m ³
November			
19/11/2024	23:57	Maximum Daily Discharge Volume	1074.60m ³
20/11/2024	23:57	Maximum Daily Discharge Volume	1015.31m ³
24/11/2024	23:57	Maximum Daily Discharge Volume	9444.52m ³
25/11/2024	23:57	Maximum Daily Discharge Volume	1919.78m ³
26/11/2024	23:58	Maximum Daily Discharge Volume	1473.24m ³
27/11/2024	23:57	Maximum Daily Discharge Volume	1927.66m ³
December			
05/12/2024	23.57	Maximum Daily Discharge Volume	1175.33m ³
07/12/2024	23.57	Maximum Daily Discharge Volume	5367.87m ³
08/12/2024	23.57	Maximum Daily Discharge Volume	1381.71m ³

Table 1: List of exceedances of Maximum Daily Discharge Volume noted throughout Q4 2024

The Operator has a history of repeat exceedances of the permitted Maximum Daily Discharge Volume (MDDV). This is the result of combined drainage infrastructure which channels both surface water, treated effluent and process water through the MCERTS flow meter prior to its discharge into controlled waters. Furthermore, there is also the addition of abstracted borehole water and excess retort water (from the heat transfer system associated with the cooking process) that contributed to the final discharged volume.

Significant exceedances observed on the 24th of November and 7th of December 2024 have been attributed to Storm Bert and Storm Darragh respectively. This saw significant volumes of rainfall (weather station graphs provided by the Operator) which subsequently resulted in the River Towy/Afon Twyi to breach its banks. As flood mitigation, the installation has linear drainage

channels situated on the entrance/exit points to divert floodwater through the V-Notch Chamber (fitted with the MCERTS flowmeter), this ultimately resulted in exceedance of the MDDV. Exceedances on the 25th and 26th of November 2024 have been attributed to residual flooding present in the land surrounding the installation which continued to drain via the flood defence (linear drainage channel).

Alternatively, exceedances on the 1st of October, 8th of October, 9th of October have been attributed to production and washdown activities. This saw the manufacturing of Chunk products which require a greater volume of cooling water in conjunction with increased production line washdowns. Finally the exceedance on the 26th of November 2024 was attributed to the washdown of external yard areas in preparation for site audits.

Schedule 3b: 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.'

Compliance:

The aforementioned exceedances of MDDV are contrary to permit condition 3.1.2. As a result, a non-compliance score of C2 has been attributed to IR3A(1) – Emissions to Water. However, this non-compliance score will be suspended pending submission of a permit variation application which is due by the 31st of March 2025 (as actioned by CAR_NRW0045683).

Maximum Permitted Discharge

The Operator submitted six Schedule 5 Notifications throughout Q4 2024, which related to thirteen exceedances of the maximum daily discharge volume (treated effluent) limits at emission point S1 to the Afon Tywi.

The Operator submitted these Schedule 5 Notifications using the correct form and within the required timeframe as specified by permit condition 4.3.2.

General – Monitoring Regime

The Operator remains unable to undertake the required monitoring for a number of parameters (listed below) as specified within *Schedule 3b Table S3.2*.

- Biological Oxygen Demand (BOD).
- Total Phosphorus.
- Total Suspended Solids.
- Chemical Oxygen Demand (COD).
- Total Nitrogen.
- Chloride.

This is a requirement of permit condition 3.5.1a, which is stated below:

'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. '

Monitoring requirements are outlined within BAT Conclusion 4 of the Food, Drink and Milk Industries BRef Document (EU 2019). As a result, the Operator should be collecting a 24-hour flow proportional composite sample every day (with the exception of BOD, which should be collected on a monthly basis) or at a frequency agreed in writing with NRW. Currently the Operator does not have the equipment necessary to undertake this specified monitoring and as a result, is continuing to collect instantaneous spot samples.

On the 3rd of February 2024, the Operator updated NRW on their progress with the deployment of an autosampler in the V-Notch Chamber which would fulfil monitoring requirements outlined within permit condition 3.5.1a. NRW were informed that they have received a quotation regarding the acquisition of two autosamplers from a prospective supplier, however this quote is yet to be officially accepted.

Compliance:

For failure to monitor as specified within *Schedule 3(b): Table S3.2*, a non-compliance score of C3 against criteria IR3A has been allocated to this breach of permit condition 3.5.1a.

Action:

Operator is to progress with the acquisition of the required autosamplers and submit evidence to NRW once these are in-place. The Operator should then ensure that the correct monitoring i.e. frequency is undertaken as specified within Schedule 3(b): Table S3.2.

Please note: This CAR report and assessment was undertaken on the 3rd of February 2025. However to ensure that the non-compliance score is attributed to the correct financial year (for billing) the date on CARS system has been altered to 31st of December 2024.

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.