

Compliance Assessment Report

Report ID:
CAR_NRW0035348

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	10/06/2019	Time in	09:00	Out	17:00
Assessment type	Audit				
Parts of the permit assessed	Site Meeting - Dust Complaints				
Lead officer's name	Griffiths, David				
Accompanied by					
Recipient's name/position	Kara Bennett/ Environmental Coordinator	Date issued	04/07/2019		

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	
C2 - General Management - Management system and operating procedures	A	
E1 - Emissions - Air	C3	Schedule 3a
	C3	3.2.1
	C3	3.2.1

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 with Graeme Bride – Plant Manager and Kara Bennett Environmental Coordinator

Prior to the site meeting a personal visit (meeting) with residents to discuss the ongoing dust complaints.

13/03/19 – Unforeseen Kiln Stop

16/03/19 – Unforeseen Kiln Stop

21/03/19 – Cooler Tube Issue

22/03/19 – Cooler Tube Issue

NRW acknowledge that the above Schedule 5 notifications reported are not a reflection of a significant dust non-compliances, but of issues on site that have the potential to cause a fugitive dust emission off site and give rise to a complaint. However, NRW did receive complaints from residents on the 16th March 2019 and 26th March 2019. (These non-compliances have been assessed previously as detailed in CAR_NRW0034946 dated the 5th April 2019).

- Discussed planned dust improvements – Clinker dust issue will be resolved in October for 10 days planned maintenance shut down. Repairs planned for cooler tube (bends) that have cracks.
- New Dust collector (Kiln Hood) infrastructure improvements planned for February 2020.

Therefore, this CAR Form will focus on the Schedule 5 notifications between 1st April and 21st May 2019.

01/04/19 – Clinker Dust Incident – This event has already been assessed previously, the same route cause as the those reported and detailed the CAR Form dated April 2019

02/04/19 – Raw Meal Dust Incident – NRW did not receive any dust complaints, neither did Tarmac according to the information received during this period. Therefore, on this occasion NRW will not be issuing any Non-compliances for this incident. Furthermore, the data received from your dust deposition gauges reflect that this event did not have any significant environmental impact.

10/04/19 – SO₂ Elevated ELV – This incident resulted in an elevated ELV of 1203 nm/m³ against Permit Limit of 800 nm/m³ (daily average). On this occasion NRW will be issuing a Permit non-compliance CCS3 for this event.

11/04/19 – Clinker Dust Incident – On the information supplied Tarmac did receive complaints during this period for clinker dust of site impacting on the residents. The route cause being a Cyclone blockage which resulted in a kiln trip. On this occasion NRW will be issuing a Permit non-compliance CCS3 for this event.

07/05/19 – Cooler Tube Issue – On the information supplied Tarmac did receive complaints

during this period for fugitive dust and your investigations confirmed an issue on site with the cooler tubes. Therefore, on this occasion NRW will be issuing a Permit no-compliance CCS3 for this event.

21/05/19 – Clinker Dust Incident – On this occasion, based on the information supplied by Tarmac you received complaints and your dust scan deposition gauges confirm a above average deposition on dust of 105mg/m3. However, as the Root cause is similar to that of the events on the 7th May 2019. Tarmac has also committed to resolve the cooler tubes problems and this event was temporarily rectified immediately with all appropriate measures taken. NRW will not be issuing a Permit non-compliance for this event.

In summary NRW have issued three Permit non-compliances CCS3 for the events between the 1st April and 21st May 2019.

*****end of report*****

EPR Compliance Assessment Report

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Operator/Permit holder	Tarmac Cement and Lime Limited	Date	10/06/2019

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			
E1	C3	Improve Operations	04/07/2019
E1	C3	Improve Infrastructure	04/07/2019
E1	C3	Improve Infrastructure	04/07/2019

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.