

Compliance Assessment Report

Report ID:
CAR_NRW0032195

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 | 11/09/2017 | Time in | 10:30 | Out | 13:00 | |
| Assessment type | Audit | | | | | |
| Parts of the permit assessed | Permitted Operations | | | | | |
| Lead officer's name | Davies, Gareth | | | | | |
| Accompanied by | Downes, Damien,Willey, David | | | | | |
| Recipient's name/position | Stuart Hanford/ Director | Date issued | 25/09/2017 | | | |

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 | |
| B4 - Infrastructure - Containment of stored materials | A | |
| C2 - General Management - Management system and operating procedures | 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 | |
| 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 |
|------------------------------------|----------|---|----------|

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

Present

Stuart Hanford (SH) – Derwen Plant Company Limited (DPCL)

Mike Griffiths (MG) - Derwen Plant Company Limited

Glenn Shide (GS) – Green Triangle (GT)

Gareth Davies (GD) – Natural Resources Wales (NRW)

Damien Downes – Natural Resources Wales

David Willey – Natural Resources Wales

The purpose of the inspection was to assess compliance with the environmental permit EPR/FP3893SF held by DPCL.

Actions from last Compliance Assessment Report

All of the actions from the previous Compliance Assessment Report have been considered and actioned as required. There are no outstanding actions from the Compliance Assessment Report reference NRW0026714.

Fire Prevention and Mitigation Plan

DPCL were notified that NRW had updated its Fire Prevention and Mitigation Plan Guidance. Consideration should be given to this guidance when reviewing the current Fire Prevention and Mitigation Plan Guidance for the site. A copy of the copy is available via the link below

<http://naturalresources.wales/media/682525/guidance-note-16-fire-prevention-mitigation-plan-english.pdf>

It was confirmed that in the future DPCL's permit will be varied by NRW to include the requirement for a Fire Prevention and Mitigation Plan Guidance.

During the site visit a thermal imaging camera was used to take photographs of certain parts of the operations and equipment. These photographs and the corresponding image can be seen below.

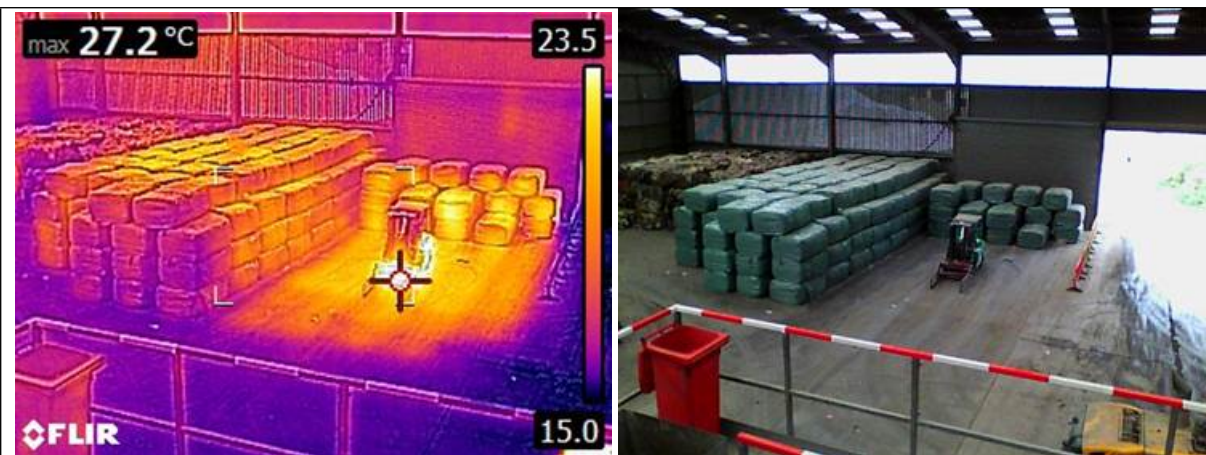


The photograph above shows the stockpile and the tele-handler machine used to manage the stockpile and feed the size-reducing machine, prior to entering the picking line. The stockpile did not show any signs on the surface of self-heating due to material being on site for extended periods of time. SH confirmed that they aim to clear the waste from the processing area by the end of each week. It should be noted that the tele-handler is powered by electricity and not diesel. This subsequent means that there are no hot exhausts on the machine, thus removing the risk of a fire being caused by a hot exhaust coming in to contact with the waste stockpile.

