

Compliance Assessment Report

Report ID:
CAR_NRW0031445

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	30/03/2017	Time in	N/A
Assessment type	Audit		
Parts of the permit assessed	Improvement Conditions IC1, IC2 & IC4		
Lead officer's name	Griffiths, David		
Accompanied by			
Recipient's name/position	Kara Bennett/ Environment Coordinator	Date issued	31/03/2017

Section 1 – Compliance Assessment Summary

This is based on the requirements of the permit under the Environmental Permitting Regulations or the licence under the Water Resources Act 1991 as amended by the Water Act 2003. 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 - Infrastructure - Specified by permit	A	
C2 - Infrastructure - Management system and operating procedures	A	
G1 - Infrastructure - Monitoring of emissions and environment	A	
G4 - Infrastructure - Reporting and notification to Natural Resources Wales	A	

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
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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

• IC1 - Correction to standard reference conditions for emission points A2 & A3.

You have installed thermocouples onto both these stacks (by end of February), so this will provide the temperature data to standardise concentrations to the required reference conditions. For Corrections for Pressure on both stacks, as you are planning on using a rolling fixed value based on the last three extractive tests (historical data has been provided to back this up). As pressure changes are usually minimal (and also have a minimal effect on the standardised concentrations at reference conditions), this seems an adequate and representative way to correct for pressure. For corrections on Moisture, you are planning to use ambient levels for reference on A3 (as the air is drawn externally, so will be at ambient levels), whilst on A2 you have proposed the use of a calculation to measure stack moisture, based on the stack flow volume and derived moisture gas volume from the mill inlet and outlet water spray. The formula Tarmac has proposed for this calculation looks sound. Both these proposals for correcting for moisture look representative.

• IC2. Demonstration of compliance on A5, A6, A7 & A8 with the ELV of 10mg/Nm³

You have proposed to install triboelectric probes on the stacks above (which have an airflow rate greater than 10,000 m³/hr). NRW's general standpoint on this (in line with the EA) is that for these sort of stacks (where there is an airflow > 10,000m³ hr, but excluding kiln, mills and cooler type stacks), triboelectric probe monitoring is adequate, but we will require a procedures from the operator on how they will monitor using these probes, and its effectiveness/QA procedures. Once agreed in writing, the permit will need to amended at next variation, to change monitoring requirements to indicative monitoring.

• IC4. Calibrating Particulate CEMs with low particulate levels

It is clear that with lower emissions, relative uncertainties rise. This means that a calibration function derived from results up to 10mg.m-3 are unlikely to meet the required uncertainty at the ELV, unless (i) the provisions are ideal, and (ii) the test laboratory takes steps to reduce the uncertainty. Work in Germany and France has shown that this means taking more than the minimum number of samples, and taking samples for longer periods – sometimes as much as 5 hours per sample, and typically between 2.5 and 4 hours per sample, instead of 30 to 60 minutes. Taking longer sample will minimise the uncertainty. Currently NRW are liaising with the EA on a an agreed position regarding these situations, and with provisions on implementation.



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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.

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 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 fifteen 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.