

Compliance Assessment Report CAR_NRW0044447

Permit number	AB3695CH	Operator name	Drumcastle Limited
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Site name	Nine Mile Point Waste Transfer Facility
Site address	Nine Mile Point Industrial Estate, Cwmfelinfach, Caerphilly, NP11 7HZ
Assessment type	Audit

Date of assessment	26 March 2024	Time in	12:30	Time out	14:30
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Parts of permit assessed	See Part 4
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NRW Lead officer	Guy Baskerville	Accompanied by	Wayne Grimstead
Report sent to – Name and position	[REDACTED] General Manager	Date	24 May 2024

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

Part of permitted activity assessed (use action criteria below)	Assessment result	Permit condition
IR1A - Management - General management	Assessed or assessed in part (A)	1.1.1(b)

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

2. What action is required?

Criteria	Action needed	Complete by
N/A	N/A	N/A

Action criteria codes are listed in the 'Important information' section below.

3. What will happen next?

Any non-compliance we have identified and recorded on this form is an offence. It can result in criminal prosecutions and/or suspension or revocation of your permit.

4. Details of our assessment

The purpose of this Compliance Assessment Report (CAR) is to record Natural Resources Wales' (hereafter *NRW*) findings following an assessment of Drumcastle Limited's (hereafter *the operator*) staff training provision.

Attendees:

Natural Resources Wales

Guy Baskerville [Senior Industry Regulation Officer]
Wayne Grimstead [Team Leader]

Drumcastle Limited

[REDACTED] (General Manager)
[REDACTED] (Office Manager)

Condition 1.1.1(b) of the environmental permit states:

The operator shall manage and operate the activities using sufficient competent persons and resources.

The operator has reported high levels of staff turnover since the installation began operating, a little over 2 years ago. Low workforce retention makes it difficult to maintain competencies in key roles and can result in poor environmental permit compliance and increased risk of environmental incidents.

The operator's internal training programme is maintained and delivered by in-house staff, excluding a small number of specialist modules that are delivered by third parties (e.g. first aid). Training records are maintained by the Office Manager and modules are assigned to employees based on the role(s) that they fulfil. The operator shared details of the training matrix, which is broadly broken down into 5 categories:

- Inductions (11 modules)
- Risk Assessments (22 modules)
- Method Statements (33 modules)
- Toolbox Talks (9 modules)
- First Aid and Fire Wardens (3 modules)