DPCL have operating procedures for any hot-works, such as welding carried out on site. They operate a permit to work system and there is always a trained member of staff observing the works to ensure there is no risk of fire.



The photographs above show the temperature that the motors reach while operating. Following the end of each day each the treatment process is run for 30 minutes without any waste being fed in to it. This ensure there is no waste within the treatment process that could come in to contact with any hot parts such as motors. DPCL also undertake deep cleans of the equipment on a weekly basis to ensure there isn't a build up of material within the process.



There were approximately 160 bales of refused derived fuel on site, with a container also on site ready to be loaded. DPCL take the business decision to send material to landfill to ensure that the stockpiles of refused derived fuel on site remain at a minimum.

Outside of normal operating hours, the fire alarm is linked to the burglar alarm system that is monitored by an external company.

Classification of Refused Derived Fuel as 19 12 10 versus 19 12 12

A discussions was had to further understand the classification of the material that is exported for use as a fuel. It should be noted that NRW has no concerns with the on-going use of the 19 12 10 for the export of material.

DPCL should consider undertaking their own assessment of the waste on site as they are the producer. This assessment should take in to account the standards that the receiving plant specify in terms of moisture, ash, metal paper content etc. Further to this the extra steps that are undertaken by DPCL to ensure the quality of the material is maintained and meets the receiving site standards should be documented. These include such steps as not accepting loads with large voumes of food waste and removing certain grades of plastic at the picking line.

DPCL receive inspections from the receiving site and an example of the cover sheet can be seen below.

Quality Control Report

| 1. Site details | | | | | |
|--|--------------------------------------|------------------------|-------------------------------|-------------------------------|--------------------------------|
| Site: | Derwen, Neath | | | | |
| Site Representative(s) present: | Katie Bevan | | | | |
| TFS No: | GB0001003430 | Movement No: | 1957/2000 | | |
| Physical / Photo Inspection: | Physical | Loading/Unloading: | Loading | | |
| Bertling Enviro Inspector(s) Present: | J. Rickards, Logical Waste Solutions | Bale Storage | INSIDE | | |
| Date of Inspection: | 09-08-2017 | Weather: | Dry | Temperature C | 13 |
| 1A. Inspection details | | | | | |
| Timings: | Time booked: | Loading started: | Loading finished: | Driver left site: | |
| | 09.00 | 08.55 | 10.00 | 10.17 | |
| Total Time Taken: | 1 Hours 22 Minutes | Container No. | MRKU5285487 | | |
| Weight Kg: | Container Tare: | Net Payload: | VGM: | GVW: | |
| | 3,810 | 25,340 | 29,150 | 42,240 | |
| No. Bales loaded: | 33 | Average Bale Weigh Kg: | 768kg | | |
| 2. Source & Quality of Material | | | | | |
| <p>Overview of Waste Site (Geographical catchment map at the end of the document – Section 10): The Derwen site in Neath, South Wales is a very efficient MRF, using state of the art technology to partially automate the sorting process, using 2 optical sorting lines, followed by a team of 16 pickers. The operation runs 24 hours per day and the quality of the material RDF produced is consistently high. The majority of waste coming in to the site is commercial, mainly collected using skips, roll on's and ejector trailers.</p> | | | | | |
| Waste Composition: | Domestic | 15 | 85 | Commercial >>>>> | Skips/Roll On 95 5 Trade Waste |
| Bales: | Condition / Integrity of Bales: | Excellent | | No. of Layers of Wrapping: | 8 |
| | Age of Bales Being Loaded: | Less than 24 hours | | Grade of Film Used (Microns): | 25 |
| Rejected Material: | No. Bales Rejected: | 0 | Reason for Rejection: | | |
| | Bales Quarantined?: | Y / N | Handling Process for Rejects: | | |

The code that the material is used when being sent to landfill should also be reviewed considering this isn't a different material with a different composition to that sent for export. An initial check of one of the landfills that the material is sent to showed that it is permitted to accept 19 12 10.

