

Compliance Assessment Report

Report ID:
CAR_NRW0032589

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

Site	Pen Y Fan Processing And Recycling Ltd	Permit Ref	GP3692LQ			
Operator/Permit holder	Pen Y Fan Processing And Recycling Ltd					
Regime	Waste Operations					
Date of assessment	06/12/2017	Time in	12:30	Out	13:00	
Assessment type	Site Inspection					
Parts of the permit assessed	All					
Lead officer's name	Bowder, Alex					
Accompanied by						
Recipient's name/position	Carl Davies/ Director	Date issued	12/12/2017			

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	
B1 - Infrastructure - Engineering for prevention and control of emissions	A	
B3 - Infrastructure - Site drainage engineering (clean and foul)	A	
B4 - Infrastructure - Containment of stored materials	A	
B5 - Infrastructure - Plant and equipment	A	
C1 - General Management - Staff competency/training	A	
C2 - General Management - Management system and operating procedures	A	
C3 - General Management - Materials acceptance	A	
C4 - General Management - Storage, handling labelling and Segregation	A	
F1 - Amenity - Odour	A	
F2 - Amenity - Noise	A	
F3 - Amenity - Dust/fibres/particulates and litter	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

Officer Alex BOWDER attended Pen-y-fan Processing & Recycling Ltd at Pond Lane, off Manmoel Lane, Oakdale, Blackwood, Gwent NP12 0HY on Wednesday 6th December at 12:30 to carry out a routine inspection of permit **EPR-GP3692LQ**. The weather was cold and dry at the time of visit. Met with Director Mr. Carl Davies and inspected the yard and the surrounding site boundary.

ACTIONS FROM LAST CAR FORM

No outstanding actions.

GENERAL SITE OBSERVATIONS

Waste types were adequately separated with clear pathways available to reach each aggregate pile. Material volumes in the yard were fine with no indication of exceeding the 75,000 tonnage allowance. No waste was seen to be stored outside the permitted boundary or to be piled in an unsafe manner.

Drainage channels were clear of sediment at the time of inspection - no oil or liquid was seen on the yard surface from machinery.

Site infrastructure was in decent condition with no obvious cracks or holes.

The transfer station is not in operation and does not look to be in the immediate future. Please notify us if these activities change.

WAMITAB

The business' Technically Competent Manager (TCM) is still Director Mr. Carl Davies. Please consider that when this qualification runs out the Continuing Competency is required to be completed every two years to validate the award status. This is a permit requirement set by the government for waste industry operations and so not having a valid, allocated TCM will breach your permit conditions.

Action: Please look to enrol on the WAMITAB Continuing Competency course by the next inspection.

ENVIRONMENT MANAGEMENT SYSTEM (EMS)

We spoke about the site's current Management System. In light of recent fire incidents across the catchment area, NRW have been focusing on site Fire Plans for operators and asking them to assess their current versions.

Your EMS should include a detailed Fire Plan for the yard - the section **5.11 Fire Prevention and Control** is quite broad and needs expanding. Although there are limited workers on the yard and staff are aware of procedures, this still needs to be implemented to ensure procedures are safeguarded.

Sent separately is the Fire Services' Mitigation Plan guidance for factors to address and include in your

plan.

Action: Please expand on Fire Plan section in EMS and submit to NRW for review.

WASTE RETURN DOCUMENTS

Waste returns are being submitted quarterly within the grace period. Please continue to keep this good habit.

I am pleased to see that the site is being managed well with set systems in place. Please continue this into the new year.

If you have any issues with this report please contact Alex Bowder on 0300 065 3394 or alex.bowder@naturalresourceswales.gov.uk

Thank you.

EPR Compliance Assessment Report

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Operator/Permit holder	Pen Y Fan Processing And Recycling Ltd	Date	06/12/2017

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.