

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

Site	Padeswood Cement Works EPR/BL1096IB	Permit Ref	BL1096IB		
Operator/Permit holder	Castle Cement Limited				
Regime	Installations				
Date of assessment	28/11/2016	Time in	09:00	Out	15:45
Assessment type	Audit				
Parts of the permit assessed	Various				
Lead officer's name	Ross, Stuart				
Accompanied by	Ellis, Rhys				
Recipient's name/position	David Quick/ Plant Manager	Date issued	24/01/2017		

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
C2 - Infrastructure - Management system and operating procedures	C3	1.1
C4 - Infrastructure - Storage, handling labelling and Segregation	C3	3.2.3
G2 - Infrastructure - Records of activity, site diary/journal/events	C4	1.4.2

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	3	Total compliance score (see section 5 for scoring scheme)	8.1
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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

1. Introduction

This audit covers an assessment of the procedures and measures in place to ensure that hazardous and non-hazardous wastes produced at the installation are stored in a manner that does not pose a risk to the environment and are correctly transferred offsite for onward, recycling, recovery and disposal in accordance with the duty of care / hazardous waste regulations. The audit also considers the application of the waste hierarchy.

The audit covers a review of EMS procedures, duty of care notes, hazardous waste consignment notes and an onsite inspection of waste storage areas.

2. Audit Findings, Actions and Recommendations

2.1 Procedures

Hanson operates an Integrated Management System for corporate procedures, and where required site specific local procedures are implemented. NRW were provided with an overview of the procedures in place.

Corporate procedure UKCP06.G1 (version 2.3) 'Waste Storage & Disposal General Guide' provides general guidance to personnel on legal terms, legislation, the waste hierarchy, duty of care, waste storage, transfer and consignment of waste.

It was reported during the audit that the procedure is to be revised to bring it up to date and to include more explicit instruction to appropriate personnel with regards to the handling and transfer/consignment of waste - we welcome this proposal. The reviewed procedure should also reflect changes in legislation (consolidated Environmental Permitting Regulations 2016, Hazardous Waste Regulations premises notification requirements) and the change of regulator in Wales.

UKCP06.G1 references a number of associated Hanson guidance notes and forms/templates including UKCP06.F1, which is a schedule of the key contractor and carrier details including carrier registration number, associated EWC codes, and destination permit number. By reviewing the schedule regularly it will help identify and prevent waste being transferred / consigned to unauthorised persons. It is recommended that schedule F1 is used as an approved waste contractor list for reference by site personnel (with due diligence) when completing transfer paperwork / duty of care checks and that a process is put in place for review and addition of new contractors particularly for ad hoc waste transfers/consignments should they occur.

ACTION - As reported during the audit, the schedule requires updating with the latest contractor details / registrations etc.

It was noted that there is no clear system or procedural control in place to ensure only competent and authorised personnel complete and sign off transfer and consignment notes. Whilst the majority of transfer notes and consignment notes reviewed were completed to a satisfactory standard a number of issues regarding the accurate and correct completion of consignment notes were observed that fall short of the required standard (refer section 3 for further details). The absence of any formal control regarding the completion and sign off of transfer & consignment notes is considered to be a breach of permit condition 1.1 with potential for minor environmental impact (CCS3).

ACTION - Identify key personnel responsible for the completion and sign off for duty of care and hazardous waste transfer notes and provide them with formal documented training. Maintain a register of staff who are authorised to consign wastes off site.

We recommend that a flow chart or similar system is produced to clearly define the roles and responsibilities of staff and the site specific process of correctly consigning hazardous and non-hazardous waste.

With regards to the application of the waste hierarchy, it is clear that wastes are widely segregated at source and are destined for various recycling and recovery options. Whilst NRW did not review the ultimate fate of individual waste streams there were no obvious examples where waste is not being treated in accordance with the waste hierarchy. However, it was confirmed that Castle Cement have not completed a recorded review of the application of the waste hierarchy to the generation of waste by site activities within the last 4 years as required by permit condition 1.4.2 which is in breach of permit (CCS4).

ACTION - A Waste hierarchy review must be completed, documented and its findings implemented as required by permit condition 1.4.2 (every 4 years). The review should be referenced in the management of change procedure to ensure that waste hierarchy is applied when managing change e.g. demolition/construction of plant, process changes *etc.*

2.2 Waste Segregation & Storage

Whilst the majority of facilities and practices in place for the storage and segregation of waste were found to be of an acceptable standard a number of issues were identified that require attention. The contents of the inert waste and general waste skips were visually inspected and timber (pallets) and some plastics were present in the inert skip whilst potentially recyclable materials such as cardboard had been placed in the general waste skip. This will result in waste being incorrectly described during removal and does not optimise the recycling and recovery of materials (contrary to procedure UKCP06.G1). This is considered to be a failure of the management system due to inadequate staff training and supervision and a breach of permit condition 1.1 with potential for minor environmental impact (CCS3).

