Cyfoeth Naturiol Cymru Natural Resources Wales	**EPR Compliance Assessment Report**	Report ID: PP3834CB/0232713

This form will report compliance with your permit as determined by an NRW officer

Site	Ruabon Electro Ceramics			Permit Ref	PP3834CB		
Operator/ Permit holder	Morgan Technical Ceramics Limited						
Date	09/12/2014			Time in	10:00	Out	14:00
What parts of the permit were assessed	OMA for air and sewer, annual returns						
Assessment	Audit	EPR Activity:	Installation X	Waste Op		Water Discharge	
Recipient's name/position	Timothy Lunt						
Officer's name	Beth Voice, Alison Soper			Date issued	27/02/2015		

Section 1 - Compliance Assessment Summary

This is based on the requirements of the permit under the Environmental Permitting Regulations. A detailed explanation and any action you may need to take are given in the "Detailed Assessment of Compliance" (section 3). This summary details where we believe any non-compliance with the permit has occurred, the relevant condition and how the non-compliance has been categorised using our Compliance Classification Scheme (CCS). CCS scores can be consolidated or suspended, where appropriate, to reflect the impact of some non-compliances more accurately. For more details of our CCS scheme, contact your local office.

Permit Conditions and Compliance Summary				**Condition(s) breached**
a) Permitted activities	**1**. Specified by permit	N		
b) Infrastructure	**1.** Engineering for prevention & control of pollution	N		
	2. Closure & decommissioning	NA		
	3. Site drainage engineering (clean & foul)	N		
	4. Containment of stored materials	N		
	5. Plant and equipment	N		
c) General management	**1**. Staff competency/ training	C3		1.1.1, 3.3.1
	2. Management system & operating procedures	C3		1.1.1, 3.3.1
	3. Materials acceptance	N		
	4. Storage handling, labelling, segregation	N		
d) Incident management	**1**. Site security	N		
	2. Accident, emergency & incident planning	N		
e) Emissions	**1.** Air	C3		3.1.2
	2. Land & Groundwater	N		
	3. Surface water	N		
	4. Sewer	C3		3.1.2
	5. Waste	N		
f) Amenity	**1**. Odour	N		
	2. Noise	N		
	3. Dust/fibres/particulates	N		
	4. Pests, birds & scavengers	N		
	5. Deposits on road	N		
g) Monitoring and records, maintenance and reporting	**1**. Monitoring of emissions & environment	C3		3.3
	2. Records of activity, site diary, journal & events	N		
	3. Maintenance records	N		
	4. Reporting & notification	C3		4.3.1(b), 4.3.2
h) Resource efficiency	**1**. Efficient use of raw materials	N		
	2. Energy	N		

KEY: **C1, C2, C3, C4** = CCS breach category **(* suspended scores are marked with an asterisk),**
A = Assessed (no evidence of non-compliance), **N** = Not assessed, **NA** = Not Applicable, **O** = Ongoing non-compliance – not scored

Number of breaches recorded	6	**Total compliance score** (see section 5 for scoring scheme)	24

If the Total No Breaches is greater than zero, then please see Section 3 for details of our proposed enforcement response

Section 2 – Compliance Assessment Report Detail

This section contains a report of our findings and will usually include information on:

- the part(s) of the permit that were assessed (e.g. maintenance, training, combustion plant, etc)
- where the type of assessment was 'Data Review' details of the report/results triggering the assessment
- any non-compliances identified
- any non-compliances with directly applicable legislation
- details of any multiple non-compliances
- information on the compliance score accrued inc. details of suspended or consolidated scores.
- details of advice given
- any other areas of concern
- all actions requested
- any examples of good practice.
- a reference to photos taken

This report should be clear, comprehensive, unambiguous and normally completed within 14 days of an assessment.

This CAR accompanies the two Operator Monitoring Assessment Reports for discharge to sewer and air dated 09/12/15. Further details can be found in the OMA Reports.

Requirement – Permit Section 1.1.1, 3.3.1, 3.3.2, 3.3.3 (General Management, Monitoring)

Finding

1. Lack of details in EMS procedures for monitoring of emissions to air and sewer.
2. Lack of detail in EMS for responsibilities for monitoring.
3. Reporting procedures were not followed.
4. Operator unable to demonstrate that the monitoring requirements were implemented for discharge to sewer.

Compliance/Action

C2 CCS3

1. Ensure the EMS includes required detail on monitoring requirements and responsibilities as required by the permit.
2. Management personnel to ensure that procedures which are in place for reporting breaches of permit emission values are followed.
3. Monitoring should be a regular item on the internal auditing plan, to include auditing the monitoring contractors.

C1 CCS3

1. Ensure relevant staff are trained in monitoring requirements.
2. Provide a copy of the training plan for above training.

Requirement – Permit Section 3.1.2 (Emission Limit Values)

Finding

7 breaches of emission limit values to air for 2014.

Compliance /Action

E1 CCS3 The 7 breaches were aggregated into one score.

1. Operator to submit a variation proposing changes to the relevant emission limit values. To include
    a. BAT review, site operation and monitoring results.
    b. Review of process optimisation.

Finding

4 breaches of emission limit values to sewer for 2014.

Compliance/Action

E4 CCS3 The 4 breaches were aggregated into one score.

1. Operator to review ETP procedures to ensure the emission limit values are met.

Requirement – Permit Section 3.3.3 4.3.1(b) (Monitoring Requirements, Notifications)

Finding

1. Operator did not submit all of the monitoring data required by the permit.
2. Operator does not know if sewer monitoring data is adequate for permit section 3.3.3.

G1 CCS3

1. Monitoring, equipment, techniques, personnel and organisations employed for the emissions monitoring programme must have either MCERTS certification or MCERTS accreditation.
2. Operator must submit the maximum concentration of determinand recorded. Ensure procedures are in place to ensure this happens.

