

Compliance Assessment Report

Report ID:
CAR_NRW0035701

This form will report compliance with your permit as determined by an NRW officer

Site	Recycling and Recovery Facility	Permit Ref	FP3893SF		
Operator/Permit holder	Derwen Recycling Ltd.				
Regime	Waste Operations				
Date of assessment	23/08/2019	Time in	10:00	Out	12:00
Assessment type	Audit				
Parts of the permit assessed	A, B, C, E, F, G				
Lead officer's name	Wakeford, Sally				
Accompanied by	Davies, Eleanor				
Recipient's name/position	Stuart Hanford/ Director	Date issued	20/09/2019		

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	A	
B3 - Infrastructure - Site drainage engineering (clean and foul)	A	
C1 - General Management - Staff competency/training	A	
C3 - General Management - Materials acceptance	A	
C4 - General Management - Storage, handling labelling and Segregation	A	
E3 - Emissions - Surface water	A	
F1 - Amenity - Odour	A	
G2 - Monitoring and Records, Maintenance and Reporting - Records of activity, site diary/journal/events	A	
G4 - Monitoring and Records, Maintenance and Reporting - Reporting and notification to Natural Resources Wales	A	

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

On 23 August 2019 a site inspection was undertaken by Sally Wakeford and Eleanor Davies. We were accompanied on site by Stuart Hanford.

Before conducting the site inspection, we discussed the following:

1. Odour – no incidents of odour have been called in since last contacting Derwen with the single report in May 2019.

ACTION: Provide a copy of your odour management plan already in place.

2. We discussed plastics exports, and the various locations to which the plastics are exported. You have not had any issues return from the companies you export to.

3. The new PDA system in place produces waste transfer notes, the banksman checks for non-conforming loads, photographs using the PDA and charges straight back to the customer. We viewed the process/tickets for non-conforming loads using the PDA system

ACTION: Please email the section of the EMS covering your Waste acceptance procedures.

4. The waste returns were examined for throughput, and the Q1-4 2018 were well within throughput limits.

5. Tyres which come in as a non-conforming item within a load should be sent out of site using the appropriate end of life tyre code.

6. 19 12 12 which comes onto site is pre-treated waste from other companies on which Derwen undertake further treatment before it goes into the RDF.

7. Annual transfer notes are present for waste to and from the RRF and washplant.

8. Dry Mixed Recyclates – comes in under waste code 15 01 06 and is commercial packaging skips from companies such as Biffa. This does not include bottles or cans. Only a small amount comes in – July was 17.08 tonnes and therefore means that Derwen are not captured by the Materials Recycling Regs.

9. Derwen have not implemented the new classification of wood waste and are still using the B/C classification. Wood waste is recycled through South West Wood Products.

10. Derwen undergoes inspections from Bertling on a monthly basis for the quality of the RDF. They also require sampling to be undertaken once per year.

ACTION: Provide the most recent sampling results for ensuring correct classification of 19 12 10.

11. More storage bays to the rear of the yard are complete and connected to the foul drainage system. Once the updated drainage plans and EMS for this area are complete – please provide them to NRW.

Site Inspection:

The site was in a clean and tidy condition. All wastes were stored within their designated areas.

One outside storage bay is now designated to the storage of batteries, paints, tyres and other non-conforming items which were being stored in the corner of the building.

The new storage bays containing the baled wastes has moved the stockpiles away from the main building and gives more space and safety when loading bales for export.

The plastics bales appeared to be very high in quality.

Works to the area at the end of the building have started with improvements to the impermeable pavement and an addition of a concrete wall should ensure no escape of litter to the river.

Photographs of site inspection:





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

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.

EPR Compliance Assessment Report

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Operator/Permit holder	Derwen Recycling Ltd.	Date	23/08/2019

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			

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.