

Compliance Assessment Report CAR_NRW0043245

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: Check Monitoring/Sampling,

Reason: Routine.

On: 17/01/2024 - 18/01/2024 between 23:10 and 01:50.

Parts of permit assessed: noise.

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

Report sent to: David Quick, Plant Manager, on 12/02/2024.

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

Part of permitted activity assessed (compliance criteria)	Assessment result	Permit condition
IR3D - Emissions and monitoring - Noise and vibration	C3 Minor	3.4.1

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

Total non-compliances recorded	Total non-compliance score
1	4

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
IR3D	see Actions 1-4 below	30/06/2024

Compliance 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.

You are non-compliant with your permit.

We are currently considering taking enforcement action against you for the non-compliance recorded above. We will contact you in due course.

4. Details of our assessment

This Compliance Assessment Report has been raised following two night-time noise monitoring exercises in the Padeswood and Pen-y-ffordd areas, conducted whilst Padeswood Cement Works were undertaking their annual maintenance activities.

The first monitoring exercise was conducted during the evening / night of Friday 12th January 2024 and a follow up exercise was conducted during the evening / night of Wednesday 17th January 2024. The main kiln was off on both occasions.

Friday 12th January 2024, 22:25 - 00:30

Officers attended Padeswood Lake Road, Hazel Drive, Chester Road and Bannel Lane.

Padeswood Lake Road 22:25 - 22:35 - there was no notable noise from the cement works.

Hazel Drive / Chester Road 22:40 - 23:00 - the dominant noise source at this time was road traffic. An intermittent faint tone which was modulating in amplitude was noted. Residential boilers could also be heard going on and off.

Bannel Lane (south of A5118) 23:10 - 23:50 - general noise from the cement works could be heard, intermittent clanging, compressors and a low rumble. A constant distant road noise was noted which was dominant on occasions. Recordings were taken using a Class 1 sound level meter.

Hazel Drive / Chester Road 00:10 - 00:30 - the modulating tone was still evident. Recordings were taken using a Class 1 sound level meter.

As a result of these observations and assessment of the sound level recordings, NRW officers decided to undertake a further monitoring exercise.

Wednesday 17th January 2024, 23:10 - 01:50

During the visit on the 17th January, Officers were located at both Hazel Drive and Bannel Lane between 23:10 and 01:50.

Officers liaised with the Shift Manager (SM) at Padeswood to turn plant on and off. Several recordings were taken at both locations simultaneously. Class 1 sound level meters were used at both locations. These were calibrated prior to the monitoring exercise. The following scenarios were recorded:

1. All plant off, maintenance activities suspended (SM confirmed Kiln 4 compressors remained on and diesel generators for lights).
2. Silo 6 only
3. Packing Plant only
4. Cement Mill 3 and Silo 6

5. Cement Mill 5 and Silo 6
6. Cement Mill 3, Cement Mill 5, Silo 6 and Packing Plant.

Scenario 1:

The graphs in the attachment to this CAR provide readings from the assessment. The dominant noise source at both locations during this initial assessment was road traffic.

Scenarios 2 & 3:

The impact from Silo 6 operating alone and the Packing Bay operating alone was negligible.

Scenario 4:

A notable tone, around ~398Hz, was detected when Cement Mill 3 was turned on. This was at a level deemed to be intrusive. Officers are of the opinion that the site is not operating using BAT. The Operators noise consultants (INVC) have previously identified this tone and linked it to the filter fan at Cement Mill 3. The Operator replaced the fans attenuators in 2023, however, this work has not had the desired impact on this tone and further work is required. See actions below.

There was a further tone, ~589Hz, recorded at Bannel Lane which Officers believe may be linked to reversing beepers on plant operating at the site.

The graphs in the attached document demonstrate the difference in recordings between all plant being off and Cement Mill 3 running.

Scenario 5:

A slight increase in noise was observed when Cement Mill 5 was operating, alongside Silo 6, however this was not deemed intrusive.

Scenario 6:

When the plant was all turned on and the site was operating 'normally' the impact from Cement Mill 3 is clearly identifiable.

Officers also clearly heard the wrecking and maintenance activities start up around 01:30, the banging and crashing associated with this was deemed to be intrusive.

Condition 3.4.1 states Emissions from the activities shall be free from noise and vibration at levels likely to cause pollution outside the site, as perceived by an authorised officer of Natural Resources Wales, unless the operator has used appropriate measures, including, but not limited to, those specified in any approved noise and vibration management plan to prevent or where that is not practicable to minimise the noise and vibration.

The impact of the noise on nearby residential properties, from both Cement Mill 3 and the maintenance activities has been scored a category 3 breach of condition 3.4.1 as Officers perceived that the noise was causing a pollution outside of the site. NRW do not consider that the Operator has taken appropriate measures to prevent and minimise noise.

Action 1: Further work should be undertaken to reduce the impact of the ~398Hz tone from Cement Mill 3 and ensure BAT is met. Provide an action plan to NRW with a proposed

solution and associated timescales for completion by 5th April 2024.

Action 2: Review the ~589Hz tone identified at Bannel Lane and identify works to mitigate and reduce this. An update should be provided to NRW by 30th June 2024.

Action 3: The BAT assessment should be reviewed, alongside the most recent quarterly noise monitoring reports and the Noise Management Plan updated. An update Noise Management Plan should be provided to NRW by 5th April 2024.

Action 4: The Operator should identify alternative ways and times for the wrecking activities that are undertaken during the annual maintenance outage and provide a proposal to NRW as to how they plan to undertake these activities in the future. A proposal should be submitted to NRW for review by 30th June 2024.

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.