	EPR Compliance Assessment Report	Report ID: BL1096IB/0229448			
This form will report compliance with your permit as determined by an NRW officer					
Site	PADESWOOD CEMENT WORKS		Permit Ref	BL1096IB	
Operator/ Permit holder	Castle Cement Limited				
Date	22/12/2014		Time in	11:10	Out 12:00
What parts of the permit were assessed	Fugitive Emissions / Management System				
Assessment	Site Inspection	EPR Activity:	Installation	X	Waste Op
					Water Discharge
Recipient's name/position	David Quick- Acting Plant Manager				
Officer's name	Stuart Ross		Date issued	16/01/2015	

Section 1 - Compliance Assessment Summary

This is based on the requirements of the permit under the Environmental Permitting Regulations. A detailed explanation and any action you may need to take are given in the "Detailed Assessment of Compliance" (section 3). 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			Condition(s) breached
a) Permitted activities	1. Specified by permit	N	
b) Infrastructure	1. Engineering for prevention & control of pollution	N	
	2. Closure & decommissioning	N	
	3. Site drainage engineering (clean & foul)	N	
	4. Containment of stored materials	N	
	5. Plant and equipment	N	
c) General management	1. Staff competency/ training	N	
	2. Management system & operating procedures	C3	1.1.1
	3. Materials acceptance	N	
	4. Storage handling, labelling, segregation	N	
d) Incident management	1. Site security	N	
	2. Accident, emergency & incident planning	N	
e) Emissions	1. Air	C3	3.2.1
	2. Land & Groundwater	N	
	3. Surface water	N	
	4. Sewer	N	
	5. Waste	N	
f) Amenity	1. Odour	N	
	2. Noise	N	
	3. Dust/fibres/particulates	N	
	4. Pests, birds & scavengers	N	
	5. Deposits on road	N	
g) Monitoring and records, maintenance and reporting	1. Monitoring of emissions & environment	N	
	2. Records of activity, site diary, journal & events	N	
	3. Maintenance records	N	
	4. Reporting & notification	N	
h) Resource efficiency	1. Efficient use of raw materials	N	
	2. Energy	N	

KEY: C1, C2, C3, C4 = CCS breach category (* suspended scores are marked with an asterisk),
A = Assessed (no evidence of non-compliance), N = Not assessed, NA = Not Applicable, 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 Total No Breaches is greater than zero, then please see Section 3 for details of 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 (e.g. 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 suspended or consolidated scores.
- details of advice given
- any other areas of concern
- all actions requested
- any examples of good practice.
- a reference to photos taken

This report should be clear, comprehensive, unambiguous and normally completed within 14 days of an assessment.

In this document 'Natural Resources Wales' means the Natural Resources Body for Wales established by Article 3 of the Natural Resources Body for Wales (Establishment) Order 2012.

Between 24/11/14 and 27/12/14 Natural Resources Wales received 6 complaints from Penyffordd residents reporting dust on their cars/property. The complainants alleged that dust had originated from the cement works. Further reports have been received via letter and by a member of the public attending our Buckley office 22/12/14 to present his car which was covered in a film of dust. It is understood that complaints have also been made directly to site.

On 22/12/14 I undertook an unannounced site inspection to assess whether, at a site level, appropriate measures were being taken at the works to prevent and minimise dust emissions. This was completed with the shift manager.

As highlighted in correspondence dated 23/12/14 a number of issues were identified that are not deemed appropriate measures for the prevention and minimisation of dust emissions. These issues relate to site infrastructure, maintenance and management.

A. Findings

1. The concrete yard areas outside the raw mill reject through to the kiln ID fan and bypass system area were very dusty. Build up / piles of dusty materials were noted and housekeeping was of a poor standard.
2. Dust was observed escaping from above a roller shutter door under the kiln by-pass duct as the building is not fully enclosed. A nearby conveyer change over point has door missing and cladding was damaged. Housekeeping standards were poor and need to improve, unmade ground difficult to clean and should be hard standing in dust prone areas.
3. Dusty material on unmade ground around the clinker cooler stack / bag plant. Steps should be taken to prevent the spillage of dust onto unmade ground. Spilt dust should be cleaned up immediately and not left to accumulate.
4. Clouds of dust coming off clinker conveyer / change over point due to cleaning activities.
5. The gypsum door on the crane store building was left open after an operative exited building on a front loading shovel. The shift manager asked a site operative to close the door after he started to leave the area – he returned and pushed the door to and left, not using the latch to secure it properly. The shift manager then intervened and locked it properly. Dust was visibly leaving building when the door was open. The door is not well fitted to the building (gap above).

In November it was reported by Castle Cement that a broken latch on this door caused the door to blow open, possibly causing the escape of dust from the crane store (resulting in offsite complaints). It is concerning to observe the behaviour of the operative and raises particular concerns about operational procedures, staff/contractor training and supervision.

6. Shortly after witnessing the above issue we walked to the front of the crane store building. All 3 roller shutter doors were left open when only one vehicle was tipping inside the building within the central bay – this went on for at least 5 minutes and when I left the area all of the doors were still open.

At this time very strong winds were blowing onto the building and dust was being pushed out, particularly noted under defective cladding to the left of the shale and coal door. Doors should be shut in between individual deliveries and during deliveries if possible to prevent wind blowing into the building and causing the release of dust.

The shift manager reported that two of the doors were faulty and could not be operated but no one had apparently been informed to affect a repair. The middle door was operational but had not been closed.

We are aware that the defective doors are due to be replaced but it is not deemed acceptable that doors shall remain open unnecessarily.

If clinker was being conveyed through the crane store and doors were open at each end of the crane store during strong winds it appears likely that clouds of dust could escape the building. Some of the large doors down the northern side of the crane store are not closed into their frames with gaps potentially allowing the escape of dust. Dust was noted coming from under one of these doors.

