

## Compliance Assessment Report CAR\_NRW0050693

**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:** Report/Data Review,

**Reason:** Routine.

**On:** 31/12/2025.

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

**NRW Lead Officer:** Rhydian Cox.

**Report sent to:** EHS Manager, Morganite Electrical Carbon Ltd, on 17/02/2026.

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

Part of permitted activity assessed (compliance criteria)	Assessment result	Permit condition
IR4B - Installations - Information - Reporting	C4 No impact	4.2.3
IR4C - Installations - Information - Notification	C3 Minor	4.3.2
IR3A(2) - Installations - Emissions and monitoring - Emissions to air	C3 Minor	3.1.2
IR3E - Installations - Emissions and monitoring - Monitoring	Assessed (A)	

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

Total non-compliances recorded	Total non-compliance score
3	8.1

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
IR4B	Please ensure that all future reporting is submitted within the timeframes specified by the permit. If additional time is required, a request for an extension must be submitted to the	Already completed

Criteria	Action needed	Complete by
	site's regulating officer in advance of the reporting deadline.	
IR4C	Morganite Electrical Carbon Ltd must improve its operational practices and ensure that Natural Resources Wales (NRW) is notified of all permit breaches, as well as any incidents or accidents that significantly affect or may significantly affect the environment, in accordance with the permit's notification procedures and within the specified timescales	Already completed
IR3A(2)	Improve operational practices and implement proactive measures to minimise the risk of future permit non-compliances, specifically relating to ELVs from permitted emission points.	Already completed

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

#### **Annual Monitoring Returns 2025**

This Compliance Assessment Report (CAR) has been issued in response to the submission of the 2025 Annual Monitoring Returns by **Morganite Electrical Carbon Limited** for activities at Morganite Electrical Carbon Ltd, Upper Forest Way, Morriston, Swansea, SA6 8PP under permit **EPR/VP3339PD**.

The following monitoring returns and reports have been assessed as part of this CAR:

- *Reporting of Emissions to Air - January 2025 to December 2025*
- *Reporting of Waste Disposal and Recovery - January 2025 to December 2025*
- *Reporting of Water Usage - January 2025 to December 2025*
- *Reporting of Energy Usage - January 2025 to December 2025*
- *Reporting of Performance Indicators - January 2025 to December 2025*
- *Schedule 5 Notification - 25/09/2025*

This CAR was completed on **16 February 2026**. However, the date on the CAR form has been amended to **31 December 2025** to ensure the Compliance Classification Scheme (CCS) score is attributed to the correct financial year for billing purposes.

#### **Compliance Assessment**

Table S4.1 of the permit specifies that the annual reporting period for emissions to air commences on the 1 January. Condition 4.2.3 requires the operator to submit all annual reports within 28 days of the end of the reporting period.

**Permit Condition 4.2.3 Breach**

*"Within 28 days of the end of the reporting period the operator shall, unless otherwise agreed in writing by Natural Resources Wales, submit reports of the monitoring and assessment carried out in accordance with the conditions of this permit."*

The operator submitted the required annual reports on **12 February 2026**, outside of the reporting window. Consequently, Morganite Carbon Electrical Ltd has been issued a **Category 4 non-compliance** for failing to submit their annual monitoring data within the reporting period. This has been scored in accordance with the Compliance Classification Scheme (CCS) under Compliance Criteria **IR4B**.

**ACTION 1:** Please ensure that all future reporting is submitted within the timeframes specified by the permit. If additional time is required, a request for an extension must be submitted to the site's regulating officer in advance of the reporting deadline.

**Emissions to Air**

The operator submitted the Reporting of Emissions to Air for the period 01/01/2025 to 31/12/2025 using the agreed reporting format (Form Air1(A1) / 24/02/2025).

- All parameters required under the permit's Emission Limit Values (ELVs) were reported.
- **No exceedances** of ELVs were identified.

**Performance Reports**

Condition 4.2.2 of the permit requires the operator to submit annual performance reports by 31 January each year. The operator submitted the 2025 Annual Performance Reports on 30 January 2026, outside of the reporting window.

**Waste Disposal and Recovery**

The operator submitted the 2025 annual Waste Disposal and Recovery data for both an hazardous and non-hazardous waste in accordance with Table S4.3, using the approved reporting format (Form Waste Return(W1) / 01/05/2005).

- **No issues were identified** with the submitted information

**Water Usage**

The operator submitted the 2025 annual Water Usage data for mains water supply. There is no permit requirement to submit this information.

