

Compliance Assessment Report CAR_NRW0037610

Permit being assessed: BP3532HX.

For: Newport Ceramic Works EPR/BP3532HX, held by Kennametal UK Ltd
At: Leeway Industrial Estate Lake Road , Newport, South Wales, NP19 4SR.

Type of assessment carried out: Report/Data Review, Reason: Routine.
On 10/02/2021.

Parts of permit assessed: 3.1.2 Emissions to Air

NRW Lead Officer: Rebecca Green.

Report sent to: Mike Williams, Operations Manager on 15/02/2021.

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

Part of permitted activity assessed (criteria)	Assessment result	Permit condition
G4 - Monitoring and Records, Maintenance and Reporting - Reporting and notification to Natural Resources Wales	C4 No impact	4.3.2 Notification
E1 - Emissions - Air	C3 Minor	3.1.2 Emissions to Air
E1 - Emissions - Air	C3 Minor (Suspended)	3.1.2 Emissions to Air
B1 - Infrastructure - Engineering for prevention and control of emissions	Action only (X)	
C2 - General Management - Management system and operating procedures	Action only (X)	
G3 - Monitoring and Records, Maintenance and Reporting - Maintenance records	Action only (X)	
G1 - Monitoring and Records, Maintenance and Reporting - Monitoring of emissions and environment	Assessed (A)	
A1 - Specified by permit	Assessed (A)	

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

Total number of non-compliances recorded	Total non-compliance score
3	4.1

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
G4	Ensure NRW are informed of any breaches of permit conditions immediately, but no later than 24 hours after the event.	15/02/2021

Criteria	Action needed	Complete by
E1	Increase stack cleaning frequency.	26/02/2021
E1	Install washable filter.	26/02/2021
B1	Install washable filter for A6. Increase stack cleaning frequency for A1 to quarterly.	26/02/2021
C2	Add quarterly stack cleaning to Preventative Maintenance Plan for A1. See also Action 2.	26/02/2021
G3	Check water pump for scrubber shower head more regularly to confirm that it is operating correctly. See Action 1.	10/03/2021

Action 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

On 9th February 2021 Kennametal informed Natural Resources Wales (NRW) that they had exceeded their emission limit values (ELV) for particulate emissions from emission points A1 and A6 in December 2020. Kennametal were notified of the exceedances by their monitoring contractor on 13th January 2021, but did not contact NRW until 9th February. NRW received completed Schedule 6 Notifications for both emission points on 10th February 2021.

Kennametal are reminded that they must notify NRW of breaches of any permit conditions as soon as they become aware of them and they must submit a Schedule 6 Notification, with at least Part A completed, within 24 hours of the breach (see Permit Conditions 4.3.1 and 4.3.2).

A Cat4 non-compliance has been issued for failure to comply with this permit condition for this breach.

Emission Point A6

The ELV for particulate emissions from this emission point is 25mg/m³; the measured emission on 10th December 2020 was 160.4 +/- 4.94mg/m³. There is an on-going problem with particulate emissions here and scores are currently suspended. Kennametal have been trying to solve the problem for some time. They will be installing a washable filter downstream from the scrubber to see if this will reduce particulate emissions.

Sometime after the monitoring was carried out Kennametal discovered that the water pump for the scrubber shower head was not working.

Action 1: Review maintenance frequency for water pump and increase if necessary. Evaluate the practicality of installing a visual alarm to show when the pump is not working.

Report results to NRW by 10th March 2021.

Emission Point A1

The ELV for particulate emissions from this emission point is 25mg/m³; the measured emission on 9th December 2020 was 73 +/- 2.6mg/m³. A dust build-up was discovered at the bottom of the stack. Kennametal are planning to use Root Cause Analysis (RCA) to determine the reason for the excess dust. In the meantime Kennametal will increase the cleaning frequency and amend the preventative maintenance plan accordingly.

Action 2: Kennametal to report the results of the RCA to NRW by 31st March 2021.

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 only relating to the activity assessment
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.

What are suspended scores?

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 and Waste action criteria (used in section 1 and 2):**A: Permitted activities**

- A1 Specified by permit

B: Infrastructure

- B1 Infrastructure – Engineering for prevention and control of emissions
- B2 Infrastructure – Closure and decommissioning
- B3 Infrastructure – Site drainage engineering (clean and foul)
- B4 Infrastructure – Containment of stored materials
- B5 Infrastructure – Plant and equipment

C: General management

- C1 General management – Staff competency/training
- C2 General management – Management system and operating procedures
- C3 General management – Materials acceptance
- C4 General management – Storage, handling, labelling and segregation

D: Incident management

- D1 Incident management – Site security
- D2 Incident management – Accidents, emergency and incident planning

E: Emissions

- E1 Emissions – Air
- E2 Emissions – Land and groundwater
- E3 Emissions – Surface water
- E4 Emissions – Sewer
- E5 Emissions – Waste

F: Amenity

- F1 Amenity – Odour
- F2 Amenity – Noise
- F3 Amenity – Dust/fibres/particulates and litter
- F4 Amenity – Pests/birds and scavengers
- F5 Amenity – Deposits on road

G: Monitoring and records, maintenance and reporting

- G1 Monitoring and records, maintenance and reporting – Monitoring of emissions and environment
- G2 Monitoring and records, maintenance and reporting – Records of activity, site diary/journal/events
- G3 Monitoring and records, maintenance and reporting – Maintenance records
- G4 Monitoring and records, maintenance and reporting – Reporting and notification to Natural Resources Wales

H: Resources efficiency

- H1 Resource efficiency – Efficient use of raw materials
- H2 Resource efficiency – Energy efficiency

Enforcement response

Any permit condition non-compliance 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 20 working days to let you know if we agree to your request.

What do I do if I disagree with the report or have a complaint?

If you disagree with this compliance assessment report, you should contact the lead officer without delay to discuss your concerns.

If you are unable to resolve the issue with the lead officer or their line manager you should contact our Customer Contact team on 0300 065 3000 (Monday to Friday 08:00 – 18:00), or email enquiries@naturalresourceswales.gov.uk for details of how to raise your dispute further through our Complaints and Commendations procedure.

If you are dissatisfied with our response, you can contact the Public Services Ombudsman for Wales by phone on 0300 7900203 or by email at 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.