

	EPR Compliance Assessment Report		Report ID: BL3986ID/0229463	
This form will report compliance with your permit as determined by an NRW officer				
Site	Aberthaw Works NRW/EPR/BL3986ID/V010		Permit Ref	BL3986ID
Operator/ Permit holder	Lafarge Tarmac Cement and Lime Limited			
Date	09/01/2015	Time in	10:00	Out 13:00
What parts of the permit were assessed	Routine Site Inspection 09/01/15 and Recent Site Activities (09/01/15-15/01/15)			
Assessment	Site Inspection	EPR Activity:	Installation: X	Waste Op: Water Discharge:
Recipient's name/position	Chris Bradbury - Plant Manager			
Officer's name	David Griffiths	Date issued	16/01/2015	

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	A	
b) Infrastructure	1. Engineering for prevention & control of pollution	A	
	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	A	
	2. Management system & operating procedures	A	
	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	N	
	2. Land & Groundwater	N	
	3. Surface water	N	
	4. Sewer	N	
	5. Waste	N	
f) Amenity	1. Odour	N	
	2. Noise	N	
	3. Dust/fibres/particulates	A	
	4. Pests, birds & scavengers	N	
	5. Deposits on road	A	
g) Monitoring and records, maintenance and reporting	1. Monitoring of emissions & environment	N	
	2. Records of activity, site diary, journal & events	N	
	3. Maintenance records	N	
	4. Reporting & notification	N	
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	0	Total compliance score (see section 5 for scoring scheme)	0
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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:

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

Fugitive dust samples 31st December 2014 and 7th January 2015

NRW undertook an investigation in response to complaints the fugitive dust from the works had covered the complainants vehicles. On completion of our investigation we are of the opinion the dust was from the works.

However, it is unclear if the dust was a deposition from a previous event or that from a recent event so on these occasions NRW will not be issuing a non-compliance of your Permit.

Therefore, it will be beneficial for both parties to take accurate logs of what vehicles and what parts of the vehicles have been cleaned and when and NRW if called in future to investigate a dust complaint will also take note of this detail when obtaining a sample.

Routine Site Inspection Friday the 9th January 2014 with Chris Bradbury (Plant Manager) and Robert Fairless (Environment Coordinator). 10:30 – 12:30

- Discussed recent dust complaints and site improvements.
- Records of dust awareness questionnaire presented to NRW that was given to all employees.
- Road sweeping on site every day (Monday – Friday).
- A better complaint handling systems is now in place with reference numbers given to complainants.
- Further dust abatement sprays now installed in kiln area.
- Dust suppression canon now in place over clinker store doorway.
- Works have started on clinker transport system with two new dust collectors.

Lafarge are also going to forward to NRW a report detailing the improvements on site to date and details of the works to be undertaken in the February shutdown.

It was also confirmed that the kiln was going to be shut down on the 19th for works on the coolers and Clinker store and then once completed the Raw Mill will be shut down for routine maintenance.

The inspection then involved a walk around the installation to inspect the improvements on site and view areas on site where works are planned to improve fugitive dust releases. NRW are confident that the works undertaken and planned will hopefully address the fugitive dust releases from site.

NRW also met two local complaints and discussed the recent dust issues and were concerned about the ongoing problems and the lack of feedback from Lafarge on the dust samples that they had collected. Lafarge have now provided data to complainants on the 12th January 2015.

Fugitive dust complaint investigations 10th January 2015

NRW investigated dust complaints on Saturday 10th January and confirmed a cement type material had covered all cars at both residents in the local community. The dust had stuck to the vehicles and NRW were unable to obtain a sample but are of the opinion the works had caused this pollution.

However, based on the climatic conditions at this time (high winds) and the storm damage to the works we will not be issuing you with a Permit Non-compliance for this event.

Please note that any future fugitive dust release from the works may result in a Permit Non-compliance.

Odour Complaint Investigations 13th January 2015

NRW received two burning off rubber odour complaints on the 16th December 2014. The complaints were from the Fanmon area and upon completion of investigation we believe that this odour is not associated with the works. However, please ensure that on site investigations and checks now include olfactory odour monitoring around the works.

Replacement Ammonia Solution 13th January 2015

We are happy for you to undertake a trial using the Ammonia substitute.

However, MSDS shows numerous contaminants and we need to be satisfied that your current abatement is able adequately manage this product.

We have concerns over increased AEL's such SO₂ and TOC and need to ensure that the current Permit limits are not exceeded.

We will need further clarification / evidence after the trial before approving this as a permanent alternative.

RSR Site Inspection 15th January 2015

Our RSR Officer Mr Toby Griffiths express concern over the last minute cancellation of a pre-arranged radioactive substances compliance visit. He had actually travelled to site and was in reception when I was told that the visit would need to be rearranged. This was due to the site contact having to attend a meeting in the place of an absent member of staff. Having taken time to prepare for the visit and make the journey, it was extremely frustrating to say the least. We would have expected someone to have called our office first thing in the morning to request a postponement rather than allow an officer to make a wasted journey.

We understand that you have staffing issues at the moment, which may lead to additional pressure on remaining staff. We are aware that you are employing staff to resolve this. However, NRW expects that a pre-arranged inspection should take precedence over other meetings and that staff should be made available, even in the event of unplanned absences.

You will be aware that your Environmental Permit for Radioactive Substances contains Condition 1.1.1(b) which includes a requirement for adequate staffing levels. Contingency should be in place to allow for holiday, sick leave and occasions such as call outs.

Please can you respond to my colleague directly on this matter

Dust Complaints 15th January 2015

NRW received four dust complaints again today. Despite the current site improvements it is evident that these are insufficient to avoid offsite impacts. It is now getting to a point that it seems that you are unable to operate the works in a manner that does not cause pollution of the environment. We are aware that you have now shut down the Kiln for further repairs to the Clinker handling system (16/01/2015).

However, I must inform you that this ongoing dust pollution is unacceptable and if these repairs do not resolve the current fugitive dust problems on site NRW will need to address this in line with our Enforcement and Sanctions Policy.

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



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

Site	Aberthaw Works NRW/EPR/BL3986ID/V010	Permit	BL3986ID
Operator/ Permit	Lafarge Tarmac Cement and Lime Limited	Date	09/01/2015

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.

X

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.

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			

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.

