

## Compliance Assessment Report

Report ID:  
CAR\_NRW0035354

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	16/05/2019	Time in	N/A	Out	N/A
Assessment type	Check Monitoring/Sampling				
Parts of the permit assessed	Noise & Vibration 3.4.1				
Lead officer's name	Ross, Stuart				
Accompanied by	Oakes, Ian				
Recipient's name/position	Elliot Wellbelove/ Quality & Environment Manager	Date issued	05/07/2019		

### 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
F2 - Amenity - Noise	X	

**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	0	Total compliance score (see section 5 for scoring scheme)	0
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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 noise monitoring exercise completed by NRW in May and June 2019 following noise complaints from local residents. Please refer to the attached monitoring report that includes sound measurement data and NRW Officer Observations.

N.B The findings of the monitoring exercises were verbally shared with Castle Cement shortly after completion.

As you are aware, permit condition 3.4.1 requires that;

*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.*

With respect to condition 3.4.1, and in light of the findings of the monitoring exercise, 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;

- Monitoring locations A, B and C (in the vicinity of Padeswood Lake Road) - owing to the sound level and character.
- Monitoring location H (Chester Road, Penyffordd) 07/06/19, owing to a low frequency whine believed to originate from Cement Mill 3.

**Action 1** - 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.

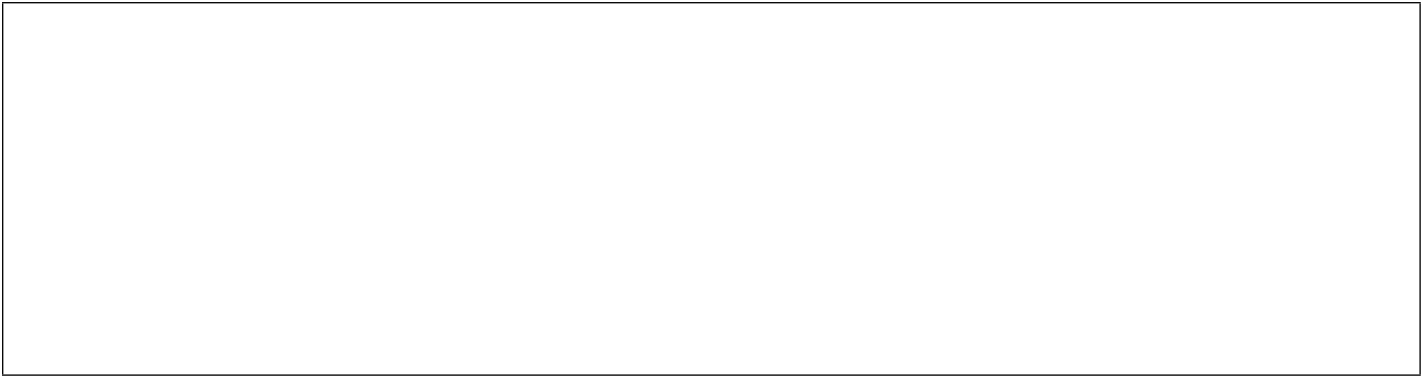
Please provide NRW with the findings of your assessment by 20th December 2019.

**Action 2** - Provide NRW with your findings as to the cause of and the associated remedial measures completed to date with respect to the following off site observations by 19th July 2019;

- low frequency whine believed to originate from Cement Mill 3
- Repetitive 'chirping' sound
- Loading shovel operation (night time)

### Recommendation

The permit requires that Improvement Condition 7 is completed within 12 months of the commissioning of Cement Mill 5 (now commissioned). In light of noise complaints received by local residents it is recommended that the requirements of the improvement condition are completed as soon as practicable.



## EPR Compliance Assessment Report

**Report ID:  
CAR\_NRW0035354**

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Site	Padeswood Cement Works	Permit Ref	BL10961B
Operator/Permit holder	Castle Cement Limited	Date	16/05/2019

### 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			
F2	X	Refer Details Section	20/12/2019

## 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](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.