Cyfoeth Naturiol Cymru
Natural Resources Wales

Compliance Assessment Report

Report ID:
CAR_NRW0026574

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	Lafarge Tarmac Cement and Lime Limited				
Regime	Installations				
Date of assessment	31/10/2016	Time in	N/A	Out	N/A
Assessment type	Audit				
Parts of the permit assessed	Site Meetings 26th August and 31st October 2016				
Lead officer's name	Griffiths, David				
Accompanied by					
Recipient's name/position	Kara Bennett/ Environtal Co-ordinator	Date issued	04/11/2016		

Section 1 – Compliance Assessment Summary

This is based on the requirements of the permit under the Environmental Permitting Regulations. 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
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	0	**Total compliance score** (see section 5 for scoring scheme)	0

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

26th August 2016 Routine Site Inspection and meeting with local resident (12:00 – 14:30)

NRW – David Griffiths and Rhys Hughes

Tarmac – Kara Bennett and Fabrice Roch

Resident Meeting - NRW had a pre-meeting with a local resident discussing recent dust complaints. Tarmac had informed NRW that a local resident has been very concerned and quite emotional recently and suggested NRW intervene as the regulator.

The resident's concern included the feeling of entrapment in their own house and their health had deteriorated and were now having tests in the local hospital. NRW explained that we were concerned regarding the health matters and explained that there is currently no study or evidence that the dust from Tarmac had caused this ill health. NRW suggested discussing this with the hospital as it was not in NRW's remit to discuss further as we are not Health professionals.

The residents also raised concerns regarding that dust pollution incidents always seemed to take place when the Environmental Co-ordinator was on leave or over the weekend – NRW agreed to discuss this further with Tarmac

NRW also discussed the ongoing regulatory improvements that the IED Permit which has now been issued which will encompasses more stringent ELV's .

Tarmac Site Meeting – Discussed the above residents' concerns. Firstly, Tarmac does not take the view of the residents that dust pollution seems to get worse when certain staff are on holidays and stated that all complaints are dealt equally no matter what time they are received. Tarmac agreed to enhance the community engagement and re-assure the residents.

We discussed cement transportation by rail from site – Tarmac are planning to undertake a noise survey and potential impact assessments as the trains will be leaving site during the evening. There will be 1-2 trains per week leaving site.

NRW discussed the CAPEX for the clinker shed roof – this is still with the Tarmac's senior management and awaiting approval.

31st October 2016 Routine Site Meeting with Tarmac (10:00 – 11:30) NRW Office

NRW – David Griffiths

Tarmac – Kara Bennett

Discussed complaints and Tarmac confirmed they have received so far this year 33 complaints, which 27 related to dust. All the complaints have been investigated and all the dust complaints have been linked to specific process issues on site. These process failures have all been rectified (cooler tube dust release, kiln start up and shit down etc.)

NRW had an update on the rail link on site and confirmed a noise survey will be undertaken on the 14th November 2016 and the official opening of the train link will take place on the 25th November 2016. The Community Liaison Committee are also been updated on the rail movements and all issues from the panel are being addressed.

Tarmac confirmed that CAPEX approval has been given for the repair of the Clinker Shed Roof, building upgrades and some demolition works of some old buildings. Tarmac to provide an update to the dust management plan – **ACTION TARMAC.**

NRW also confirmed that the next Operator Monitoring Assessment Audit (OMA) will be undertaken in January 2017. All documentation relating to this audit preparation will be forwarded in early December 2016.

Cyfoeth Naturiol Cymru Natural Resources Wales	**EPR Compliance Assessment Report**	**Report ID: CAR_NRW0026574**

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Operator/Permit holder	Lafarge Tarmac Cement and Lime Limited	Date	31/10/2016

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.

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.

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			

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 reports 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 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.