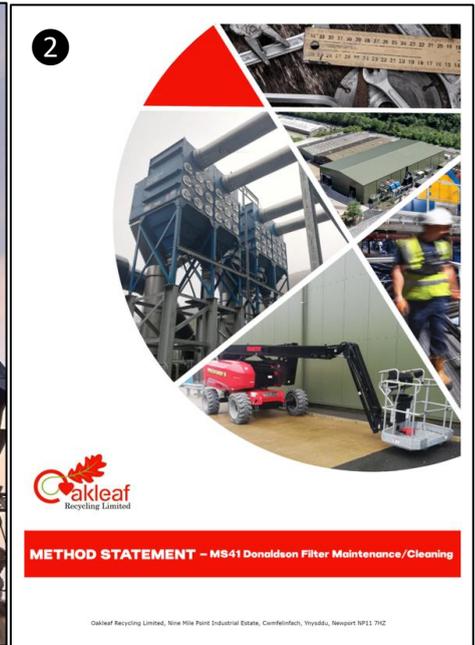
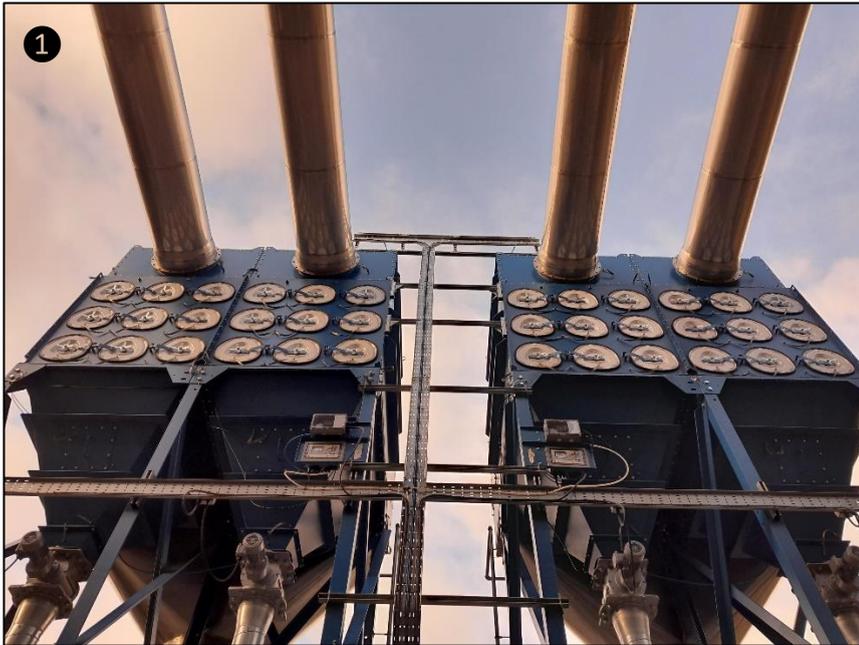
Induction modules are broad and cover general workplace safety subjects (e.g. personal protective equipment, manual handling, display screen equipment). The majority of staff are required to receive all the modules in the induction category.

Risk Assessments specifically address personnel health and safety and, in some cases, are to be read alongside the associated Method Statements for the task assessed.

Method Statements address specific complex tasks, some of which have the potential to result in offsite environmental impacts. We reviewed Method Statement *MS41 - Donaldson Filter Maintenance/Cleaning* (see figure 2) as this task has the potential to result in offsite environmental impact if undertaken incorrectly. The Donaldson filter (see photograph 1) is a cartridge-based dust collection system serving the internal operational areas of the installation. It is a critical air emission abatement measure to achieve the permitted dust emission limit of 5 mg/m³. Removal of the cartridges and void cleansing can result in trapped dusts becoming disturbed, mobilised and released into the atmosphere. The operator advised that the method statement MS41 was developed alongside the plant manufacturer. Our review determined that it is fit for purpose and environmentally protective. A partial review of a selection of other Method Statements was also undertaken.

It was noted that method statement MS41 was not listed in the version of the training matrix shared with NRW, nor was the associated Risk Assessment *RA41 Donaldson Filter Maintenance/Cleaning*. The operator explained that these modules had only recently been developed and the matrix had yet to be updated to include them. The training matrix is updated every 2 weeks.

Recommendation: Operator to update training matrix to include all training modules. Operator to update training matrices to reflect module delivery.



A number of *Toolbox Talks* specifically focussed on environmental permit compliance. These include:

- TBT07 - Fire Prevention Plan – FPP
- TBT08 - Odour Management Plan – OMP
- TBT09 - Environmental Management System – EMS
- TBT10 - Waste Acceptance
- TBT11 - Site Permit

The operator shared a selection of the documents associated with these toolbox talks for review and discussion. The operator explained that the modules have been designed to prompt discussion rather than simply provide information and that the modules will evolve in response to discussion feedback. The scope and detail of these modules appeared appropriate and comprehensive.

It was noted that the training matrix only included dates of delivery against *Method Statement* modules and *First Aid & Fire Warden* modules (not addressed by this assessment given their limited relevance), whereas modules in the other categories were only marked as having been delivered. Individual employees are required to sign and date paper records upon module delivery, which partially satisfies this requirement, but the electronic training matrix should be maintained as the master record of training delivered.

Recommendation: Operator to consider recording dates of training delivery against all modules in the training matrix for completeness.

