

Compliance Assessment Report

Report ID:
CAR_NRW0026909

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	13/01/2017	Time in	10:00	Out	11:30
Assessment type	Audit				
Parts of the permit assessed	As detailed in CAR Form				
Lead officer's name	Griffiths, David				
Accompanied by					
Recipient's name/position	Mr Chris Bradbury/ Plant Manager	Date issued	18/01/2017		

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
A1 - Specified by permit	A	
F3 - Amenity - Dust/fibres/particulates and litter	C3	3.2.1
G4 - Monitoring and Records, Maintenance and Reporting - Reporting and notification to Natural Resources Wales	C3	4.3.1

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	2	Total compliance score (see section 5 for scoring scheme)	8
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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

Tarmac Site Meeting 13th January 2017 @ 10:00 with Chris Bradbury and Kara Bennett.

OMA

Discussed the next Operator Monitoring Assessment that has now been confirmed for the 15th March 2017 at the Cement Works.

Dust Complaints

Discussed the recent dust complaints and emission from the Cooler Tubes. Although NRW appreciate that dust abatement was in place, the dust from the cooler tubes did cause an offsite impact that we see on this occasion as unacceptable. Furthermore, you also on this occasion failed to notify NRW of this emission. Therefore, NRW have issued two non-compliances of your Permit.

Permit Condition 3.2.1 – Emissions of substances not controlled by emission limits (excluding odour) shall not cause pollution. The operator shall not be taken to have breached this condition if appropriate measure, including, but not limited to, those specified in any approved emissions management plan, have been taken to prevent or where that is not practicable to minimise, those emissions.

Permit Condition 4.3.1 (a) – In the event that the operation of the activities gives rise to an incident or accident which significantly affects or may significantly affect the environment, the operator must immediately –

- i. Inform Natural Resources Wales*
- ii. Take the measures necessary to limit the environmental consequence of such an incident or accident, and*
- iii. Take measures necessary to prevent further possible incidents or accidents.*

Tarmac acknowledged that on this occasions they fell short of what is expected and gave assurances that this is not the normal way they manage complaints and will make sure that this does not happen again. They also confirmed that they will be contacting the local residents to provide regular updates on site activities. Furthermore, Tarmac are going to review the complaint handling procedure with staff

In the meantime the kiln is going to be shut down for repair this weekend and the damage to the cooler tubes repaired. Also the site will be on winter shutdown from the 9th February for 30 days

Site update and Improvements

- Dust Collectors now operational on the Clinker Transport.
- Six new dust collectors on the bulk cement silos
- Road sweeping carried out 5 days a week and water bowser used on site when required.
- New automatic closing door now fitted to the Clinker storage shed
- Temporary repair has been undertaken on the clinker shed roof and a new roof planned for 2017.
- Repairs have been undertaken to the cladding on the conveyor belts

Tarmac also have a development project for the possibility of covering over the cooler tubes. There are extensive building renovations and new pedestrian walkways around site. The packaging plant is being upgraded which also includes a new dust collector.

Trains

Tarmac confirmed that there are now three movements a week since last December which equates to 5000 less vehicle movements on the road each year and 70-80k tonnes of product now leaving site by rail. No complaints have been received regarding rail movements and the site has strict management systems and control when loading trains at night. Noise assessment have been undertaken.

NRW acknowledges these improvements on site in particular the continued focus on fugitive dust emissions. We also acknowledge your commitment to ensure that the recent Permit non-compliances will be reviewed and managed more effectively in the future

EPR Compliance Assessment Report

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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			
G4	C3	Improve management procedure	16/01/2017
F3	C3	Prevent emission and ensure no re-occurrence	16/01/2017

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.