

Compliance Assessment Report

Report ID:
CAR_NRW0035697

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	05/09/2019	Time in	11:00	Out	13:10	
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	25/09/2019			

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	C3	2.3.1
C2 - General Management - Management system and operating procedures	C3	1.1
F3 - Amenity - Dust/fibres/particulates and litter	C3	3.2.1

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	3	Total compliance score (see section 5 for scoring scheme)	12
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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 an unannounced site inspection on 05/09/19 in response to a dust complaint received by NRW and Castle Cement Ltd at 19:30 on 04/09/19.

The complaint related to the deposit of dust on a vehicle located at a residential property to the east of the works between 1st to 4th September 2019. A photograph of the vehicle was supplied by the reporter and showed a significant layer of dust across the vehicle's bonnet.

During this period the kiln was shut down for maintenance work that included the removal and replacement of a significant amount of refractory lining of the kiln. The kiln coating and spent refractory lining were removed from the kiln and transferred down a chute into a dumper truck positioned within a sheeted scaffold enclosure and subsequently deposited within the coal store within designated bays.

On 04/04/19 a routine site inspection was completed and no dust emissions were noted from the maintenance work other than some very localised dust arising from the transfer of material from the kiln chute to the dumper truck - it did not appear likely that this activity would give rise to an offsite dust impact (control measures appeared adequate). Deposits of kiln coating and spent refractory (dusty materials) were observed within the coal store but no material was witnessed being deposited - no fugitive dust arising at this time.

During the unannounced inspection 05/09/19, a dumper truck was observed tipping dusty material from the kiln maintenance work within the coal store giving rise to a dust cloud that was carried on the wind in an easterly direction. The dust was capable of crossing the installation boundary.

Photograph 1 - Dust Cloud arising from deposit of dusty materials within the coal store.



Appropriate Measures / BAT

The coal store is open at both ends and does not benefit from any dust abatement - no control measures were in place to prevent and minimise fugitive dust emissions and NRW therefore considers it inappropriate to deposit this material in this area.

What appeared to be a dust suppression system installed at both ends of the coal store was not operating and appeared to be inoperable. It appears highly likely that the depositing of kiln coating, spent refractory (and associated materials) within the coal store is the cause of the dust complaint.

Emissions of substances not controlled by emission limits shall not cause pollution. Failure to take appropriate measures to

prevent or minimise emissions is a breach of permit condition 3.2.1 (CCS3).

Failure to identify and implement appropriate control measures for the prevention and minimisation of fugitive dust emissions is a breach of permit condition 1.1.(general management) (CCS3).

Action 1 - No further deposits of this nature shall be made within the coal store or elsewhere on site unless appropriate measures (BAT) are in place to prevent and minimise dust emissions.

Action 2 - Control measures (in accordance with BAT) for the containment of dust arising from maintenance work shall be detailed in your dust management plan that is currently subject to review (ref CAR_NRW0035686), as due for submission to NRW by 31/10/19.

Action 3 - Castle Cement shall inform NRW of the measures it intends to take to remove this material from the coal store without causing any further environmental impact.

Action 4 - It is understood that Castle Cement intends to reintroduce these materials into the process - please set out how you intend to do so including the details of any additional processing. Please do so by 31/10/19..

Operating Techniques

A review of your operating techniques (as listed in (Schedule 1, table S1.2), shows that the coal store is designated for the storage of coal with no provision for the storage of materials arising from kiln maintenance or otherwise. Furthermore the operating techniques state that shale will be stored in the crane store (a significant quantity of shale was in the coal store).

Operating the activities otherwise than in accordance with documentation specified in schedule 1 table S1.2 is a breach of permit condition 2.3.1 (CCS3).

Action 5 - The coal store shall be used for the storage of coal. The storage of other materials in the coal store shall only be permitted subject to the acceptable outcome of an environmental risk assessment for impacts to air (dust), land (ground contamination), and water (surface water runoff). A risk assessment shall be submitted to NRW for the storage of shale within the coal store. If deemed acceptable this may be incorporated into the operating techniques via agreement in writing. Please do so by 31/10/19.

EPR Compliance Assessment Report

**Report ID:
CAR_NRW0035697**

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Site	Padeswood Cement Works	Permit Ref	BL10961B
Operator/Permit holder	Castle Cement Limited	Date	05/09/2019

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.

We will now consider what enforcement action is appropriate and notify you, referencing this form.

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			
A1	C3	Refer Details Section	31/10/2019
F3	C3	Refer Details Section	31/10/2019
C2	C3	Refer Details Section	31/10/2019

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.