

Compliance Assessment Report CAR_NRW0041470

Permit being assessed: FP3893SF.

For: Recycling and Recovery Facility, held by Derwen Recycling Ltd.

At: Neath Abbey Wharf, Skewen, Neath, SA10 6BL.

Type of assessment carried out: Site Inspection, Reason: Routine.

On 31/01/2023 between 10:10 and 15:00.

Parts of permit assessed: General Site inspection

NRW Lead Officer: Sally Wakeford.

Report sent to: Stuart Hanford, Director on 06/03/2023.

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

Part of permitted activity assessed (criteria)	Assessment result	Permit condition
A1 - Specified by permit	Assessed (A)	
C1 - General Management - Staff competency/training	Assessed (A)	
B5 - Infrastructure - Plant and equipment	Assessed (A)	
F2 - Amenity - Noise	Assessed (A)	
F4 - Amenity - Pests/birds and scavengers	Assessed (A)	
G2 - Monitoring and Records, Maintenance and Reporting - Records of activity, site diary/journal/events	Assessed (A)	

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

Total number of non-compliances recorded	Total non-compliance score
0	0

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?

No action required.

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.

At this time, we do not intend to take any further action.

This statement does not stop us from taking additional enforcement action if further relevant information comes to light or offences continue.

4. Details of our assessment

On 31 January 2023 a site inspection was undertaken at Derwen RRF by Sally Wakeford. At the time, Derwen were hosting NRW for some Audit training. This Compliance Assessment is not connected to the training, and is an assessment carried out separately.

Asbestos wastes & Tiger bags:

We discussed the possibility of Derwen starting to accept Asbestos waste to site. This would be in a small managed area, with lockable container on sealed drainage and under cover.

The permit states: Asbestos waste shall be double bagged and stored within clearly identified segregated, secure lockable containers on an impermeable surface with sealed drainage.

To accept this waste Derwen would be required to update the management system and risk assessment to cover this activity.

Having checked the WAMITAB database for TCM qualifications, Stuart does hold the original qualification of Level 4 in Waste Management Operations - Managing Transfer Hazardous Waste (4TSH), and continual competency in transfer of Hazardous Wastes until 2018. However, in 2020 and 2022 Stuart did not complete the hazardous part, and completed the tests for transfer and treatment of Non-hazardous wastes only.

Julian Dunn has not undertaken the primary competence in Hazardous waste transfer, and currently only holds the continuing competency for transfer of Non-hazardous wastes.

Please note the maximum quantity of hazardous waste stored at the site shall not exceed 50 tonnes at any one time.

We also discussed the possibility of accepting Tiger bags from Natural UK, as they are currently landfilling some wastes as they are unable to deal with this, this would be a bulking and transfer activity. A permit variation would be required for the additional waste codes of 18 01 04 and 20 01 99.

Site Inspection:

At the time of the site inspection the plant was not operational due to a baler breakdown, it was hoped that the processing could start again that evening.

There was not excessive amounts of waste on site due to this breakdown. The number of bales of RDF on site was minimal.

Noise:

During the inspection we discussed the potential for noise issues, as the open-faced building extension faces towards receptors, and houses a shredder. At the time of the inspection Derwen had no open noise complaints from receptors.

There had been some noise complaints a few months previously when a hired shredder

was noisier than the usual one. Derwen have been in contact with the Skewen residents' group on Facebook. A full noise survey was undertaken prior to planning. Derwen stopped using the temporary shredder during the day.

When hiring in plant it is now Derwen's procedures to check decibel readings for the plant, to avoid any issues in future.

Pests:

Contract is held with a pest contractor and traps are baited every 3 months. There was no evidence of pests on site at the time of the inspection.

Digital Tracking System for waste on site:

A digital waste tracking system is in place to track the waste from the moment it comes in, to being tipped. Paul, the banksman, demonstrated how this was logged on the system, and non-conforming wastes noted, to be charged back to the customer depositing the wastes.

Waste acceptance procedures do not include the digital tracking system.

ACTION: An updated version of waste acceptance procedures is required.

ACTION: NRW do not currently hold a full copy of the management system.

Please provide this once the relevant documents have been updated.

The odour management plan and RDF management plan held by NRW from 2018 are current and up to date.

Compost containing plastics.

A deposit of waste has been on site for some time. This is described as compost containing plastic wastes, seemingly green plastic bags. This waste should be treated and removed as soon as possible.

Other:

The site diary was reviewed, although complete, details in the daily reports had decreased over the past few months.

Thank you for taking the time to accompany me around the site.

END

Any compliance criteria not highlighted in the above summary should be considered as not assessed.

In this document 'Natural Resources Wales' means the Natural Resources Body for Wales established by Article 3 of the Natural Resource Body for Wales (Establishment) Order 2012.

You should note that the Natural Resources Body for Wales has been formed by bringing together the Countryside Council for Wales, Forestry Commission Wales and Environment Agency Wales. The Natural Resources Body for Wales has been empowered to exercise Welsh devolved functions since

1st April 2013 and has, generally, taken over the responsibilities of the Countryside Council for Wales, the Forestry Commissioners and the Environment Agency for Wales.

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.

What are suspended scores?

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 and Waste action criteria (used in section 1 and 2):**A: Permitted activities**

- A1 Specified by permit

B: Infrastructure

- B1 Infrastructure – Engineering for prevention and control of emissions
- B2 Infrastructure – Closure and decommissioning
- B3 Infrastructure – Site drainage engineering (clean and foul)
- B4 Infrastructure – Containment of stored materials
- B5 Infrastructure – Plant and equipment

C: General management

- C1 General management – Staff competency/training
- C2 General management – Management system and operating procedures
- C3 General management – Materials acceptance
- C4 General management – Storage, handling, labelling and segregation

D: Incident management

- D1 Incident management – Site security
- D2 Incident management – Accidents, emergency and incident planning

E: Emissions

- E1 Emissions – Air
- E2 Emissions – Land and groundwater
- E3 Emissions – Surface water
- E4 Emissions – Sewer
- E5 Emissions – Waste

F: Amenity

- F1 Amenity – Odour
- F2 Amenity – Noise
- F3 Amenity – Dust/fibres/particulates and litter
- F4 Amenity – Pests/birds and scavengers
- F5 Amenity – Deposits on road

G: Monitoring and records, maintenance and reporting

- G1 Monitoring and records, maintenance and reporting – Monitoring of emissions and environment
- G2 Monitoring and records, maintenance and reporting – Records of activity, site diary/journal/events
- G3 Monitoring and records, maintenance and reporting – Maintenance records
- G4 Monitoring and records, maintenance and reporting – Reporting and notification to Natural Resources Wales

H: Resources efficiency

- H1 Resource efficiency – Efficient use of raw materials
- H2 Resource efficiency – Energy efficiency

Enforcement response

Any permit condition non-compliance 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 20 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 – 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.