Business Management System (BMS)

GS of GT gave a demonstration of the DPCL's BMS. This is a system that is not specifically dedicated to compliance with the permit only, but incorporates this and all requirements for the DPCL's operations.

It was evident that the BMS is a live system and is used by DPCL to ensure that checks are done and where actions/improvements are required then these are carried out via prompts. A copy of the daily site checks on the RRF can be seen below.

| | | | | | | | | |
|---|-----|--|-----|-------|-----|-----|-----|--|
| Date: w/c 04/09/17 | | Note: Some observation(s) in respect of this inspection should either have a CAR or Accident Near Miss entry made on the BMS, where in doubt, please refer to the Site Manager or Compliance Officer. Please initial if acceptable, mark a cross where not acceptable, comment and initial. | | | | | | |
| Daily checks | Mon | Tues | Wed | Thurs | Fri | Sat | Sun | Comments: (please refer to day) |
| Outside storage bays | | | | | | | | |
| Is waste contained in the bay? | KB | KB | KB | KB | KB | | | |
| Drainage | | | | | | | | |
| Are they free flowing? | KB | KB | KB | KB | KB | | | Cleaned on 5/9/17 - KB |
| Refuelling area is clear of spillage and locked when not in use. | X | KB | KB | KB | KB | | | LOCK MISSING - KB |
| Security (Boundary & Gates) | KB | KB | KB | KB | KB | | | |
| Reinforced & Block Concrete Floors & Walls | KB | KB | KB | KB | KB | | | |
| Dust, noise & Odour Monitoring: AM | KB | KB | KB | KB | KB | | | Please comment if you believe it is also coming from neighbouring sites. |
| PM | KB | KB | KB | KB | KB | | | |
| EV | KB | KB | KB | KB | KB | | | |
| General housekeeping (consider bins, skips, facilities, pest control) | KB | KB | KB | KB | KB | | | (Please comment upon any other H&S or environmental issues) (Please also reference any unusual factors such as extreme weather) |
| Fire extinguishers | KB | KB | KB | KB | KB | | | |
| Spill Kits | KB | KB | KB | X | KB | | | Binicmen over needs topping up - KB |
| Litter (site free of clutter) | KB | KB | KB | KB | KB | | | |
| Daily checks carried out by: Kate Bajan Signed: KBajan | | | | | | | | |
| Weekly check comments: Weekly check first aid kits, emergency lighting and safe walkways, drain pump levels, re-fuelling tank level, spill kits, check fire hoses. Review the above, monitor and where necessary report checks on any commented upon areas. | | | | | | | | |
| Weekly checks completed by: _____ Signed: _____ | | | | | | | | |

