

## Compliance Assessment Report CAR\_NRW0039704

**Permit being assessed:** BL1096IB.

For: Padeswood Cement Works , held by Castle Cement Limited

At: PADESWOOD WORKS , PADESWOOD, MOLD, MOLD, CLWYD, CH7 4HB.

**Type of assessment carried out:** Audit, Reason: Routine.

On 29/03/2022 between 09:00 and 16:20.

Parts of permit assessed: See report

**NRW Lead Officer:** Lara Cubley.

**Report sent to:** David Quick, Plant Manager on 29/04/2022.

### 1. Summary of our findings (full details in section 4)

Part of permitted activity assessed (criteria)	Assessment result	Permit condition
B5 - Infrastructure - Plant and equipment	Action only (X)	
E1 - Emissions - Air	Action only (X)	
G1 - Monitoring and Records, Maintenance and Reporting - Monitoring of emissions and environment	C3 Minor	3.5.1(a)
C2 - General Management - Management system and operating procedures	C3 Minor	1.1.1

Result types are explained in more detail in the 'Important Information' section below.

Total number of non-compliances recorded	Total non-compliance score
2	8

How we use the non-compliance score to calculate your annual fee is explained in the 'Important Information' section below.

### 2. What action is required?

Criteria	Action needed	Complete by
B5	See Action 1	31/07/2022
E1	See Action 2 & 3	31/07/2022
G1	Action 4	31/07/2022
C2	See Action 5	31/07/2022

Action criteria codes are listed in the 'Important information' section below.

### 3. What will happen next?

Any non-compliance we have identified and recorded on this form is an offence. It can result in criminal prosecution and/or suspension or revocation of your permit.

**At this time, we do not intend to take any further action.**

This statement does not stop us from taking additional enforcement action if further relevant information comes to light or offences continue.

## 4. Details of our assessment

NRW conducted an Operator Monitoring Assessment (OMA) Audit of the site's mill emission points subject to particulate monitoring requirements on 29/03/22 as follows:

- A3 - Mill 1
- A4 - Mill 2
- A5 - Mill 3
- A15 - Mill 5

The full OMA report is attached and shows a good overall score of 83%. Permit non-compliances together with Actions and Recommendations are given under respective headings below.

### Permit Non-Compliances

Condition 3.5.1 (a) requires monitoring of the Mills in accordance with Table S3.2 of the permit and Condition 4.2.3 requires reporting such monitoring data. The Operator is not reporting emission in accordance with this, in that data is not being corrected for standard reference pressure (101.3kPa) or dry gas using the last 5 rolling periodic sample means and an unwarranted correction of x 0.7 is being applied. **G1 Monitoring of Emissions & the Environment - C3 Minor potential environmental impact. See Action 4 below.**

The root cause of the above non-compliance is that there is a lack of a management procedure to allow compliance with this permit condition. **Breach of Condition 1.1.1 - C2 Management Systems - C3 Minor potential environmental impact. See Action 5 below.**

Due to a lack of formal procedures covering auditing of monitoring there was no documentary evidence of such audits available for review. **Breach of Condition 1.1.1 - C2 Management Systems (Consolidated) - C3 Minor potential environmental impact. See actions CAR\_NRW0039411.**

### Actions

**Action 1:** Ensure emissions monitor spreadsheet is reviewed regularly and kept up to date when there are any changes in monitoring equipment. Please provide an up-to-date copy to NRW by 31/07/22. It would also be useful to record the date of the monitor's installation on this spreadsheet.

**Action 2:** Investigate any discrepancy in reported CEM reading (daily average of 0mg/m<sup>3</sup>) for the 09/12/21 versus the periodic concentration of 12.6mg/m<sup>3</sup> and provide a report of findings to NRW in writing by 31/07/22 or prior to running Mill 2 again, whichever is soonest.

**Action 3:** Please provide recent Mill 5 AST report and details of resulting follow up actions taken by 31/07/22.

**Action 4:** Remove the x 0.7 correction applied to all particulate monitoring data for Mills (table S3.2) and correct for standard reference pressure (101.3kPa) and dry gas using the last 5 rolling periodic sample result mean for pressure and moisture. To be completed on data submission for period April - June 2022 onwards.

**Action 5:** Put procedures in place to ensure corrections are applied appropriately and in accordance with permit reporting requirements. Provide a copy of such procedures in writing to NRW by 31/07/22.

### Recommendations

It is recommended that:

- Sampling locations are labelled for best practice; and
- Reports state operational conditions during monitoring, i.e. feed rates in tonnes/hour and indication of percentage of maximum feed rate.

### Other

Checks were made of FTIR monitoring during periodic HF monitoring campaign of A8 (Kiln) on 24/02/22, which reported a breach of ELV. All the readings were observed to be low (around 0.05mg/m<sup>3</sup>) and certainly well below 1mg/m<sup>3</sup> ELV.

If you have any queries about this report, or to discuss completion of any actions, please contact the NRW Officer named above.

## Important information

### Legal status of this report

Your permit is issued to you under the Environmental Permitting Regulations. You have a responsibility to comply with the conditions of your permit and prevent pollution/harm of the environment. You must also ensure that you comply with any other relevant legislation that may apply to your site's operations.