Dust Sample Analysis Results

On 13/01/14 dust sample analysis reports for samples collected (from vehicles) by Castle Cement following complaints in the Penyffordd area on 08/0/14, 24/11/14, 01/12/14, 04/12/14 and 21/12/14 (x2) were received by Natural Resources Wales.

All samples contained clinker dust in varying proportions indicating that dust reported on property originates from the cement works. Some samples also contained fly ash, silica and limestone particles and the variable presence of alkali sulphates and chlorides. The bulk of the sample volumes were cementitious in nature.

B. Permit Compliance & Remedial Actions

Permit condition 3.2.1 states that;

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 measures, 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.

For the reasons outlined in section A above, this permit condition has been breached for the failure to take appropriate measures to prevent and minimise dust emissions and attracts a CCS score of 3.

Furthermore, permit condition 3.2.2 states that the operator shall;

- (a) if notified by the Environment Agency (Natural Resources Wales) that the activities are giving rise to pollution, submit to the Environment Agency for approval within the period specified, an emissions management plan;*
- (b) implement the approved emissions management plan, from the date of approval, unless otherwise agreed in writing by the Environment Agency.*

As per condition 3.2.2 (a) Natural Resources Wales considers that the activities are giving rise to pollution and accordingly Castle Cement Ltd shall submit for approval an emissions management plan for the prevention and minimisation of dust emissions. The dust management plan shall be submitted to natural Resources Wales by 27/03/15.

Dust Management Plan

Castle Cement shall review site operations to identify all potential fugitive dust sources arising from the cement manufacturing process, from the receipt of raw materials through to the dispatch of final products.

The review shall assess the effectiveness of existing control measures in place to prevent and minimise dust emissions.

Control Measures (Ref. Cement, Lime and Magnesium Oxide BAT Conclusions Document) may include one or a combination of the following techniques;

- The appropriate enclosure/encapsulation of dusty operations (includes the effective use of doors and containment).
- Use of covered conveyors and elevators, which are constructed as closed systems if dust emissions are likely to be released from dusty material & de dusting of dusty operations.
- Material handling in closed systems maintained under negative pressure and de-dusting of the suction air by fabric filter.
- Reduction of air leakage and spillage points, completion of installation
- Proper and complete maintenance of the installation using mobile and stationary vacuum cleaning.
- Areas used by lorries should be paved when possible and the surface should be kept as clean as possible. Wetting roads during dry weather, using road sweepers etc. Good housekeeping practices should be used to keep diffuse dust emissions to a minimum.

The emissions management plan shall include a description of the control measures in place across the process. Where improvements are required to ensure suitable controls are in place (to ensure permit compliance) an improvement plan shall be included within the plan with associated timescales for completion.

General Management

Permit condition 1.1.1 states the operator shall manage and operate the activities:

- (a) in accordance with a written management system that identifies and minimises risks of pollution, including those arising from operations, maintenance, accidents, incidents, non conformances, closure and those drawn to the attention of the operator as a result of complaints; and
- (b) Using sufficient competent persons and resources.

For the reasons outlined in section A above, this permit condition (1.1.1) has been breached due to the site management system failing to minimise the risk of pollution (fugitive dust emissions) – failure to close and secure doors (operational procedures training and supervision), failure to maintain doors in good operating condition and failure to maintain a suitable standard of basic housekeeping (clean yards, removal of spillages etc). This attracts a CCS score of 3.

In conjunction with the development of an emissions management plan, you must review the site's Environmental Management System to identify areas for improvement to ensure the issues highlighted in this report are not repeated during normal plant operation. This shall cover operational procedures, staff training, supervision and auditing. The findings of your review and remedial action taken shall be submitted to Natural Resources Wales by 27/02/15.

C. Interim Measures and Site Inspection

Thank you for your e-mail dated 23/12/14 detailing some of the measures taken to address a number of immediate issues identified during the inspection.


We note that two roller shutter doors at the front of the crane store are to be replaced, 1 in Q1 and 1 in Q2 2015 which will go some way to reduce emissions from the crane store if operated and maintained correctly. It was reported that during the intervening period contract labour will be used to manage the doors.

If with contract labour the doors cannot be closed between individual loads then the defective doors should be replaced without delay to ensure adequate dust control. Please inform Natural Resources Wales how you will operate the crane store doors before all doors are replaced. Please do so by 23/01/15.

Natural Resources Wales will complete additional site inspections January – March 2015 to assess measures taken to prevent and minimise dust emissions with a particular focus on housekeeping (operation of doors, yard sweeping, cleaning of spillages, etc.).

Whilst we have asked you to review site operations and complete a dust management plan, we will still consider failure to meet the conditions of the permit as a non-compliance issue.

If dust emissions cause an ongoing amenity impact a CCS score of 2 may be awarded for future permit non compliance. This is in line with our scoring guidance.

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Operator/ Permit	Castle Cement Limited	Date	22/12/2014

Section 3- Enforcement Response	Only one of the boxes below should be ticked
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.	
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.	X
We will now consider what enforcement action is appropriate and notify you, referencing this form.	

Section 4- Action(s)			
Where non-compliance has been detected and an enforcement response has been selected above, this section summarises the steps you need to take to return to compliance and also provides timescales for this to be done.			
Criteria Ref.	CCS Category	Action Required/Advised	Due Date
See Section 1 above			
C2	C3	Refer to Details Section	27/02/15
E1	C3	Refer to Details Section	27/03/15

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 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 which 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 fulfill 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 (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 and taking any resulting action
- preventing breaches of environmental law
- assessing customer service satisfaction and improving its service
- Freedom of Information Act/Environmental Information 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 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 the officer's line managers. 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.