

## Compliance Assessment Report CAR\_NRW0040065

**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:** Check Monitoring/Sampling, Reason: Incident Response (Incident number 2203616).

On 19/05/2022 - 20/05/2022 between 23:00 and 00:20.

Parts of permit assessed: 3.4 Noise

**NRW Lead Officer:** Lara Cubley, accompanied by Stuart Ross.

**Report sent to:** David Quick, Plant Manager on 14/07/2022.

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

| Part of permitted activity assessed (criteria) | Assessment result | Permit condition |
|--|-------------------|------------------|
| F2 - Amenity - Noise                           | Assessed (A)      |                  |

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

| Total number of non-compliances recorded | Total non-compliance score |
|--|----------------------------|
| 0  | 0                          |

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?

No action required.

### 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

The Compliance Assessment Report (CAR) describes noise monitoring conducted at receptors by Natural Resources Wales (NRW) on the night of the 19/20th May 2022 in connection with Padeswood Cement Works. This was as a result of a complaint but also as a follow up after improvements made since the last noise monitoring on the 6/7th

September 2021. The improvements made in November 2021 were to the clinker cooler heat exchange fan's operating speeds in order to reduce the beating tones.

Monitoring was conducted by NRW Officers Lara Cubley & Stuart Ross.

Weather conditions: calm with intermittent light breeze (<5 m/s), wind direction south westerly and temperature 13 degrees Centigrade.

B&K 2250 Sound Level Meter (SLM) – Calibration Certificate valid.

The Sound Level Meter was positioned on a tripod at approximately 1.4m height, all measurements were free field and attended by NRW staff.

The site was operational during the monitoring exercise with the clinker cooler heat exchanger fans (FN09 - 11) confirmed to be running at 90%, 95% and 100% over the majority of the time. However, these fans were noted to ramp down to approximately 35%, 40% and 45% commencing just after 00:00hrs and started ramping up again at approximately 00:40hrs.

### **Pen-y-ffordd**

Upon arrival at Hazel Drive 23:00hrs, fan type noise originating from the direction of Padeswood Cement Works was audible, although it was not at a level likely to constitute pollution.

Subjectively, this fan noise was variable and seemed to be at it's loudest when at the cul de sac at the bottom of Hazel Drive at approximately 23:10hrs. A SLM reading was taken on Chester Road at approximately 23:20hrs with a recorded LAeq of 48 dB(A). However, due to the short duration of the measurement (~3 minutes) and the sound of a car passing in close proximity to the monitoring location the average sound level was more likely in the order of 30 - 35dB(A) which is not unusual for this location.

NRW stopped at the Institute at 23:32, the fan noise described above was not audible.

### **Bannel Lane – Garden of dwelling to East of Cement Works (<500m off Installation boundary)**

NRW arrived at 23:42hrs.

23:57 – 12:10, the broadband sound from Padeswood Cement Works was clearly audible and in the absence of road traffic noise is the dominant sound source at this location. The fan noise detected in Pen-y-ffordd was also audible at this location but varied in intensity throughout the monitoring period. The beating fan noise from the clinker cooler heat exchanger was not detectable at this time. This indicates that the improvements have reduced the impact from this equipment at this location. Distant road noise is noticeable at this location with some air cannon sound.

During this noise monitoring exercise the LAeq was 43 dB(A), consistent with that recorded in September 2021.

Further to the monitoring contact was made with the Operator to identify the source of the fan noise. This remains unknown but further work is to be completed by the Operator's

noise consultant.

NRW plan to conduct further noise assessments at the complainant's property in accordance with the NANR45 method for assessing low frequency noise.

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.