

Compliance Assessment Report CAR_NRW0049391

Permit being assessed: BP0255301

For: NEW COCKLE FACTRY CROFTY IND ESTATE, held by PENCLAWDD SHELLFISH PROCESSING LTD

At: NEW COCKLE FACTORY, CROFTY INDUSTRIAL ESTATE, CROFTY GOWER, ,, SA4 3YA.

Type of assessment carried out: Check Monitoring/Sampling, Reason: Routine.

On 14/08/2025, between 11:30 and 12:00.

Parts of permit assessed: Composition

NRW Lead Officer: Gareth Martin.

Report sent to: Menzies, Liquidator, on 02/10/2025.

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

Part of permitted activity assessed (criteria)	Assessment result	Permit condition
WQ-C1 - Water Quality - Emissions and monitoring - Emissions to water	C3 Minor	10 (iii) The discharge shall not contain more than 100 milligrammes per litre of suspended solids
WQ-C1 - Water Quality - Emissions and monitoring - Emissions to water	C3 Minor	The discharge shall not contain more than 40 milligrammes of Ammoniacal Nitrogen (expressed as N)

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

2. What action is required?

Criteria	Action needed	Complete by
WQ-C1	1. Repair tap at sample point to ensure samples taken by NRW are representative of discharge to environment 2. Review treatment system and improve where required to ensure discharge is kept within numerical parameters.	01/01/2026
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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

The purpose of this Compliance Assessment Report (CAR) is to inform you that the water quality compliance sample we collected on Tuesday 14/08/25 at 12:00 breached the Suspended Solids (SS) and Ammoniacal Nitrogen (Expressed as N) limits set in the permit.

**The Suspended Solids was reported at 520mg/l with a permitted limit of 100mg/l.
The Ammoniacal Nitrogen was reported at 74.8mg/l with a permitted limit of 40mg/l.**

This breaches condition 10 of your permit;

10. The discharge shall not contain more than:

- (ii) 40 milligrammes per litre of ammoniacal nitrogen (expressed as N)
- (iii) 100 milligrammes per litre of suspended solids (measured after drying at 105°C)

This breach is in contravention of Regulation 38 (2) of the Environmental Permitting (England and Wales) Regulations 2016 which states that it is an offence for a person to fail to comply with or to contravene an environmental permit condition.

The sample collected on 14/08/25 was not collected from the designated sample point (the tap above the final chamber) as this tap is currently non-operational. Instead the sample was collected by lowering a can into the final settlement chamber from above.

Please be aware that this permit is still not held by the operator and is currently held by the liquidator of the previous site operator. Action should be taken as soon as possible, by the current site operator, to transfer the permit to themselves or apply for a new permit.

ACTIONS REQUIRED

1. We cannot confirm whether the sample collected is representative of the discharge. The tap located at the sample point should be repaired and you should be confident that any sample collected by NRW is representative of the effluent discharged to the environment.

2. Action should be taken as a matter of urgency to bring the discharge back into compliance and improve treatment system to ensure discharge remains within numerical limits, if this is not possible the discharge should be stopped.

Thank you.

END.

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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 to 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
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

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

In line with our guidance, we may suspend non-compliance for up to six months to allow time for remedial action to be taken. These will be re-instated if the action is not completed.

Full list of water quality action criteria (used in section 1 and 2):**WQ A: Management**

- WQ-A1 General management

WQ B: Operations

- WQ-B1 Permitted activities
- WQ-B2 The site
- WQ-B3 Operating techniques
- WQ-B4 Improvement programme
- WQ-B5 Pre-operational conditions

WQ C: Emissions and monitoring

- WQ-C1 Emissions to water
- WQ-C2 Emissions to land
- WQ-C3 Emissions of substances not controlled by emission limits
- WQ-C4 Installation of monitoring boreholes

WQ D: Information

- WQ-D1 Records
- WQ-D2 Reporting
- WQ-D3 Notifications

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.