

 Cyfoeth Naturiol Cymru Natural Resources Wales		Hazardous Waste Audit Report			
This form will report compliance with environmental legislation as determined by an Officer of Natural Resources Wales					
		Ref	UP3831ES		
Operator / Permit holder		TS Resins Ltd		CAC581	
Date		18/10/2023		Time in	10:00
				Out	13:45
Premises	Installation	X	Waste Permit		Exemption
					Producer
					CBD
Site contact (s)		Paul De Wolf, Jim Hadley & Gavin Ding			
Officer's name (s)		Kathryn Bradshaw & Phil Harper		Date issued	

Section 1a Assessment Summary – Hazardous Waste (HW)		
This Assessment is based on the Hazardous Waste (HW) (England and Wales) Regulations 2005 A detailed explanation of any non-compliances identified and actions you may need to take are given in sections 2 & 4 below		
Compliance Summary		
Compliance check type	Assessed during audit	Non-compliance identified
HW Consignment notes (waste received)	No	Choose an item.
HW Consignment notes (waste removed)	Yes	Yes
Mixing / treatment of hazardous waste	No	Choose an item.
HW Records and returns	Yes	No
Storage	Yes	Yes

Section 1b Assessment Summary – Duty of Care		
This assessment is based on the Duty of Care requirements contained in Section 34 of the Environmental Protection Act 1990 and The Waste (England and Wales) Regulations 2011. A detailed explanation of any non-compliances identified and actions you may need to take are given in sections 2 & 4 below.		
Compliance Summary		
Compliance check type	Assessed during audit	Non-compliance identified
Check correct EWC codes	Yes	Yes
Written description of waste including quantity and containment	Yes	No
Time and place of transfer	Yes	No
SIC code of the waste holder	Yes	No
Full details of both transferor and transferee	Yes	No
Producer, importer, carrier authorised to receive	Yes	No
Confirm waste hierarchy has been considered	Yes	No

Section 1c Assessment Summary – Waste Assessment

Section 2 – Waste Assessment Report Detail

This section contains a report of our findings and will usually include information on:

- Any non-compliances identified
- All actions requested
- Details of advice given
- Any other areas of concern
- Any examples of good practice

This was a pre-arranged site inspection to complete an OMA audit as well as this hazardous waste audit.

TS Resins Ltd is a waste producer (cradle site) manufacturing formaldehyde resins predominately urea formaldehyde and phenol formaldehyde resins with some production of melamine urea formaldehyde and melamine formaldehyde resins. The site does not accept any wastes from other sites.

Cosignment notes for Q1 2023 were requested prior to the inspection date, however only one consignment note was received. All other consignment notes were provided after the inspection.

A site tour was provided to view the current waste storage facilities. We were shown a large number of IBC's plus some smaller drums that were currently being stored outside without any secondary containment. The site explained that the majority of this was historic waste and were working their way through the waste when cash flow allowed. The regulating officer for the site provided assurance that the wastes were being reduced and a significant number of IBC's had been removed since the last inspection. All of the IBC's were labelled.

The IBC's were stored alongside a site tertiary containment wall that prevents any on site liquids entering the nearby watercourse. The site is jointly owned and run with Synthite Ltd and any effluent from the TS Resins process is pumped to Synthites effluent treatment plant.

We also viewed 3 catchment pits where wash water from the process run from the building into the pits which are regularly emptied by tanker and transported to Tradebe in Gwent. The consignment notes provided for the most recent collections were viewed following the inspection. This waste is currently classed as non- hazardous (EWC code 16 10 02) due to, as the site describes, minimal quantities of formaldehyde and urea. There appeared to be a significant amount of solid waste in the catchment pits.

This waste has been classed as non hazardous but the only evidence produced on site in relation to this waste stream was a word document that has been put together with assistance from Cardiff University and the waste contractor.

It is not known what, if any, tests and assessment has been undertaken by the producer on this waste and if it is correctly classified as non-hazardous. It is also worth considering the potential for the waste to change in it's properties and potentially it's classification depending on types and volumes of resins produced.

The majority of the IBC waste had been collected by Qualitech Ltd and all consignment notes were checked. The SIC code for the site is 20.14 – manufacture of organic basic chemicals. If this is the correct SIC code for the site it would appear that most of the wastes are incorrectly classified according to WM3 Guidance on the classification and assessment of waste. Some of the codes used are Chapter 08 04 – wastes from the manufacture, formulation, supply and use (MFSU) of adhesives and sealants and some of the codes are Chapter 16 wastes which are for wastes not otherwise specified in the list. Chapter 07 01 are wastes from the MFSU of organic chemical processes which more closely match your SIC code. Also in this chapter is a note on liquid wastes:

There are some liquid wastes where no appropriate code can be found in the waste source chapters (1-12, 17-20) such as liquor from composting and portable toilet waste. The instructions for use of the list of waste indicate that the waste specific chapters (13,14, & 15) must be considered next. If a code still cannot be found then an appropriate code from chapter 16 (waste not otherwise specified in the list) can be chosen

Aqueous washing liquids and mother liquors from organic chemical processes: Chapter 7 provides 'absolute hazardous' codes that must be used for these wastes, even if the waste has no hazardous properties.

Therefore you need to refer to the WM3 guidance to ensure all of your wastes are correctly coded to ensure they are being handled and disposed of correctly which is your duty of care for wastes you produce.

Thank you for your time during the inspection. If you have any questions, please get in touch.

Kind Regards,

Kathryn Bradshaw

Uwch Swyddog Rheoleiddio Gwastraff a Diwydiant / Senior Industry & Waste Regulation Officer

Gogledd Ddwyrain / North East

Rhif ffôn / Phone number 03000 65 5191

Section 3-Enforcement Response

You must take immediate action to rectify any non-compliances noted in section 1 and prevent repetition. Non-compliance with environmental legislation may result in enforcement action being taken, including criminal prosecutions.

Please read the detailed assessment in Section 2 and the steps you need to take in Section 4 below.

Other than the provision of advice and guidance, at present we do not intend to take further enforcement action in respect of the non-compliance identified above. This does not preclude us from taking enforcement action if further relevant information comes to light or advice isn't followed.

X

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

Choose an item.

Section 4- Action(s)

Where non-compliance has been identified in section 1 this section summarises the steps you need to take to return to compliance and also provides timescales for this to be done. If the operator considers that they are unable to comply with any of the actions noted above, or to the deadlines specified, they must contact NRW immediately.

[illegible]

Section 5 - Compliance notes

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 in writing
- issue a notice

Non-compliance with environmental legislation 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 may include the issue of a formal caution or prosecution
- Dependent upon the type of offence committed, a civil sanction Enforcement Undertaking (EU) offer may also be available to you as an alternative enforcement response

See our Enforcement and Civil Sanctions guidance for further information

Not all legal requirements were assessed as part of this audit. It remains your responsibility to ensure that you comply with all relevant environmental legislation and maintain suitable records to evidence your compliance.

Section 6 – General 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.

[Customer charter](#)

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.