

Compliance Assessment Report

Report ID:
CAR_NRW0034200

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

Site	Aberthaw Works EPR/BL3986ID	Permit Ref	BL3986ID		
Operator/Permit holder	Tarmac Cement and Lime Limited				
Regime	Installations				
Date of assessment	03/10/2018	Time in	10:30	Out	13:00
Assessment type	Audit				
Parts of the permit assessed	Dust Complaints				
Lead officer's name	Griffiths, David				
Accompanied by	Leakey, Antony				
Recipient's name/position	Kara Bennett/ Environmental Coordinator	Date issued	08/11/2018		

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
A1 - Specified by permit	A	
F3 - Amenity - Dust/fibres/particulates and litter	C3	3.2.1
	C3	3.2.1
	C3	3.2.1
G1 - Monitoring and Records, Maintenance and Reporting - Monitoring of emissions and environment	A	
G4 - Monitoring and Records, Maintenance and Reporting - Reporting and notification to Natural Resources Wales	A	

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	3	Total compliance score (see section 5 for scoring scheme)	12
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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

Site Meeting at Tarmac – Aberthaw Cement Works.

Dave Griffiths – Regulatory Officer, Tony Leakey – Technical Specialist (NRW)

Graeme Bride – Plant Manager, Kara Bennett – Environment Coordinator (Tarmac)

Air Quality

NRW discussed air quality monitoring in local area as there hasn't been any campaigns in that area for over 5 years. Tarmac confirmed that they have instructed their consultants Dustscan to undertake directional analysis and to analyse the dust in more details (Clinker, Ash, Cement, Limestone etc.). This will enable Tarmac to understand where the dust sources are on site and focus improvements in those areas.

Tarmac agreed to commission a feasibility study with costings into indicative air quality sampling with microscopy – **ACTION TARMAC**

Complaints and Investigations

Dust Complaint 13/08/2018 – Sample was taken by Tarmac and confirmed as Raw Meal and there was an issue on the pre-heater tower the evening before the event which resulted in an unplanned Kiln stop (Crash). Stage 1 Cyclone had a blockage which had to be cleared resulting in a raw meal dust emission and a "dirty" kiln start up. There was also a sudden drop in air pressure at this time and the wind direction correlated with the location of the complaint.

Site investigation on this event confirmed that the dust emission was caused by cleaning and removing the blockage in the pre-heater and not from the "dirty" start-up of the kiln due to the type of dust identified on the resident's vehicles. The dust was confirmed as Raw Meal and not Clinker.

Tarmac are reviewing the cleaning procedure which includes but not limited to installing a variable speed drive on the ID fan therefore allowing the kiln to remain under negative pressure during the cleaning process. Current procedure is to isolate Kiln and shut down for safety reason. The current set-up on site does not allow the ID fan to remain on (negative pressure) as the fan drive is not variable. Therefore, this option would require CAPEX for a new fan drive – **ACTION Tarmac**.

Tarmac are also reviewing Air Pressure cleaning and investigating the possibility of increasing an air supply to 10bar to the Pre-heater and installing more air blasters.

NRW discussed looking at all stages of the process and to evaluate what is causing the most impact such as clearing blockages from the pre-heater (Raw Meal) or dirty kiln start-up (Klinker Dust). Initial thoughts are that the most dust complaints received are from "dirty" Kiln start up after an unplanned stoppage (crash). Tarmac to investigate this data and trends – **Action Tarmac**

Noise Complaint 13/08/2018

NRW and Tarmac received a complaint regarding low level noise every night from the quarry that is

affecting the sleep of a local resident. Tarmac confirmed that the quarry is not operational during the evening and the noise complaint cannot be associated with their activities. However, in order to establish what the background noise levels are in the area Tarmac are planning to undertake a survey at six locations during the day and evening (St Athan, Llanwit, East Aberthaw and West Aberthaw).

7th September 2018 – Dust complaints were received by NRW and Tarmac regarding deposition on their vehicles. Tarmac investigations concluded the dust was a result of water supply loss to the bearing cooling that tripped the Kiln. During a re-start clinker dust was emitted causing the impact particularly as it was a “dirty” start up. The root cause of the incident was PLC module sensor that was intermittent with its power supply. This intermittent signal / fault resulted in the Kiln tripping. This also occurred on the 8th September too. This module has now been replaced and there have been no more issues. NRW requested that further investigations are required with the module manufacturer to understand why and what caused the power supply issues and what actions can be taken to prevent a re-occurrence – **Action**

Tarmac

Dust Complaints 20/09/18 – NRW and Tarmac received dust complaints from residents regarding dust impact on their vehicles. Tarmac confirmed during their investigations that the source of the dust was from their conical clinker store as the roof was damaged. Tarmac are currently in the process of replacing the roof and a new bag filter will be installed and commissioned in Q1 2019.