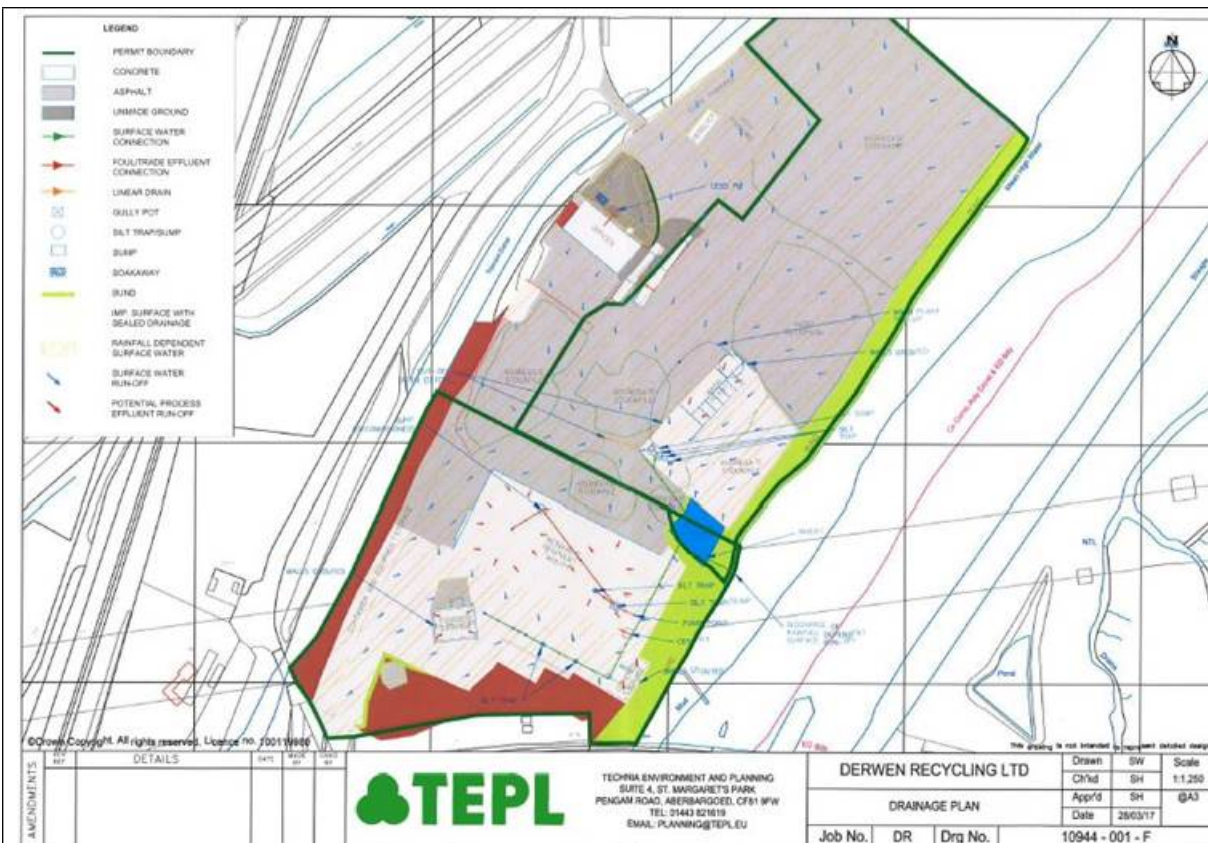
GS also showed the following elements of the BMS:

- Waste acceptance
- Duty of care checks for permitted operations accepting outgoing waste types.
- Fire Prevention and Mitigation Plan
- Stockpile rotation for aggregates facility

Dependant on the work undertaken by a member of staff will determine what training they receive and the frequency of any refresher training.

Drainage

An updated drainage plan was provided by SH for both the RRF and Aggregate washing facility, see below.



From an initial look and awareness of site layout, I have the following comments:

- Is the Legend for asphalt and unmade ground the other way round. It appears to show the car park and area around the office as hard standing and the rest of the site as asphalt. This should be the other way round.
- It would be beneficial that the term hard standing be used in place of unmade ground as this is the specification in the permit. The hard standing should be an engineered permeable surface.
- The covered storage areas in the RRF, do they have a sump where any water ingress will be directed to for collection?
- Can you confirm that it is the office, toilets and welfare facilities that is draining to the sump in the RRF building.
- Where does the rainfall related run-off from the RRF building go?

During the site tour all waste were being stored in accordance with the permit conditions. SH confirmed that they are awaiting Western Power to lay some electricity cables underground so that they can construct some further storage bays for processed waste.

Waste Returns

Discussions held on previously submitted waste returns. It was noted that some hazardous waste that was generated as part of the workshop had appeared on the waste returns. Any waste that is generated as part of day to day operations of the site and not imported under the environmental permits should not be included on the waste returns. DPCL confirmed that the waste returns would be amended. No further issues were identified with the waste returns.

DPCL agreed to provide the most recent copies of the Annex VII documents for wastes exported from the UK.

Any compliance criteria not scored above shall be considered as not assessed. END

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EPR Compliance Assessment Report

**Report ID:
CAR_NRW0032195**

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 | Date | 11/09/2017 |

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.