

Compliance Assessment Report

Report ID:
CAR_NRW0031133

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				
Regime	Installations				
Date of assessment	31/12/2016	Time in	N/A	Out	N/A
Assessment type	Report/Data Review				
Parts of the permit assessed	1.1.1, 3.1.2, 3.3.1, 4.2.2, 4.2.3				
Lead officer's name	Voice, Elizabeth				
Accompanied by					
Recipient's name/position	Rhian Newton/ HSEQ Manager	Date issued	15/02/2017		

Section 1 – Compliance Assessment Summary

This is based on the requirements of the permit under the Environmental Permitting Regulations or the licence under the Water Resources Act 1991 as amended by the Water Act 2003. A detailed explanation is captured in "Compliance Assessment Report Detail" (Section 2) and any actions you may need to take are given in the "Action(s)" (section 4). 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	CCS Category	Condition(s) breached
C1 - Infrastructure - Staff competency/training	C3	1.1.1(b)
E1 - Infrastructure - Air	C3	3.1.2
G1 - Infrastructure - Monitoring of emissions and environment	C3	3.3.1(a)
G4 - Infrastructure - Reporting and notification to Natural Resources Wales	C4	4.2.2(b)

KEY: See Section 5 for breach categories, suspended scores will be indicated as such.

A = Assessed or assessed in part (no evidence of non-compliance), **X** = Action only,
O = Ongoing non-compliance, not scored.

Number of breaches recorded	4	Total compliance score (see section 5 for scoring scheme)	12.1
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If the Number of breaches recorded is greater than zero, please see Section 3 for 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 (eg. 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 advice given
- Any other areas of concern
- Any actions requested
- Any examples of good practice
- A reference to photos taken

Permit Section 3.1.2 The limits given in Schedule 3 shall not be exceeded.

It has been demonstrated that the site is unable to meet the concentration emission limit values for emissions to air from emission points B6 and B24. Previous compliance assessment reports have placed deadlines on the site to submit a permit variation proposing new limits. The most recent deadline for the permit variation was 06/06/16, however the submission was not sufficient for assessment by NRW.

Emission point B6 was monitored on 02/09/16 and measured 0.96 mg/m³ against the emission limit value of 0.2mg/m³ for lead. The particulate matter concentration was within the emission limit value. Emission point B6 takes 85% of the lead emission load, whereas B24 takes 15%. We would therefore expect the B24 load to be proportionally lower i.e. the worst case lead and particulate emission to air has been monitored.

E1 – CCS3

Action: Submit the permit variation including H1 by 31/03/17.

C1 - CCS3

Action: Ensure that there are adequate resources to secure compliance with the permit, to ensure that the permit variation is submitted by 31/03/17.

Permit Section 3.3.1(a) The operator shall undertake monitoring specified in table S3.1.

Emission points B7 and B24 were not monitored during 2016.

G1 – CCS3 failure to monitor as required.

Action: Carry out monitoring of emission points by 31/03/17.

Permit Section 4.2.2 and 4.2.3 A report of the performance of the activities of the previous year should have been submitted to NRW by 31/01/17. The report should include as a minimum performance parameters set out in schedule 4 table S4.2 using the forms specified in table S4.3 of that schedule.

G4 – CCS4 failure to provide data specified in the permit.

Action: Ensure the site EMS (environmental management system) procedures include the reporting requirements. Submit the outstanding reports to NRW by 28/02/17.

Natural Resources Wales will now consider the appropriate course of action in relation to the on-going permit breaches and failure to submit a completed variation application.



EPR Compliance Assessment Report

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Operator/Permit holder	Morgan Technical Ceramics Limited	Date	31/12/2016

Section 3 – Enforcement Response

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.

We will now consider what enforcement action is appropriate and notify you, referencing this form.

Section 4 – Action(s)

This section summarises the actions identified during the assessment along with the timescales for when they will need to be completed.

Criteria Ref.	CCS Category	Action required/advised	Due Date
See Section 1 above			
G4	C4	See comments section	31/03/2017
G1	C3	See comments in Section 2	31/03/2017
E1	C3	See comments in Section 2	31/03/2017
C1	C3	See comments section 2	28/02/2017

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 verbally or 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 that 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 fulfil 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 (eg. 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 its service
- Freedom of Information Act/Environmental 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 fifteen 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 officer's line managers using the informal appeals procedure. 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.

Welsh Language

If you would like this form in Welsh please contact your Regulatory Officer.