No detail is provided in the matrix regarding training cycles or how often a particular module needs a refresher session to maintain individual competence. It is good practice to deliver refresher training in cycles appropriate to the complexity of the task and the associated risk (environmental, or otherwise), particularly where the task is not undertaken with regularity (e.g. dust filter cleaning).

Recommendation: Operator to consider instating refresher training cycles appropriate to the complexity of the task and the associated risk.

The operator also reported that some individual shifts, particularly night shifts, had been abandoned due to low staff numbers. Given that as-low-as-practicable pre-processed waste and post-processed waste retention times are a key measure in managing odour, abandoned shifts represent an amenity risk.

In seeking to address the issue, the operator has incentivised loyalty by moving day-shift staff members from agency contracts to permanent employee contracts.

Should a pattern of shifts being abandoned emerge, the operator will need to consider measures to manage the risks associated with higher waste retention times.

Conclusion

The highest environmental risk from the activities undertaken at the installation remains the potential impact on local amenity, specifically with regards to odour and dust, and notwithstanding the unlikely event of a large-scale fire at the premises. The training provision instituted by the operator is currently appropriate to the complexity, scale and environmental risk presented by the installation. Recommendations have been made to make record-keeping more robust and auditable.

Fire prevention and mitigation measures will be the subject of a future compliance audit.

Other matters

- The long-term efficacy of the odour abatement carbon media is being monitored after it was observed to be physically degrading faster than anticipated.
 - As discussed previously, and detailed in the last CAR, the fast-action doors have received the retrofit which allows them to be manually controlled in the event of power interruption.
 - The company *Environmental Policy* was reviewed in December 2023.
 - The operator is hosting senior members of Caerphilly County Borough Council in the near future.
 - The Fire & Rescue Service have undertaken a familiarisation visit at the premises.
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[END]

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 in the aspects assessed.
Action only (X)	Action only relating to the activity assessment
Ongoing (O)	Ongoing non-compliance, not scored

Non-compliance category	Description
C1 Major	Potential to have a major, serious, persistent and/or extensive impact or effect on the environment, people and/or property
C2 Significant	Potential to have a significant impact or effect on the environment, people and/or property
C3 Minor	Potential to have a minor or minimal impact or effect on the environment, people and/or property
C4 No environmental impact	Non-compliance at a regulated site that cannot foreseeably have any impact on the environment, people and/or property

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.

If your assessment result in Section 1 is suspended, what does this mean?

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 compliance criteria (used in section 1 and 2):

1 - Management

- IR1A - General management
- IR1B - Finance (only applicable to Landfill)
- IR1C - Energy efficiency

- IR1D - Efficient use of raw materials
- IR1E - Avoidance, recovery and disposal of wastes produced by the activities
- IR1F - Multiple operator installations

2 - Operations

- IR2A - Permitted activities
- IR2B - The site
- IR2C - Operating techniques
- IR2D - Technical requirements
- IR2E - Improvement programme
- IR2F - Pre-operational conditions
- IR2G - Landfill engineering (only applicable to Landfill)
- IR2H - Waste acceptance (only applicable to landfill)
- IR2I - Leachate levels (only applicable to Landfill)
- IR2J - Closure and aftercare (only applicable to Landfill)
- IR2K - Landfill gas management (only applicable to Landfill)

3 - Emission and Monitoring

- IR3A - Emissions to water, air or land
- IR3B - Emissions of substances not controlled by emission limits
- IR3C - Odour
- IR3D - Noise and vibration
- IR3E - Monitoring
- IR3F - Pests
- IR3G - Air quality management plans
- IR3H - Monitoring for the purposes of the Industrial Emissions Directive (this heading includes Large Combustion Plants)
- IR3I - Fire

4 - Information

- IR4A - Records
- IR4B – Reporting
- IR4C - Notification

Enforcement response

Any non-compliance with a permit condition 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 twenty 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.