Compliance Assessment Report

Report ID:
CAR_NRW0032267

This form will report compliance with your permit as determined by an NRW officer					
Site	Barry Site EPR/BU2110IS	Permit Ref	BU2110IS		
Operator/Permit holder	Cabot Carbon Ltd				
Regime	Installations				
Date of assessment	30/06/2017 - 09/10/2017	Time in	10:00	Out	15:00
Assessment type	Check Monitoring/Sampling				
Parts of the permit assessed	Response to June 2016 actions				
Lead officer's name	Kemp, Andi				
Accompanied by					
Recipient's name/position	Paula Lloyd/ Environmental Manager	Date issued	10/10/2017		

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**

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

Purpose Of Compliance Assessment

In CAR1 16th June 2017 NRW raised three actions relating to emissions and data.

These actions were discussed on 30th June 2016 and an email exchange explaining responses and containing an investigation into A1 elevated chlorine occurred.

This CAR1 confirms the status of those three actions.

Action 1 Cabot 16th June 2017

There were in fact two monitoring rounds in 2016, the aggregation of the averages over the sampling times for both May and Nov 2016, led to the result of 7.6 mg/m3 as submitted in the monitoring data. It was simply the date was missing off the submission – the result is valid and compliant. **Action closed.**

Action 2 Cabot 16th June 2017

The average result from the 4 rounds of 5 x 30 min consecutive samples was submitted – the RO missed this. NRW now has two full years of the averages: June 2015 – May 2016 and June 2016 – May 2017. The operator will now revert to compiling the annual average from the four quarterly results in line with calendar year, commencing report for 2017 reported in Jan 2018 – this will include Jan – Mar 2017, Apr – June 2017, Jul – Sep 2017 and Oct – Dec 2017. **Action closed.**

Action 3 Cabot 16th June 2017

The peak chlorine result @ A1 was investigated and this report has been submitted to the regulator. The operator claims that improvements have been made to abatement control as a result of this investigation.

The investigation has highlighted the ring temperature and natural gas injection being approximately 100 deg C higher than normal conditions. This led to complete oxidation of natural gas instead of syngas production – the H_2 formed from the partial oxidation of natural gas combines with chlorine to form HCl, which is scrubbed out at the acid scrubber A1. The operator states the scrubber was working correctly at the time. The operator has made changes to procedures to ensure adequate abatement chemistry conditions are maintained.

The RO will look more closely at this event and the chemistry involved in due course as part of ongoing regulatory work and to confirm that the 10 mg/m^3 Cl_2 is being consistently achieved – given that compliance is based on a 5 sample average every quarter and the four quarters then averaged. **Action closed.**

END

Cyfoeth Naturiol Cymru Natural Resources Wales	**EPR Compliance Assessment Report**	**Report ID: CAR_NRW0032267**

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

Site	Barry Site EPR/BU2110IS	Permit Ref	BU2110IS
Operator/Permit holder	Cabot Carbon Ltd	Date	30/06/2017

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.