- **No issues were identified** with the submitted information.

**Energy Usage**

The operator submitted the 2025 annual Energy Usage data in accordance with Table S4.3, using the approved reporting format (Form Energy1(E1) / 01/05/2005). Breakdown provided by energy source (inc. Electricity, Natural Gas, Green Energy). Annual trends in energy usage also provided.

- **No issues were identified** with the submitted information.

### Performance Indicators

Annual reporting for 2025 Performance Indicators was submitted using the approved form (Form Performance1(P11) / 05/01/2005), in compliance with Table S4.2.

The report included data relating to: Annual production/treatment, Lead and Sulphur consumption and the yearly trends in consumption.

- **No issues were identified** with the submitted information.

All information was submitted in accordance with permit requirements

### Schedule 5 Notification

The operator submitted a Schedule 5 Notification (Parts A and B) on **17 November 2025** in relation to a breach of emission limit values (ELVs) identified during stack emissions testing carried out on **24 September 2025**. Emission Point A61 (Kiln 5) was reported to have emitted oxides of nitrogen (NO<sub>2</sub>) at a concentration of **171 mg/m<sup>3</sup>**, exceeding the permitted limit of **150 mg/m<sup>3</sup>**. The mitigation measures detailed by the operator within the Schedule 5 Notification included checking the operation of the furnace burners, recalibrating the burners, and replacing the insulation on the car jack seals.

### Permit Condition 4.3.2 Breach

*"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 of this permit within the time period specified in that schedule."*

The Schedule 5 Part A notification was not submitted within the required 24-hour timeframe following detection of a non-compliance. Consequently, Morganite Electrical Carbon Ltd has been issued a **Category 3 non-compliance** for failure to notify NRW of a permit breach in accordance with permit conditions. This has been scored in accordance with the Compliance Classification Scheme (CCS) under Compliance Criteria **IR4C**.

**ACTION 2:** Morganite Electrical Carbon Ltd must improve its operational practices and ensure that Natural Resources Wales (NRW) is notified of all permit breaches, as well as any incidents or accidents that significantly affect or may significantly affect the environment, in accordance with the permit's notification procedures and within the specified timescales.

### Permit Condition 3.1.2 Breach

*"The limits given in Schedule 3 shall not be exceeded."*

Schedule 3, Table S3.1 of the permit lists the permitted discharge limit of Oxides of Nitrogen (Expressed as NO<sub>2</sub>) for Emission Point A61 an Emission Limit Value (ELV) of 150mg/m<sup>3</sup>. The reported emission is 171mg/m<sup>3</sup> which is greater than the ELV listed in the permit. Consequently, Morganite Carbon Electrical Ltd has been issued a **Category 3 non-**

**compliance** for breaching the emission limits stated in the permit. This has been scored in accordance with the Compliance Classification Scheme (CCS) under Compliance Criteria **IR3A(2)**.

**ACTION 3:** Improve operational practices and implement proactive measures to minimise the risk of future permit non-compliances, specifically relating to ELVs from permitted emission points.

**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 required for the permit condition assessed to avoid non-compliance. No non-compliance scored at this time
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(1) – Emissions to water
- IR3A(2) – Emissions to air
- IR3A(3) – Emissions to 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.

### Disputing the Content of this Compliance Assessment Report Form

If you disagree with the content of this Compliance Assessment Report form, you should submit your concerns, in writing, to the regulating officer who issued it within **15 working days** of its issue. This will be treated as a **Stage 1 review**.

If you are not satisfied with the outcome of the stage 1 review, you may request a **Stage 2 appeal**. This request must be submitted **within 21 working days** of receiving the response from the stage 1 review.

Further details on our review and appeal process are available at: [Natural Resources Wales / Appeal a regulatory decision from Natural Resources Wales](#)

### Concerns Not Related to the Content of this Compliance Assessment Report Form

If your concerns do not relate to the content of the Compliance Assessment Report form, you should first attempt to resolve the issue with the regulating officer or their line manager.

If the issue remains unresolved, please contact our **Customer Contact Team**:

- **Telephone:** 0300 065 3000 (Monday to Friday, 09:00–17:00)
- **Email:** [enquiries@naturalresourceswales.gov.uk](mailto:enquiries@naturalresourceswales.gov.uk)

They will provide details on how to escalate your concerns through our **Complaints and Commendations procedure**.

If you are dissatisfied with our response, you may contact the **Public Services Ombudsman for Wales**:

- **Telephone:** 0300 790 0203
- **Email:** [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.