

Compliance Assessment Report

Report ID:
CAR_NRW0035440

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

Site	Bpi Recycled Products	Permit Ref	UB3897TG			
Operator/Permit holder	British Polythene Limited					
Regime	Waste Operations					
Date of assessment	24/06/2019	Time in	11:00	Out	13:00	
Assessment type	Site Inspection					
Parts of the permit assessed	Various					
Lead officer's name	Perry, James					
Accompanied by	Chris Burge					
Recipient's name/position	AmyLee Tiley/ TCM	Date issued	03/10/2019			

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
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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

OVERVIEW

On the 24th June 2019, Officers James PERRY and Christopher BURGE attended BPI Recycling Ltd for the purpose of conducting a routine site inspection of compliance against the Environmental Permit held by the site. Upon arrival, Officers were met by Amylee Tiley (TCM) and Sian Miles, and given a walkthrough of operations and explanation of processes with regards to incoming and outgoing wastes and products.

Previous discussions with site querying the date in which the permit will be varied to include the Fire Prevention and Mitigation condition were mentioned, however Officers explained that the variation timeline is at the discretion of permitting, not regulatory officers, and therefore could not provide a timeline or scope for the variation.

Amylee raised that the facility is due to change ownership/parent company in the coming months, though this would most likely not affect the permit due it being registered to the limited company of BPI, as opposed to another individual or business entity.

INSPECTION

Outdoor Storage Area

The first area whereat Officers began the regulatory inspection was the external storage area. This area had been previously highlighted for poor storage techniques in relation to fire prevention and mitigation (breached via the Environmental Management System), however over the past 18 months there has been a major overhaul of the storage procedures in this area of the facility, and now stack heights are being kept at a suitable height and there are adequate separation distances between waste piles. Furthermore, baled and loose plastics are no longer being stored in conjunction and are now stored separately.

This area is also currently undergoing maintenance of infrastructure, wherein a new concreted area is being created with the aim to expand the surface area of the impermeable surface of the yard. This will not affect permitted boundary as the new area is within its confines.

Minimal noise levels on site.

Processing Building

Officers were then shown the processing building where the plastic goes through several processes, including multiple washes, shredding, drying, and pelletizing. The area in which waste is stored is clean and well organised, and done so in a manner that fire's can be swiftly dealt with safely and with low environmental risk.

Medium-High levels of noise present at processing unit, though this was to be expected owing to machinery

used during processing.

CONCLUSION

The site has made major improvements since the initial issue of fire safety was raised with site. That said, the variation to the permit to include the Fire Prevention condition has yet to be undertaken. NRW will continue to work with the site with regards to ongoing noise issues, whereby seeking to establish the source of the noise, whether infrastructure or operational methods, and mitigate the source. It was noted that at the time of visit that there was noise emanating from a neighbouring facility, and this is currently being investigated as a possible contributing factor to the complaints of noise emanating from the facility.

An issue regarding the submission of waste returns was flagged, however, investigation into whether this was a fault on BPI's behalf or a systems failure is currently underway.

Thank you for taking the time to guide officers around site, and NRW looks forward to your ongoing compliance. Should you have any queries, please do not hesitate in contacting your site officer James PERRY on 0300 065 3473 or james.perry@naturalresourceswales.gov.uk

EPR Compliance Assessment Report

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Operator/Permit holder	British Polythene Limited	Date	24/06/2019

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.

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.

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.