

## Compliance Assessment Report CAR\_NRW0037086

**Permit being assessed:** FP3893SF.

For: Recycling and Recovery Facility, held by Derwen Recycling Ltd.

At: Neath Abbey Wharf, Skewen, Neath, SA10 6BL.

**Type of assessment carried out:** Site Inspection, Reason: Routine.

On 09/09/2020 between 09:00 and 17:00.

Parts of permit assessed: General site compliance

**NRW Lead Officer:** Sally Wakeford, accompanied by James Kinkead.

**Report sent to:** Stuart Hanford, Director on 28/10/2020.

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

| Part of permitted activity assessed (criteria)                   | Assessment result | Permit condition |
|------------------------------------------------------------------|-------------------|------------------|
| A1 - Specified by permit                                         | Assessed (A)      |                  |
| B3 - Infrastructure - Site drainage engineering (clean and foul) | Assessed (A)      |                  |
| B4 - Infrastructure - Containment of stored materials            | Assessed (A)      |                  |

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                          |

How we use the non-compliance score to calculate your annual fee is explained in the 'Important Information' section below.

### 2. What action is required?

No action required.

### 3. What will happen next?

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

**At this time, we do not intend to take any further action.**

This statement does not stop us from taking additional enforcement action if further relevant information comes to light or offences continue.

### 4. Details of our assessment

On 09 September 2020 Derwen Recycling Ltd RRF was inspected by Sally Wakeford and

James Kinhead.

This was the first inspection since Covid-19 lockdown and was a simple check on the site to gauge general compliance with the permit. Although Derwen has struggled through the lockdown period, contracts were amended, with reductions in the RDF offtake price, ensured that the business could continue to operate with only a few employees being furloughed. The uptake in private customer skips has also assisted with maintaining business.

A walk around the site was undertaken.

### **RRF Building**

The inside of the building remained clean and tidy, with segregation of waste to be quarantined. At the end of each week the floor is cleared of waste to enable a full clean down.

There was only a small quantity of baled RDF stored within the building.

Some mixed waste which is brought to site is bulked up in one corner of the building, within a legio block storage bay.



### **Outside storage**

Outside storage bays containing waste appeared to be well organised with good stock rotation. There was little to no ingress of water, and it was raining heavily shortly before the inspection. The fall of the outside bays is to the back of the area.

We discussed building some small bays to the side of some of the larger central bays for the storage of quarantined items which have been removed from the stock prior to processing. These bays would be constructed to ensure the fall of the bay is to the rear, with no ingress of water from the front. They would then contain each of the different items, such as paints and electrical goods, stored within IBCs or skips. From the discussions we had I could see no issue with the design of these buildings. Please ensure they meet permit requirements of an impermeable pavement with sealed drainage system, or stored in sealed containers.

Two more storage bays were being constructed to the side of the main building. This area is on part of the site which drains to the surface water according to the Drainage Plan

drawing no 10944-001-F in your Fire Prevention and Mitigation Plan (FPMP). Please ensure that following construction of the bays, any waste stored in this area is stored on an impermeable pavement with sealed drainage system. Until such time as the drainage has been amended no waste should be stored on this area.

**ACTION: Once the work constructing new bays is complete, please update your drainage plan (including within the FPMP) and the site plan.**



### **Fines from RRF**

During the inspection it was noted that a pile of fines from the RRF had been removed from the building pending pick up from the site, which had been delayed, and were being stored on the area to the rear of the main building.

In reply to an email requesting information on 19 October, you confirmed on the drainage of the area. The surface waste run off from the area of the yard at the end of the building runs to the rear of the building where it falls through 2 silt traps prior to flowing into the lagoon.

**Ideally fines would not be stored outside prior to collection as this area does drain into the lagoon. Please ensure this is not done during wet weather and that if it is necessary to pull the fines out for collection, please ensure that the area is cleaned thoroughly after collection.**

You also confirmed that the fines are coded as 19 12 12 and are sent to 2 different landfill sites where the waste is used as daily cover. Both the sites have testing regimes in place for regular LOI Testing of Qualifying Fines.





Thank you for taking the time to accompany us 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 1<sup>st</sup> April 2013 and has, generally, taken over the responsibilities of the Countryside Council for Wales, the Forestry Commissioners and the Environment Agency for Wales.**

If you have any queries about this report, or to discuss completion of any actions, please contact the NRW Officer named above.

## 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 |
| Action only (X)   | Action only relating to the activity assessment                   |
| Ongoing (O)       | Ongoing non-compliance, not scored                                |

| Non-compliance category    | Description                                                                                                                 | Score |
|----------------------------|-----------------------------------------------------------------------------------------------------------------------------|-------|
| C1 Major                   | Potential to have a major, serious, persistent and/or extensive impact or effect on the environment, people and/or property | 60    |
| C2 Significant             | Potential to have a significant impact or effect on the environment, people and/or property                                 | 31    |
| C3 Minor                   | Potential to have a minor or minimal impact or effect on the environment, people and/or property                            | 4     |
| C4 No environmental impact | Non-compliance at a regulated site that cannot foreseeably have any impact on the environment, people and/or property       | 0.1   |

### 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.

**What are suspended scores?**

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 and Waste action criteria (used in section 1 and 2):****A: Permitted activities**

- A1 Specified by permit

**B: Infrastructure**

- B1 Infrastructure – Engineering for prevention and control of emissions
- B2 Infrastructure – Closure and decommissioning
- B3 Infrastructure – Site drainage engineering (clean and foul)
- B4 Infrastructure – Containment of stored materials
- B5 Infrastructure – Plant and equipment

**C: General management**

- C1 General management – Staff competency/training
- C2 General management – Management system and operating procedures
- C3 General management – Materials acceptance
- C4 General management – Storage, handling, labelling and segregation

**D: Incident management**

- D1 Incident management – Site security
- D2 Incident management – Accidents, emergency and incident planning

**E: Emissions**

- E1 Emissions – Air
- E2 Emissions – Land and groundwater
- E3 Emissions – Surface water
- E4 Emissions – Sewer
- E5 Emissions – Waste

**F: Amenity**

- F1 Amenity – Odour
- F2 Amenity – Noise
- F3 Amenity – Dust/fibres/particulates and litter
- F4 Amenity – Pests/birds and scavengers
- F5 Amenity – Deposits on road

**G: Monitoring and records, maintenance and reporting**

- G1 Monitoring and records, maintenance and reporting – Monitoring of emissions and environment
- G2 Monitoring and records, maintenance and reporting – Records of activity, site diary/journal/events
- G3 Monitoring and records, maintenance and reporting – Maintenance records
- G4 Monitoring and records, maintenance and reporting – Reporting and notification to Natural Resources Wales

**H: Resources efficiency**

- H1 Resource efficiency – Efficient use of raw materials
- H2 Resource efficiency – Energy efficiency

## Enforcement response

Any permit condition non-compliance 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 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](mailto: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](mailto: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.