ACTION - Undertake staff awareness training as to the requirement (legal duty) of correctly segregating and describing waste streams and complete regular onsite audits to ensure waste continues to be correctly segregated.

It was observed that within the kiln bypass dust loading area there is a waste oil tank (possibly double skinned) with spilt oil on the tank and an oily residue in the surrounding area. Additionally there were 8 racked 45 gallon drums with limited secondary containment (drip tray) and numerous loose small containers containing liquids (presumably waste oil). The area was not kerbed and did not provide any secondary containment which is in breach of permit condition 3.2.3 (CCS3). The poor housekeeping standards and absence of adequate secondary containment is considered to be a breach of permit condition 1.1 with potential for minor environmental impact (CCS3).

ACTION – Remove oily waste / product from this area or provide it with adequate secondary containment. Clean up spilt / contaminated materials and dispose of appropriately. Review and implement site operating procedures and staff training to ensure the area is suitably managed to prevent a recurrence.

2.3 Waste Transfer / Consignment Note Review

Hard copy waste transfer and consignment notes are collected and contained within folders maintained by the site Quality & Environment Manager. NRW inspected notes for 2014/2016 on site covering a wide variety of waste streams including kiln by-pass dust, waste oils, Cemfuel related wastes, fluorescent tubes, WEEE and more.

Following the audit, annual transfer notes or 'Season Tickets' were provided by the operator for a range of non-hazardous wastes transferred from site under an annual transfer note including wood, rubber, plastic packaging, rubble, soil and stones and others. The season tickets did not directly include the details of the waste producer (i.e. Hanson, Padeswood Works) but refer to a schedule of collection sites produced by Biffa as part of the UK contract.

An initial review of the schedule identified that Padeswood works did not appear on the schedule for a number of waste streams for which Season tickets were provided. These include EWC 07 02 13 (Rubber), EWC 20 02 01 (Biodegradable Waste), EWC 15 01 02 (plastic packaging and EWC 17 05 01 (soil and stones).

The schedule did include EWC 20 03 01 (mixed municipal), EWC 15 01 06 (mixed packaging), EWC 20 01 38 (wood), EWC 17 01 07 (mixed construction and demolition wastes) & EWC 17 06 05 (construction materials containing asbestos).

It was clarified by Castle Cement that the only non-hazardous wastes collected by Biffa are those listed on the schedule and that Hanson season tickets for rubber and biodegradable waste etc. do not relate to Padeswood works.

Very few hazardous waste consignee returns (Part E) were available on file.

ACTION - Review the last 2 years' worth of hazardous waste consignee returns against consignments to ensure wastes have been received at the designated site. Implement a system to ensure consignee returns are regularly reviewed.

Cement kiln bypass dust is classified and consigned as hazardous waste and the consignment notes for the period June – December 2015 were requested from Hanson and reviewed as part of the audit. During the audit itself consignment notes for 2016 were also inspected.

The review confirmed the following;

- Kiln bypass dust is taken to a suitably permitted site (Silverwoods, Hangar 45) permit ref. EPR/HP3299VV who also hold a mobile plant permit ref. EPR/RP3294EQ for the spreading of waste to land for agricultural benefit.
- Kiln bypass dust is predominantly transported by Turners (Soham) Ltd who are a registered waste carrier (upper tier).
- Kiln bypass dust is correctly coded as EWC 10 13 12, the correct SIC code is used (23.51).
- During the onsite audit it was noted that a number incorrect consignment note numbers had been used including the pre-fixes HANSON', 'EXE' (exempt site), 'CASTLE'.

ACTION - Ensure the correct consignment note code format is used and update your procedures accordingly which may include UKCP06.F2 - Transfer Note and Consignment Note Completion Checklist. The consignment note code is comprised of your premises registration code (3 letters, 3 numbers e.g. ABC123) followed by '/' and a unique 5 digit code of your choosing. For example ABC123 / 55242. Please ensure you use the latest premises code following registration.

- Gross, Tare and Net weights over the weighbridge are jotted on the consignment notes.

ACTION – for the avoidance of doubt please clearly include waste quantity (Kg) in the designated box on the form.

3.0 Non Compliance Summary

The management system breaches (permit condition 1.1.) identified in this report have been consolidated into a single CCS score of 3.

A single CCS score of 4 has been awarded for the failure to complete the four yearly Waste hierarchy review

A single CCS score of 3 has been awarded for the failure to provide secondary containment for potentially polluting liquids.

You have been provided with advice and guidance to address these issues.

Please complete the actions listed in this report by 31st March 2017.

EPR Compliance Assessment Report

**Report ID:
CAR_NRW0026925**

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

Site	Padeswood Cement Works EPR/BL1096IB	Permit Ref	BL1096IB
Operator/Permit holder	Castle Cement Limited	Date	28/11/2016

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			
G2	C4	Refer details section	31/03/2017
C4	C3	Refer details section	31/03/2017
C2	C3	Refer details section.	31/03/2017

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.