Requirement – Permit Section 4.3.1(b), 4.3.2 (Notifications)

Finding

It was noted that there were 7 breaches of the emission limit values to air which were not reported within 24 hours of detection. 5 breaches were not reported at all. There were 4 breaches to sewer, with only one reported. The breaches were reported using the half-yearly or annual return forms, and not the Schedule 5 Notification Form (Part A and Part B).

G4 CCS3

NRW must be notified within 24 hours following the detection of a breach of a limit specified in the permit using Part A Schedule 5 form and this is followed up with a Part B form as soon as practicable.

Note

Further information has been submitted by the operator in relation to the sewer monitoring and this will be reviewed in due course. Several of the actions required above may be addressed by this information.

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Operator/ Permit	Morgan Technical Ceramics Limited	Date	09/12/2014

Section 3- Enforcement Response **Only one of the boxes below should be ticked**	
You must take immediate action to rectify any non-compliance and prevent repetition. Non-compliance with your permit conditions constitutes an offence and can result in criminal prosecutions and/or suspension or revocation of a permit. Please read the detailed assessment in Section 2 and the steps you need to take in Section 4 below.	
Other than the provision of advice and guidance, at present we do not intend to take further enforcement action in respect of the non-compliance identified above. This does not preclude us from taking enforcement action if further relevant information comes to light or advice isn't followed.	
In respect of the above non-compliance you have been issued with a warning. At present we do not intend to take further enforcement action. This does not preclude us from taking additional enforcement action if further relevant information comes to light or offences continue.	X
We will now consider what enforcement action is appropriate and notify you, referencing this form.	

Section 4- Action(s)

Where non-compliance has been detected and an enforcement response has been selected above, this section summarises the steps you need to take to return to compliance and also provides timescales for this to be done.

Criteria Ref.	**CCS Category**	**Action Required/Advised**	**Due Date**
See Section 1 above			
C1	C3	Ensure staff are trained in monitoring requirements. Provide a copy of training plans for those responsible for monitoring.	31/05/15
C2	C3	Ensure the EMS includes detail on monitoring requirements and responsibilities as required by the permit. Management personnel to ensure that procedures which are in place for reporting breaches of permit emission values are followed. Monitoring should be a regular item on the internal auditing plan, to include auditing the monitoring contractors.	31/05/15
E1	C3	Operator to submit a variation proposing changes to the relevant emission limit values.	31/05/15
E4	C3	Operator to review ETP procedures to ensure the emission limit values are met.	31/05/15
G1	C3	Monitoring, equipment, techniques, personnel and organisations employed for the emissions monitoring programme must have either MCERTS certification or MCERTS accreditation. Operator must submit the maximum concentration of determinand recorded, to be included in EMS procedures.	31/05/15
G4	C3	NRW must be notified within 24 hours following the detection of a breach of a limit specified in the permit using Part A Schedule 5 form and this is followed up with a Part B form as soon as practicable	27/02/15

Section 5 - Compliance notes for the Operator

To ensure you correct actual or potential non-compliance we may

- advise on corrective actions verbally or in writing
- require you to take specific actions in writing
- issue a notice
- require you to review your procedures or management system
- change some of the conditions of your permit
- decide to undertake a full review of your permit

Any breach of a permit condition is an offence and we may take legal action against you.

- We will normally provide advice and guidance to assist you to come back into compliance either after an offence is committed or where we consider that an offence is likely to be committed. This is without prejudice to any other enforcement response that we consider may be required.
- Enforcement action can include the issue of a formal caution, prosecution, the service of a notice and or suspension or revocation of the permit.

See our Enforcement and Civil Sanctions guidance for further information

This report does not relieve the site operator of the responsibility to

- ensure you comply with the conditions of the permit at all times and prevent pollution of the environment
- ensure you comply with other legislative provisions which may apply.

Non-compliance scores and categories

CCS category	Description	Score
C1	A non-compliance which could have a **major** environmental effect	60
C2	A non-compliance which could have a **significant** environmental effect	31
C3	A non-compliance which could have a **minor** environmental effect	4
C4	A non-compliance which has **no** potential environmental effect	0.1

Operational Risk Appraisal (Opra) - Compliance assessment findings may affect your Opra score and/or your charges. This score influences the resource we use to assess permit compliance.

Section 6 – General Information

Data protection notice

The information on this form will be processed by the Natural Resources Wales (NRW) to fulfill its regulatory and monitoring functions and to maintain the relevant public register(s). The NRW may also use and/or disclose it in connection with:

- offering/providing you with its literature/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 and taking any resulting action
- preventing breaches of environmental law
- assessing customer service satisfaction and improving its service
- Freedom of Information Act/Environmental Information Regulations request.

The NRW may pass it on to its agents/representatives to do these things on its behalf. You should ensure that any persons named on this form are informed of the contents of this data protection notice.

Disclosure of information

The NRW will provide a copy of this report to the public register(s). However, if you consider that any information contained in this report should not be released to the public register(s) on the grounds of commercial confidentiality, you must write to your local area office within twenty working days of receipt of this form indicating which information it concerns and why it should not be released, giving your reasons in full.

Customer charter

What can I do if I disagree with this compliance assessment report?

If you are unable to resolve the issue with your site officer, you should firstly discuss the matter with the officer's line managers. If you wish to raise your dispute further through our official Complaints and Commendations procedure, phone our general enquiry number 0300 065 3000 (Mon to Fri 08.00–18.00) and ask for the Customer Contact team or send an email to enquiries@naturalresourceswales.gov.uk. If you are still dissatisfied you can make a complaint to the Public Services Ombudsman for Wales. For advice on how to complain to the Ombudsman phone their helpline on 0845 607 0987.