

Compliance Assessment Report

Report ID:
CAR_NRW0035150

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	27/03/2019	Time in	10:00	Out	17:35	
Assessment type	Site Inspection					
Parts of the permit assessed	Various					
Lead officer's name	Ross, Stuart					
Accompanied by						
Recipient's name/position	Murat Burakcin/ Plant Manager	Date issued	28/05/2019			

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
A1 - Specified by permit	A	
C2 - General Management - Management system and operating procedures	C3	1.1
E2 - Emissions - Land and groundwater	C3	3.1.1

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 inspection was completed in the presence of the site's Quality & Environment Manager. Concerns identified during this inspection were highlighted to the Plant Manager and Quality and Environment Manager to allow corrective action to commence. This report includes further detail as to NRW's observations, permit non-compliance and the required actions.

1. Dust Control- Observations

Doors & Cladding

Numerous doors on process buildings (where dusty operations take place) were found open for no apparent reason, others were defective (incapable of being closed) or missing altogether.

A small section of cladding was missing from the rear of the crane store building and a replacement door at the same location had been installed but cladding had not been fitted above.

Whilst dust was not observed leaving these process or storage areas, there is clearly potential particularly under abnormal operations or adverse weather conditions. Defective/open doors and missing cladding does not constitute Best Available Technique for fugitive dust control.

During the inspection fugitive dust was observed escaping from the southern face of the Crane Store Building, the exact source of which was difficult to establish at the time. It was subsequently reported by the operator 25/04/19 that an access hatch had been found to be open for no apparent reason causing dusty materials to spill through gaps in the cladding and accumulate outside. It was confirmed 25/04/19 that the dust is in the process of being cleaned up and repairs to cladding addressed.

It is concerning to note that the defects detailed above had not been prevented by effective maintenance or identified and rectified by the operator.

Dust Related to Plant Maintenance

Clinker dust was observed escaping from a manhole chamber above the subterranean clinker dome transport system (lid open with non-operational water pump hose entering chamber). Dust had accumulated on nearby surfaces indicating the lid had been open for days or weeks which is not acceptable. If the lid must be removed for maintenance periods it should be for short durations whilst maintenance is occurring, or better temporary dust control measures employed.

Dust control related to plant maintenance shall be addressed in your Dust Management Plan (refer Action 6)

Raw Mill Reject System

The raw mill reject system (to silo) was re-commissioned several years ago to address concerns about dust and noise emissions and it was anticipated by Castle Cement that the reject building would be used infrequently. However, based on recent observations the reject building is in regular use and contained a considerable quantity of rejected dusty material. The building is only partially enclosed with material removed by loading shovel from the open side where a door once was (door now defective). During windy conditions dust has been observed escaping the building but more frequently dust has been observed on the yard in front of the building and can become airborne or tracked around the site roads potentially leading to an offsite impact.

This issue shall be reviewed within your response to Action 1

Gas Conditioning Tower Slurry

During the inspection it was noted that gas conditioning tower slurry was present on the yard following a reported 'jetting' exercise to remove blockages within the tower. It is understood that under normal conditions material drops into a bin but it is not acceptable for the jetting slurry to be discharged over the site yard only to dry and become a potential dust source.

This issue shall be reviewed within your response to Action 1.

1.1 Dust Control - Permit Non Compliance

Permit condition 1.1 requires that the activities shall be managed and operated in accordance with a management system that identifies and minimises risks of pollution including those arising from operations, maintenance, etc.

For the reasons detailed above, NRW considers that Castle Cement has failed to comply with this condition which attracts a non-compliance score of 3. You have been issued with a site warning on this occasion.

NB A dust sample collected at a local property 25/03/19 contained clinker dust which may be linked to the observations detailed above.

1.2 Dust Control - Required Actions

Action 1 – Castle Cement shall complete a review of the existing control measures for diffuse dust emissions from dusty operations against the relevant techniques as set out in the Cement, Lime and Magnesium Oxide Bref and BAT Conclusions Documents. Submit the findings of your review to NRW along with proposed timescales for the completion of any necessary improvement works to ensure the plant achieves BAT. Submit your report by 31/07/19.

Action 2 – Close all doors on dusty operations.

Action 3 – Ensure defective/absent doors and cladding for the enclosure of dusty operations are repaired or replaced– provide NRW with an action plan with associated timescales for the completion of this work. Submit your action plan by 07/06/19.

Action 4 - Review the site's planned preventative maintenance programme for the maintenance of doors and cladding and the detection and repair of defects to ensure doors and cladding are consistently maintained to a satisfactory standard. Provide NRW with the findings of your review and remedial actions taken by 28/06/19.

Action 5 – Provide training to relevant site staff and contractors to ensure doors on dusty operations are kept shut unless required for access/egress and on the procedure for reporting defects. Update the site induction process and training plan for new and existing employees and contractors accordingly. Provide NRW with a summary of the steps you have taken/intend to take to meet this action by 07/06/19.

Action 6 – Review your Dust Management Plan (also taking into account feedback provided by NRW 08/03/19) and submit to NRW by 28/06/19

2. Pollution Prevention & Waste Management

Cement Mill 5 Hot Gas Generator Fuel Tank Bund

The newly installed fuel oil tank serving the cement mill 5 hot gas generator is significantly elevated relative to the low bund wall that has been installed around the tank / ancillary pipework and equipment.