Dust Complaint 2/10/2018 – NRW and Tarmac received dust complaints from residents informing us that their vehicles have been covered in dust. Tarmac investigations confirmed that the dust came from the packaging plant as there had been a fault with the bag filter. Tarmac confirmed that the bags had been changed and the filter is operating as expected. However, the bag filter is old and is wearing out bags every 6 weeks which should normally last 2 years. Therefore, a new bag filter will be installed and commissioned next year. Action Tarmac Schedule 5

Site Improvements Summary

Significant structural integrity repairs planned for 2019

Two new cooler tubes to be installed during February shut down 2019

Cement Silo to be overhauled and cleaned and checked for structural integrity.

New Package plant bag filter in 2019

New Air blockage system in Pre-heater

New Conical Clinker Shed Roof 2018

Compliance

Category 3	Minimal effect on air quality	▪ Shorter term, local effect on air quality arising from smells or visible impact (smoke and dust).
	Minor damage to local nature conservation	▪ Very limited impact upon nature conservation or Water Framework Directive water body. Refer to Impact on nature conservation sites and species for guidance.
	Minimal effect on human	▪ Minor injury or effect on human health as a direct result of release of substance(s) to atmosphere. For example, a few individuals with temporary sore

	health	throats or headaches. Record the impact as a Category 2 where multiple complaints of minor health effects are reported. Public exposed to concentration levels that present no known or a minimal risk to health. Likely to be mildly offensive to senses. Mild effects, which are unlikely to require action, may be noticed amongst sensitive individuals.
	Minor effect on amenity value	Minor transitory affect on the public local to the site. May be considered to be a minor nuisance, with minor effects on the normal range of activities.
	Minor impact on property	Minor effect on property. This includes visible fallout of inert dust or particulate, onto car paintwork or buildings, but which causes no damage and is easily removed.
	Minimal damage to agriculture/ commerce	Minor damage to agriculture or commerce. Such as, inert dust or particulate fallout but which has no deleterious effect on crops, livestock or commercial activity. Would be easily washed off by rain or water.

NRW have reviewed our incident classification scheme (detailed above) scoring guidance and we are of the opinion the incidents fall within this category.

13/08/2018 Dust event – CCS 3

07/09/18 and 08/09/18 (same root cause) – CCS 3

02/10/18 – CCS 3

Suspending CCS Scores

Although we discussed suspending these scores until April 2019. However, NRW believe there are too many sources of dust that has the potential to cause pollution outside the installation boundary and therefore suspension cannot be applied at this stage. We also believe the timescales for improvements will be longer than 6 months. However, NRW welcome discussion on specific improvements and topics that can meet this criterion, but we are not able to suspend all likely 'dust' emissions from site - **Action Tarmac**,

Therefore, on this occasion we are unable to suspend any scores and we will continue to assess / evaluate pollution incidents on their own merit as and when they occur. NRW have included extracts from our guidance below for information:

The principle Suspension means that we record non-compliances on the CCS database but do not count them towards the operator's compliance rating.
Some complex non-compliant situations take a long time to resolve. Suspending CCS scores allows us to provide an operator with an incentive to improve their performance as they are less likely to drop to a worse compliance band.
CCS scores can only be suspended for a maximum of **six** months and voluntary agreements should only be available to operators with a good compliance history.

Where you identify non-compliance on a site then you must never suspend the first CCS record.

You can only agree to suspend subsequent scores incurred while an operator is working toward compliance.



EPR Compliance Assessment Report

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Site	Aberthaw Works EPR/BL3986ID	Permit Ref	BL3986ID
Operator/Permit holder	Tarmac Cement and Lime Limited	Date	03/10/2018

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.

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.

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			
F3	C3	Improve Infrastructure	28/12/2018
F3	C3	Improve Infrastructure	28/12/2018
F3	C3	Improve Infrastructure	28/12/2018

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.