

Compliance Assessment Report

Report ID:
CAR_NRW0026717

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

Site	Derwen Plant Company Ltd	Permit Ref	GB3831AM			
Operator/Permit holder	Derwen Plant Company Ltd					
Regime	Waste Operations					
Date of assessment	24/11/2016	Time in	12:30	Out	13:00	
Assessment type	Audit					
Parts of the permit assessed	General Site inspection					
Lead officer's name	Wakeford, Sally					
Accompanied by	Morgan, David					
Recipient's name/position	Stuart Hanford/ Director	Date issued	04/01/2017			

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	C3 - Suspended	1.1.1
C2 - General Management - Management system and operating procedures	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	1	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

A site inspection of Derwens Washplant/Aggregates Recycling was undertaken by David Morgan and Sally Wakeford on 24 November 2016.

A1 – General Permitted activities : specified by permit, Permit Condition 1.1.1(a) – CAT 3 breach – SUSPENDED.

You have been given a suspended CAT 3 breach for the above permit condition, because during our inspection it was noted that waste had been stored not in line with your Environment Management System – namely the large stockpile of waste soils/fines from the washplant process.

The same condition was scored against on CAR form NRW0018548 dated 27/05/2016. Action required involved outlining how you actively intend to meet this requirement of the permit/Environment Management System. This could include any projects which have been approved for use, rotation of stock to ensure that the oldest is used first etc. You provided information prior to the deadline, and we are currently in discussion around the removal of the older waste, and stock rotation going forward.

At present the waste is currently still on site, the management system has yet to be amended, however you are actively reducing the stockpile and providing information on how the waste will be managed in the future. Therefore the score on this CAR form for this compliance year has been suspended.

Actions from last CAR form:

Please provide details of maintenance of drainage system including maintenance of silt traps and removal of silt from the lagoon. – Please confirm, awaiting information.

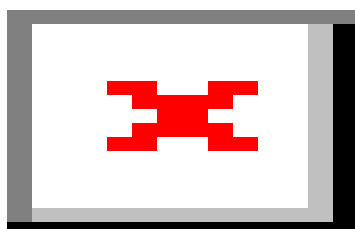
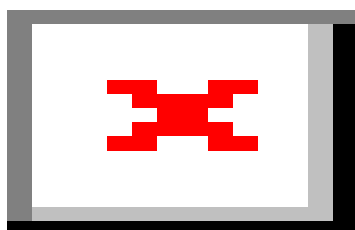
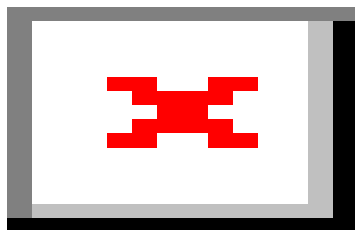
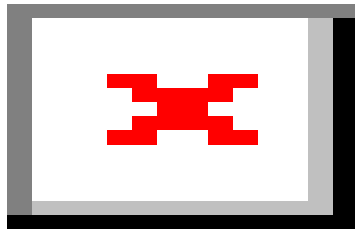
- **Inspection of impermeable pavement inspection** - please confirm when last inspection occurred.

Noise complaints

We have recently been informed of a couple of noise complaints regarding the site. Derwen has been made aware of the complaints prior to us, however you are actively trying to understand if the noise being complained about is emanating from your site or elsewhere. You are undertaking noise monitoring through a consultant (Stuart Watcham) who is completing the monitoring to BS 4142:2014. We would be interested in seeing the report once it is completed.

We have a meeting arranged for 01 December 2016, as shall discuss these matters in more detail.

Thank you for your time during the inspection.



EPR Compliance Assessment Report

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Operator/Permit holder	Derwen Plant Company Ltd	Date	24/11/2016

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			
A1	C3	Outline how you actively intend to meet this requirement of the permit/EMS	30/03/2017

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.