

Compliance Assessment Report CAR_NRW0042820

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: Audit,

Reason: Routine.

On: 16/11/2023 between 09:00 and 16:20.

Parts of permit assessed: enforcement notice.

NRW Lead Officer: Rebecca Harwood, accompanied by Stuart Ross.

Report sent to: David Quick, Plant Manager, on 04/12/2023.

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

Part of permitted activity assessed (compliance criteria)	Assessment result	Permit condition
IR1A - Management - General management	Assessed (A)	
IR4A - Information - Records	Assessed (A)	

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

Total 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

Following a Regulation 36 Enforcement Notice issued to the Operator in February 2023, NRW Officers undertook a follow up audit of the site to ensure that the actions had been completed and the requirements of the notice met.

Training

Prior to the visit officers had been provided with a spreadsheet demonstrating the training requirements of specific roles. Whilst at site this was reviewed further with training records observed on the Operators Pathway system. The training matrix was comprehensive; however, a further review of training should be undertaken as there were some inconsistencies identified. The Operator should also ensure that all training has been captured on the Pathway system.

Officers raised concerns that the Operator could not demonstrate that Toolbox Talks (TBT), although delivered, had been understood by staff. The Operator stated that some of the TBT are to be converted to e-learning modules. This will assist in demonstrating that staff have understood the requirements of the TBT as there will be a requirement to complete a short test at the end.

Training frequency should be reviewed to ensure the Operator is happy that any changes to procedures are trained out to staff in a timely manner.

Targeted training should be identified for contractors and this should be documented to ensure that they are aware of their responsibilities whilst on site.

A further review of training records by NRW may be undertaken in 2024.

Preventative Maintenance

The Operator has invested in additional resource to enable the preventative maintenance process to be managed more effectively. This additional resource has made a significant impact in managing the preventative maintenance programme. A new Smartsheet system has been instigated that tracks the maintenance program / activities and can identify where further work is required, who this has been assigned to and when this has been completed. This system also allows for further interrogation of tasks and allows missed tasks to be carried forward. The system links to SAP and notifications / works orders that are raised on SAP can be easily tracked. Improved details have been provided within task lists and examples were provided.

Environmental priorities have been added to the maintenance morning meetings to ensure works are picked up and completed.

A Failure Modes and Effects Criticality Analysis had been undertaken for environmentally critical assets. This identified further maintenance activities were required and these have been incorporated into the preventative maintenance plan.

Non-Destructive Testing (NDT) is undertaken monthly and is working well having highlighted areas requiring maintenance prior to any issues arising. The NDT requirements have been added to SAP. Actions from routine condition monitoring were also added to

SAP.

Service contracts are in place for some larger and more complex items to allow staff to concentrate on other areas.

Procedures

It was identified that further work should be undertaken by the Operator to ensure that procedures have adequate document control. Procedures should include version control, review frequency, who owns the document and who has overall responsibility to ensure it is followed. This does not need to be a named person, but a specific role to avoid having to review documents when personnel leave or change roles.

A summary of the procedures and their review dates should be maintained.

A further review of procedures to ensure they are being followed will be undertaken on a future compliance visit.

NRW Considers that the requirements of the notice have been met.

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.

If your assessment result in Section 1 is suspended, what does this mean?

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 compliance criteria (used in section 1 and 2):

1. Management

- IR1A – General management
- IR1B – Finance (only applicable to Landfill)
- IR1C – Energy efficiency
- IR1D - Efficient use of raw materials
- IR1E - Avoidance, recovery and disposal of wastes produced by the activities
- IR1F - Multiple operator installations

2. Operations

- IR2A – Permitted activities
- IR2B – The site
- IR2C – Operating techniques
- IR2D – Technical requirements
- IR2E – Improvement programme
- IR2F – Pre-operational conditions
- IR2G – Landfill engineering (only applicable to Landfill)
- IR2H – Waste acceptance (only applicable to Landfill)
- IR2I – Leachate levels (only applicable to Landfill)
- IR2J – Closure and aftercare (only applicable to Landfill)
- IR2K – Landfill gas management (only applicable to Landfill)

3. Emission and Monitoring

- IR3A – Emissions to water, air or land
- IR3B – Emissions of substances not controlled by emission limits
- IR3C – Odour
- IR3D – Noise and vibration
- IR3E – Monitoring
- IR3F – Pests
- IR3G – Air quality management plans
- IR3H – Monitoring for the purposes of the Industrial Emissions Directive (this heading includes Large Combustion Plants)
- IR3I – Fire

4. Information

- IR4A – Records
- IR4B – Reporting
- IR4C – Notification

Enforcement response

Any non-compliance with a permit condition 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 twenty 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 to 18:00), or email 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

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.