Action 7 – Please provide the reasons why you believe this tank to be adequately banded with reference to CIRIA Guidance Note C736 'Containment Systems for the Prevention of Pollution'. Please do so by 28/06/19.

Transformer Leak

An electrical transformer adjacent to the disused slurry silos was noted to have oil staining on its cooling fins and on the ground beneath. It appears that surface water (possibly contaminated with oil) from beneath the transformer enters an adjacent drain.

This is in breach of permit. Condition 3.1.1 requires that there shall be no point source emissions to water, air or land except from the sources and emission points listed in schedule 3. This attracts a non-compliance score of 3. You have been issued with a site warning on this occasion.

Action 8 - Contain the oil spill and prevent further leakage from the transformer. Remove contaminated soils/stones beneath the equipment including any residues in the adjacent drainage system. Samples should be obtained to ensure and demonstrate that the contamination has been removed from the ground. The destination of the drain adjacent to the transformer shall be established. A report shall be submitted to NRW by 28/06/19 demonstrating that the requirements of this action have been completed.

Action 9 - Inform NRW if PCBs are present in this or any other transformers present on site by 28/06/19

Action 10 - Undertake an inspection of all electrical transformers (in use or otherwise) to assess pollution risk and the adequacy of the pollution prevention control measures in place. Provide a report of your findings to NRW by 31/07/19.

Action 11 - Review the site's planned preventative maintenance programme for the maintenance and inspection of transformers to ensure they are maintained to a satisfactory standard. Provide NRW with the findings of your review and remedial actions taken by 31/07/19.

Redundant Plant & Machinery

Further to concerns regarding the pollution risk arising from electrical transformers it was noted that the site has a significant amount of redundant plant in situ, some of which may contain potentially polluting liquids (e.g. fuels, lubricants, hydraulic fluids etc.) that could cause pollution to ground or surface water. This observation is also supported by the information provided within the Golder Associates 'Interim Site Characterisation and Baseline Report' as recently provided to NRW.

Action 12 – Castle Cement shall undertake an inspection of redundant plant and machinery to assess pollution risk and the adequacy of the pollution prevention control measures in place. Provide a report of your findings and any necessary remedial measures (to ensure permit compliance) to NRW by 31/07/19.

Cemfuel Tank Farm - Carbon Filter

Since the last site inspection, the carbon has been tested and it was confirmed that it is near exhausted and requires replacement. A preventative maintenance task (PM) is to be added to ensure media testing is completed. It was reported that the vent of the carbon filter has been covered to prevent rain ingress.

Failure to test the carbon media through planned preventative maintenance has the potential to lead to the unabated release of odour and vapour from the Cemfuel tank farm.

This is a breach of permit condition 1.1 and attracts a non-compliance score of 3. You have been issued with a site warning on this occasion.

During the inspection it was observed that what appeared to be a blanking plate had been installed on the filter outlet. This was not inspected at close quarters by NRW and the operator later reported that it was not in fact air tight and was a 'mushroom valve'. If the vent was sealed it would render the system ineffective and could lead to potentially serious consequences for the abatement of tank headspace and tank integrity (e.g. implosion on draw down).

The operator subsequently reported that the 'blanking plate / mushroom valve' has been removed from the filter outlet and a 180-degree outlet installed.

Action 13 – Please provide NRW with the following information by 28/06/19:

- The design specification of the mushroom valve as previously installed, and its air flow rating as compared to the maximum air flow rates achieved through the carbon filter.
- Your Management of Change procedure for Environmentally Critical Equipment and how this was applied to the modification to the carbon filter outlet.
- The carbon media replacement date
- The frequency of future carbon media testing (as per the PM schedule)
- The monitoring in place to monitor filter performance between media testing

Cemfuel Tank Farm Surface Water Management

Action 14- During the inspection a grey pipe was noted exiting the top of a tank (possibly the bund water holding tank) in the Cemfuel tank farm and running over the bund wall onto unmade ground to the rear of the tank farm. No discharge or evidence of any discharge of liquids was observed. The purpose of this pipe is not clear and must be clarified by Castle Cement. Please do so by 28/06/19.

Recommendation - Clean gutters, repair downspouts, reduce bund water accumulation at the Cemfuel tank farm.

Waste Management

During the inspection mixed waste materials were observed within 45gallon drums adjacent to the disused slurry silos, one of which was full of what appeared to be rainwater.

This is poor practice as it poses a potential pollution risk, may result in the mixing of hazardous and non-hazardous waste and does not optimise the recovery of waste as required by permit condition 1.4.

Action 14 – Waste generated on site should be segregated appropriately and placed within the designated skips / containers in a manner that does not pose a pollution risk. Complete a review of the site's procedure for the management of waste to ensure permit compliance.

Action 15 - Provide training to relevant site staff and contractors to ensure the requirements of Action 14 are met. Provide NRW with a summary of the steps you have taken/intend to take to meet this action by 07/06/19.

3. Outstanding Actions

Action 16 – Castle Cement has not responded to Action 1 as detailed in Compliance Assessment Report CAR_NRW0034560 (08/02/19). Please respond by

EPR Compliance Assessment Report

**Report ID:
CAR_NRW0035150**

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	27/03/2019

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.

In respect of the above non-compliance you have been issued with a warning. At present we do not intend to take further enforcement action. This does not preclude us from taking additional enforcement action if further relevant information comes to light or offences continue.

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			
E2	C3	Refer Details Section	28/06/2019
C2	C3	Refer Details Section	07/06/2019

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. 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.