

EPR Compliance Assessment Report

Report ID: BL3986ID/0228861

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	07/01/2015				Time in	07:30	Out	12:00
What parts of the permit were assessed	Review of recent site activities							
Assessment	Site Inspection	EPR Activity:	Installation	X	Waste Op		Water Discharge	
Recipient's name/position	Chris Bradbury - Site Manager							
Officer's name	David Griffiths, Tony Leakey				Date issued	07/01/2015		

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	N	
	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	N	
	2. Management system & operating procedures	N	
	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	C3	3.1 Emissions to water, air or land;
	4. Pests, birds & scavengers	N	
	5. Deposits on road	N	
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	C3	4.3 Notifications
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	2	Total compliance score (see section 5 for scoring scheme)	8
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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:

- the part(s) of the permit that were assessed (e.g. 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 suspended or consolidated scores.
- details of advice given
- any other areas of concern
- all actions requested
- 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.

3rd November 2014

Aberthaw cement works site meeting with David Shenton and Robert Fairless.

RWE ash landfill lagoon discharge – sulphate concentrations above the RWE permit compliance limit are the primary issue. These appear to be due to concentration in the landfill lagoons during the dry weather period over the summer. Discharge at up to 900 mg SO₄/l and 150 m³/hour has subsequently been agreed and appears to have had no impact upon the quarry lagoon or River Kenson sulphate levels. This issue will be kept under review with RWE, although the sulphate is likely to be naturally occurring.

Dust control – main works issues are being addressed through capital programme and works outage in February 2015 (see below). Also discussed with Quarry Manager, Nicola Bartholomy, was the observation of significant haul road and stone crusher fugitive dust emissions from the RWE landfill. A misting system is available for deployment when the mobile crusher is operating during dry conditions. However it is understood that the misting system used on the main works would be used, resulting in reduced dust control there. Lafarge-Tarmac will need to review the need for bringing in additional dust control measures to the quarry under dry conditions. The haul road bowser is considered to be too small to be effective on the length of haul road that needs to be covered in the quarry. A review of the need to provide a large bowser of the type used by RWE in the landfill area is necessary. These reviews will be completed by Lafarge-Tarmac by **31 March 2015**.

25th November 2014

Lafarge Tarmac Site Meeting with Chris Bradbury – Plant Manager.

- Discussed Permit Variation for alternative raw materials and fuels and NRW confirmed a draft Permit will be sent for consultation on Friday 28th November 2014.
- Discussed SNCR Ammonia Slip Trials, NRW Confirmed that approval of this trial is with NRW's Regulatory Business Board (RBB) for authorisation. A decision will be made by NRW early December. It was noted that NRW will extend the Regulatory 60 Notices if required for the IED responses in light of this delay.
- Discussed recent dust complaints and Lafarge confirmed they are working with the local residents and have implemented various procedures to assess the impact from the works. These included dust scan equipment and a car washing facility if requested.
- Lafarge outlined all the improvements on site they had made such as Secondary dust collectors on the crusher, conical dust collector, and repair to hole in conical shed and new dust collectors on top of silos. NRW welcome these improvements and look forward to the further improvements planned next year.
- During our site inspection and review of the sites improvements there was still some areas giving rise to fugitive dust releases. In particular from the clinker handling area, it was noted that the door was open and the dust abatement system was not operational.

In summary NRW appreciates the continual improvements to fugitive dust releases from site and

liaison with the local residents. However, improvement is required on the day to day housekeeping and management of the localised fugitive emissions as highlighted in the inspection. NRW will be monitoring these improvements and be continually reviewing our appropriate enforcement response in light of the continual fugitive dust releases from the works.

1st December 2014

Aberthaw cement works site inspection and meeting with Robert Fairless.

Eel Regulations – there are two abstraction licences associated with the works that need to be in compliance with best practice screening to meet the requirements of these regulations.

The primary abstraction point is from the River Kenson into the works feeder via a connecting channel that has its level maintained by a barrier weir across the river. The permitted abstraction point is the works pump suction in take from the feeder. This is coarsely screened (approx. 30 x 10 mm aperture) and would not be compliant with best practice. However, the weir is currently holed at its base and all the river flow underpasses away from the feeder channel which is dry and blocked with debris. While this situation prevails the water level in the works feeder is maintained by a closed sluice and top up from the quarry lagoons and no abstraction from the Kenson can occur.

The secondary abstraction point is from the River Kenson into the works feeder via a diaphragm pump situated above the feeder discharge point into the river. There is no evidence that this pump suction leg is screened to best practice for the protection of eel. However, the suction location is in an area of the river affected by tidal saline intrusion and is not suitable for use in the works process water system and the abstraction is not currently in use.

Therefore while these circumstances prevail there is no active abstraction from the Kenson and further measures to ensure compliance with the Eels Regulations are considered to be unnecessary. Lafarge-Tarmac should confirm in writing by **31 March 2015** that this situation will be maintained and the diaphragm pump decommissioned. Any proposals to abstract from the Kenson at either location will require prior approval from Natural Resources Wales upon verification that best practice screening has been installed.

Energy efficiency – in reviewing the process water feed arrangements when assessing compliance with the Eels regulations, Natural Resources Wales has noted that a large volume of water is circulated around the works, but apparently only a small proportion is required for process purposes. A review of the water supply arrangements should be undertaken and proposals made for reducing pumping energy use by **31 March 2015**.

19th December 2014

Dust samples were collected from vehicles at residential properties in the Burton Hill area. It is NRW analysed the dust samples using light microscopy and are of the opinion that this dust was from the Cement Works. NRW are going to breach your Environmental Permit for this event with two non-compliances (fugitive dust release and failure to notify NRW). The non-compliance of your Permit are for conditions 3.1 Emissions to water, air or land condition and 4.3 Notifications.

SNCR Trials

In order to ensure clarity of the basis for the SNCR optimisation trials, including determination of ammonia slip levels, as discussed during our meeting on Wednesday 12th December 2014, NRW emphasised the need for a “dynamic” trial approach involving the daily review process of emissions, progress and continued unabated operation. The actual duration of unabated operation must be justified based upon expected AQ impact and the likelihood of collecting useful ammonia slip/NOx optimisation data.

Furthermore, the 500 mgNOx/m3 emission limit has not been dis-applied. The ELV applies because it is a Directive requirement but we are continuing to adopt the suspended permit condition breach score agreed with the cement sector since 1st July 2014 until after all the trials and SNCR upgrade work has been completed during the Feb 2015 shutdown. This is on the basis that the emissions are not predicted to have any significant impact. However, emissions must still be minimised during the trials and any uncontrolled NOx emissions that result in significant environmental impact will be investigated as separate incidents outside of the scope of this agreement.

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

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Operator/ Permit	Lafarge Tarmac Cement and Lime Limited	Date	07/01/2015

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.

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.

X

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			
F3	C3	Please provide regular updates on fugitive dust abatement	Ongoing
G4	C3	Completed – NRW now receive Schedule h 5 Notifications	Completed

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.