This report explains the findings of our assessment and any action you are required to take. We categorise non-compliance using our guidance for assessing non-compliance at regulated sites.

When we find potential non-compliance/s we will normally give you advice on how to maintain compliance.

To correct non-compliance, we may:

- require you to take specific actions
- issue a notice
- review the conditions of your permit.

Any advice and guidance we give will be without prejudice to any other enforcement response that we consider may be required.

### Assessment results and non-compliance categories (used in section 1):

Assessment result	Description
Assessed (A)	Assessed or assessed in part, no evidence of non-compliance found
Action only (X)	Action only relating to the activity assessment
Ongoing (O)	Ongoing non-compliance, not scored

Non-compliance category	Description	Score
C1 Major	Potential to have a major, serious, persistent and/or extensive impact or effect on the environment, people and/or property	60
C2 Significant	Potential to have a significant impact or effect on the environment, people and/or property	31
C3 Minor	Potential to have a minor or minimal impact or effect on the environment, people and/or property	4
C4 No environmental impact	Non-compliance at a regulated site that cannot foreseeably have any impact on the environment, people and/or property	0.1

### How we use assessment scores

The number and severity of non-compliances recorded in a year will affect your annual subsistence fee the following year. A non-compliance factor is added to your site's Operator

Performance Risk Appraisal (OPRA) score when we calculate your fee to reflect the additional resource we use to assess permit compliance.

### **What are suspended scores?**

In line with our guidance, we may suspend scores for up to six months to allow time for remedial action to be taken. Suspended scores will be re-instated if the action is not completed.

### **Full list of Industry and Waste action criteria (used in section 1 and 2):**

#### **A: Permitted activities**

- A1 Specified by permit

#### **B: Infrastructure**

- B1 Infrastructure – Engineering for prevention and control of emissions
- B2 Infrastructure – Closure and decommissioning
- B3 Infrastructure – Site drainage engineering (clean and foul)
- B4 Infrastructure – Containment of stored materials
- B5 Infrastructure – Plant and equipment

#### **C: General management**

- C1 General management – Staff competency/training
- C2 General management – Management system and operating procedures
- C3 General management – Materials acceptance
- C4 General management – Storage, handling, labelling and segregation

#### **D: Incident management**

- D1 Incident management – Site security
- D2 Incident management – Accidents, emergency and incident planning

#### **E: Emissions**

- E1 Emissions – Air
- E2 Emissions – Land and groundwater
- E3 Emissions – Surface water
- E4 Emissions – Sewer
- E5 Emissions – Waste

#### **F: Amenity**

- F1 Amenity – Odour
- F2 Amenity – Noise
- F3 Amenity – Dust/fibres/particulates and litter
- F4 Amenity – Pests/birds and scavengers
- F5 Amenity – Deposits on road

#### **G: Monitoring and records, maintenance and reporting**

- G1 Monitoring and records, maintenance and reporting – Monitoring of emissions and environment
- G2 Monitoring and records, maintenance and reporting – Records of activity, site diary/journal/events
- G3 Monitoring and records, maintenance and reporting – Maintenance records
- G4 Monitoring and records, maintenance and reporting – Reporting and notification to Natural Resources Wales

#### **H: Resources efficiency**

- H1 Resource efficiency – Efficient use of raw materials
- H2 Resource efficiency – Energy efficiency

## Enforcement response

Any permit condition non-compliance is an offence and we may take legal action against you. Action we take can include prosecution, serving a notice on you and/or suspension or revocation of your permit. See our Enforcement and Sanctions Guidance for further information.

## Data protection notice

You should make sure that anyone named in this report knows that the information it contains will be processed by Natural Resources Wales to fulfil its regulatory and monitoring functions and to maintain the relevant public register(s).

We may also use and/or disclose the report in connection with:

- offering or providing you with our literature or 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
- assessing customer service satisfaction and improving our service
- Freedom of Information Act or Environmental Information Regulations requests.

We may also pass it on to our agents or representatives to do these things on our behalf.

## Disclosure of information – this report will be available to view on-line

If you think this report contains commercially confidential information that should not be placed on our public register, you must contact your local Natural Resources Wales office within **fifteen working days** of receiving this report, using the contact details in the accompanying email or letter. You must give a full explanation of why it should not be added to our public register, including specifying which information is commercially confidential. We will assess your request and respond to you within 20 working days to let you know if we agree to your request.

## What do I do if I disagree with the report or have a complaint?

If you disagree with this compliance assessment report, you should contact the lead officer without delay to discuss your concerns.

If you are unable to resolve the issue with the lead officer or their line manager you should contact our Customer Contact team on 0300 065 3000 (Monday to Friday 08:00 – 18:00), or email [enquiries@naturalresourceswales.gov.uk](mailto:enquiries@naturalresourceswales.gov.uk) for details of how to raise your dispute further through our Complaints and Commendations procedure.

If you are dissatisfied with our response, you can contact the Public Services Ombudsman for Wales by phone on 0300 7900203 or by email at [ask@ombudsman.wales](mailto:ask@ombudsman.wales)

## Welsh Language Standards

We are committed to establishing Natural Resources Wales as a naturally bilingual organisation. We will provide compliance reports in your preferred language.