

## Compliance Assessment Report

Report ID:  
CAR\_NRW0036141

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				
Regime	Installations				
Date of assessment	13/12/2019	Time in	14:00	Out	16:30
Assessment type	Site Inspection				
Parts of the permit assessed	Various				
Lead officer's name	Cubley, Lara				
Accompanied by	Ross, Stuart				
Recipient's name/position	Murat Burakcin/ Plant Manager	Date issued	10/01/2020		

### Section 1 – Compliance Assessment Summary

This is based on the requirements of the permit under the Environmental Permitting Regulations or the licence under the Water Resources Act 1991 as amended by the Water Act 2003. 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
C1 - General Management - Staff competency/training	C3	1.1.1
C2 - General Management - Management system and operating procedures	C3	1.1.1

**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	2	Total compliance score (see section 5 for scoring scheme)	8
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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

This Compliance Assessment Report follows a site meeting 13/12/19 to discuss the BAT review, procedures for noise control and progress in meeting ongoing actions as detailed in previous Compliance Assessment Reports. This report summarises any relevant actions and non compliance.

### **1. BAT Review - Noise**

A BAT review for noise control at the installation was required for submission to NRW by 20/12/19. During the meeting Castle Cement reported that the full requirements of the action will not be met by this deadline but that a report will be provided to NRW by 20/12/19 including some initial onsite and offsite monitoring and associated findings (at the time of writing this has been received and we will review this information).

Therefore the original action to complete a BAT review remains outstanding.

Castle Cement have proposed that;

*'1. During the annual kiln shutdown a noise survey will be completed to determine the noise sources when only the cement milling facilities are in use. Maintenance activities on the kiln will also be ongoing at this time so this timing will allow monitoring of non-production scenarios as well.*

*2. Once the maintenance is complete we plan to monitor the kiln on start-up during changing conditions i.e. we will start the survey just before feed on and also continue to monitor for a duration while the kiln is in the transition to stable conditions.*

*3. Once we have completed the fixed equipment we will move onto the further work that is required on the mobile plant. Castle Cement propose to have points 1 & 2 complete during January and point 3 in March 2020'*

**ACTION 1** - Castle Cement shall submit a full and final BAT review fully meeting the requirements of Action 1 as detailed in Compliance Assessment Report ref CAR\_NRW0035354 (copied below) by 31/03/20.

*'NRW requires that Castle Cement Ltd completes an assessment of the appropriate measures in use and areas for improvement so as to prevent or where that is not practicable to minimise noise and vibration from the operation.*

*In particular by:*

*- Identifying contributory site sound sources and characteristics (including tonality, impulsivity, intermittency), including mobile and fixed plant.*

*- Ranking those sources – both in terms of dB(A) and character at complaint, site boundary or other reference positions*

*- Establishing the noise control options for the dominant source (or components thereof); repeat for the next most dominant sources.*

*- Drawing up a schedule of noise reduction v cost and proposed remedial measures to achieve BAT as required.*

*We recommend that you refer to the BRef and BAT Conclusions Documents for the Production of Cement, Lime and Magnesium Oxide for appropriate techniques to reduce or minimise noise emissions'.*

### **2. Noise Management Procedure**

Castle Cement Ltd do not currently have any written site specific procedures in place for the prevention and minimisation of noise emissions including those arising from operations and maintenance etc. This is a breach of permit condition 1.1.1 and attracts a non compliance score of CCS3.

As detailed in Compliance Assessment report reference CAR\_NRW0035354, NRW considers that the emission from the plant to be offensive to the senses and capable of interfering with the amenity of property ('causing pollution') as observed at several offsite locations in the vicinity of the plant.

**ACTION 2** - In accordance with permit condition 3.4.2 Castle Cement shall therefore submit to Natural Resources Wales for approval a noise and vibration management plan which identifies and minimises the risks of pollution from noise and vibration. Please do so by 31/03/20.

### **3. Complaint Investigation Procedure**

Castle Cement report that they are in the process of reviewing the site's complaint investigation procedure with the objective of improving the quality of the investigations, particularly with regard to ensuring all relevant information available to the investigator is consistently considered based on the type of complaint (e.g. use of weather data, process data, CCTV footage, off site sampling / monitoring etc.) to improve the detection of any abnormal process conditions (if occurring) and to facilitate timely remedial action where appropriate.

**Recommendation** – Submit your revised procedure to NRW for comment by 14/02/20

### **4. Incident 1907045 (Dust) Reported to NRW 03/10/19 & 04/10/19**

A report was received from a local resident reporting dust on their vehicles and it is understood that representatives of Castle Cement visited the property but a dust sample could not be taken - the type of dust has not been confirmed.

Following a previous complaint 29/09/19 where clinker dust was confirmed at the same property, Castle Cement completed their investigation on the presumption that this may also be clinker dust.

Castle Cement completed a review of kiln operating data during this period and this did not indicate a dust release from the kiln. During a shift managers inspection 05/10/19, Castle Cement identified that an access door on a clinker transfer point (conveyer) had been left open by contractors who carry out cleaning activities that may have been linked to this complaint.

It was reported that the doors are opened to give access for a vacuum hose and remain open while the cleaning is done. Once the task is finished the hoses are removed and the doors should be closed.

NRW considers that failure to close the doors is a breach of permit condition 1.1 (CCS3)

Since this complaint training has been rolled out to Hanson employees and contractors covering the requirement for doors to be kept closed and secure.

As part of their dust BAT review Castle Cement have identified required improvements to the clinker transport system that will mitigate a repeat of this particular issue (installation of line de dusting and fixed vacuumation lines). NRW is currently reviewing the BAT review and will respond with any comment under a separate cover.

### **5. Installation of new Continuous Emissions Monitoring Systems (CEM)**

**ACTION 3** - The Operator has reportedly procured new CEMs equipment for emission point reference A8 (kiln) which will be installed over the January 2020 shut down. The Operator must provide details to demonstrate that this equipment meets permit (MCERTS) requirements (QAL1) together with plans/timescales for QAL2 prior to start-up following January shut-down and no later than 29/02/20.

### **6. Kiln By-Pass System**

Subsequent to the meeting a response has been received to Action 8 (as detailed in CAR\_NRW0035898) specifying planned remedial work forecast to take place on the kiln bypass system between 05/01/20 and 19/01/20, including thickness testing of the ducting in addition to the visual condition.

During the meeting it was reported that subsequent to the NRW site inspection 23/10/19 (when the issue was first identified by NRW) some remedial measures were taken including some welding works – please provide details of these works by 31/01/20.

As a reminder, please note that as per Action 9 of the same report, we have sought details of the planned major investment to the by-pass system (action due 31/01/20).

## EPR Compliance Assessment Report

**Report ID:  
CAR\_NRW0036141**

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

Site	Padeswood Cement Works	Permit Ref	BL10961B
Operator/Permit holder	Castle Cement Limited	Date	13/12/2019

### 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.

### 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			
C2	C3	Refer Details Section	31/03/2020
C1	C3	Refer details section	10/01/2020

## 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 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 fifteen 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](mailto: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.