

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	28/02/2018	Time in	11:00	Out	12:00
Assessment type	Site Inspection				
Parts of the permit assessed	Various				
Lead officer's name	Perry, James				
Accompanied by	Moggridge, Lara				
Recipient's name/position	Amy Lee Tiley/ TCM	Date issued	26/05/2020		

## 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
B1 - Infrastructure - Engineering for prevention and control of emissions	A	
B3 - Infrastructure - Site drainage engineering (clean and foul)	A	
B5 - Infrastructure - Plant and equipment	A	
C1 - General Management - Staff competency/training	A	
C2 - General Management - Management system and operating procedures	C3	1.1.1 (A)
D1 - Incident Management - Site security	A	
F2 - Amenity - Noise	A	
G1 - Monitoring and Records, Maintenance and Reporting - Monitoring of emissions and environment	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.

<b>Number of breaches recorded</b>	1	<b>Total compliance score</b> (see section 5 for scoring scheme)	4
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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

Officers James Perry & Lara Moggridge visited BPI Recycling's Rhymney site on the 28th February 2018. The nature of this visit was to inspect the compliance of the site against the environmental permit following the last CAR form. The weather was cold at time of visit, roughly -3 degrees, with lots of snow coming down and previously accumulated snow on the ground.

### **Changes/Improvements since last inspection:**

Following the issue of Category 3 breach against Management System and Operating Procedures in August 2017, Amylee Tiley sent NRW an action plan with timelines for expected completion.

Documents IMSP019 - Waste Management & IMSP010 - Goods Inward have been updated.

### **Compliance**

**C2:** Management systems and operating procedures

**Permit condition 1.1.1 (a):** you have been scored a Category 3 breach against this condition for failure to have a management system that is reflective of operations at site.

**Comment:** Following the last CAR form, you have updated the two guidance notes highlighted as not bespoke to site and not reflective of operations at site. However, the changes made in these documents are not adequate procedures with regards to potential environmental impact.

For example, IMSP019 formerly stated: *[Waste should be] stored on an impermeable surface with sealed drainage and undercover to reduce likelihood of contaminated surface water run off entering drain sources.* Now, the most recent version of this document has changed "sealed drainage and undercover" to "sealed drainage or undercover".

Changing the connective in the sentence does not address the issue of the original breach, as it is now implied that waste can be stored undercover without any sealed drainage, a direct contravention of the Operations Schedule of the permit.

**Action:** Update to management system to reflect operational duties at Rhymney site and its related infrastructure.

### **Fire Prevention & Mitigation**

NRW still consider the current storage procedures and techniques inadequate in relation to current FPMP (fire prevention and mitigation plan) guidance. Regarding this issue, Rob Salter from SWFRS has provided the following statement following a visit to the site.

*"The external storage of plastic material did not appear to be in line current FPMP guidance both in relation to dimensions and separation distances. In my opinion, in the event of a fire, the current stack dimensions may hamper fire fighting activities. To ensure firefighting can be carried out effectively stack sizes should be limited to 10m depth if access is only via one side, if effective front and rear access is available then up to 20m depth would be acceptable. In relation to the length of the stacks, to prevent fire spread to adjacent equipment, buildings etc the graphs in guidance note 16 should be used to ensure adequate separation is achieved."*

Attached to this CAR form will be two documents giving further information on how to write a FPMP and comply with the relevant guidance.

Please note that you have been identified as a High Risk site in terms of fire risk, which as a result has caused a new condition being added to your permit, specifying the need for an FPMP. You will be notified when this is in place.

If you have any queries regarding this compliance assessment record, please do not hesitate in contacting me on 0300 065 3473 or on [james.perry@naturalresourceswales.gov.uk](mailto:james.perry@naturalresourceswales.gov.uk)

## EPR Compliance Assessment Report

**Report ID:  
CAR\_NRW0033132**

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Site	Bpi Recycled Products	Permit Ref	UB3897TG
Operator/Permit holder	British Polythene Limited	Date	28/02/2018

### 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			
C2	C3	Update to Management System and storage procedures	01/06/2018

## 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](mailto: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.