

Compliance Assessment Report

Report ID:
CAR_NRW0017507

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

Site	Derwen Plant Company Ltd	Permit Ref	FP3893SF			
Operator/Permit holder	Derwen Plant Company Ltd					
Regime	Waste Operations					
Date of assessment	02/03/2016	Time in	11:30	Out	12:30	
Assessment type	Audit					
Parts of the permit assessed	General Site Familiarisation					
Lead officer's name	Wakeford, Sally					
Accompanied by	Davies, Gareth					
Recipient's name/position	Stuart Hanford & Mark Davies/ Directors	Date issued	27/05/2016			

Section 1 – Compliance Assessment Summary

This is based on the requirements of the permit under the Environmental Permitting Regulations. 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	
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	
F4 - Amenity - Pests/birds and scavengers	A	
F5 - Amenity - Deposits on road	A	

KEY: See Section 4 for breach categories, suspended scores will be indicated as such.

A = Assessed or assessed in part (no evidence of non-compliance), **N** = Not Assessed, **X** = Action only

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

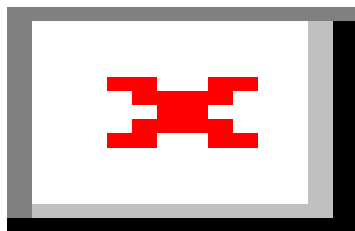
An unannounced inspection was conducted on the waste transfer station with refuse derived fuel production facility (RRF) on 2nd March 2016. The inspection as a general familiarisation visit for me as the new Regulating Officer.

Prior to the inspection of the facility we discussed some aspects of the business. The RDF is currently going to Sweden under two TFS'. The shipping containers of baled RDF get loaded at the RRF Facility, and transported directly to Sweden via Southampton, where they are unloaded from the container at the end facility. This ensures the bales are still intact with little impact to the calorific value from water ingress whilst being stored at a dockside.

NRW are currently focussing time on the fire risk at sites which are deemed to be "high" risk due to various factors. Your site has been highlighted as one of these due to the RDF production. You advised me you had received a visit from the FRS a few week previously, and provided me with the fire risk assessment which had been updated in January 2016. The equipment within the building is an Infrared aspirating system, which can detect heat build-up prior to fire actually starting. This is monitored 24 hours a day. There are heat sensors within the wood bays underneath the picking line to detect heat within the stockpiles.

I would like to conduct a site visit with FRS at some point in the near future, although at present I do not have any concerns regarding the building itself and the management of the waste on site, we would like to ascertain where fire water would go and the management of this. I will contact you to arrange this soon.

You have limits on the amount of RDF you can store at any one time, at the time of the inspection you were holding approximately one container load on site, with good stock rotation. The photographs below shows the stock of RDF on site at the time of the inspection



There is a very fast turn-around at site, with small stockpiles of waste. The management of these stockpiles (remaining small) is ideal. You are currently building new area outside the building to stockpile baled wastes.

Table S1.1 of your permit states:

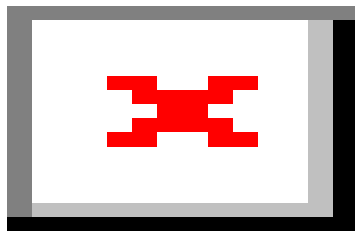
Wastes listed in Table S2.1A shall be

- *Treated within a building*
- *Stored within a building or secure container*
- *Stored and treated on an impermeable surface with sealed drainage.*

Wastes listed in Table S2.1B shall be

- *Stored and treated on a hardstanding or an impermeable surface with sealed drainage.*

Please be aware of the permit requirements for the storage outside of the building as above. You did, however, inform me the areas outside for storage are in structures made of concrete blocks and sheet roofing, and you that these are located on sealed drainage with the fall to the back of the structure. Which would be considered to be in compliance with the permit conditions. A photograph of these structures is shown below.

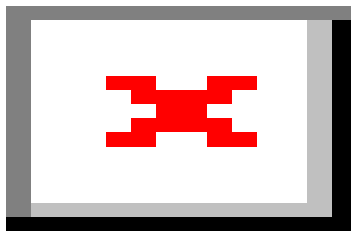
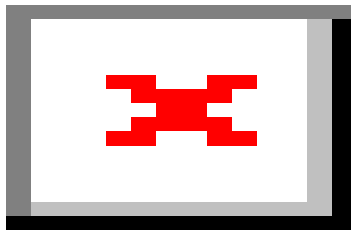
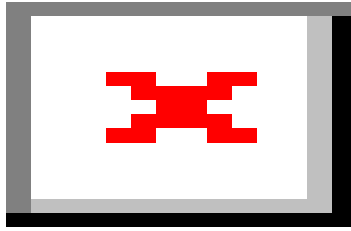


ACTION: Please provide me with drainage plans/layouts of these outside storage areas once they are available.

ACTION: Please ensure your management procedures reflect the operations occurring on site (outside storage). Please provide me with a copy of any amendments if required.

Thank you for taking the time to show us around the site, the site appears well managed and has an impressive piece of equipment which can produce very high recycling rates.

Further photographs from the site inspection:



Any compliance criteria not highlighted in the above summary should be considered as not assessed.

In this document 'Natural Resources Wales' means the Natural Resource Body for Wales established by Article 3 of the Natural Resource Body for Wales (Establishment) Order 2012.

END

EPR Compliance Assessment Report

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Site	Derwen Plant Company Ltd	Permit Ref	FP3893SF
Operator/Permit holder	Derwen Plant Company Ltd	Date	02/03/2016

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 reports should not be released to the public register(s) on the grounds of commercial confidentiality, you must write to your local area office within twenty 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.