

Compliance Assessment Report

Report ID:
CAR_NRW0033351

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

Site	Derwen Aggregates Ltd	Permit Ref	GB3831AM			
Operator/Permit holder	Derwen Aggregates Ltd					
Regime	Waste Operations					
Date of assessment	02/05/2018	Time in	10:00	Out	13:30	
Assessment type	Audit					
Parts of the permit assessed	see below					
Lead officer's name	Wakeford, Sally					
Accompanied by	Bacon-Weekes, Liane,Davies, Gareth					
Recipient's name/position	Staurt Hanford/ Director	Date issued	15/05/2018			

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	
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	

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

The site was inspected on 02/05/2018 by Sally Wakeford, Liane Bacon-Weekes and Gareth Davies. In attendance were Stuart Hanford and Glen Shide & Tony Crotty from Green Triangle.

Fire Prevention and Mitigation Plan

The Fire Prevention and Mitigation Plan condition has been added to the permit for the washplant in error. The condition will be removed in due course. Derwen Aggregates Limited (Derwen) will be notified when this happens.

Table S1.3 Improvement Programme Requirements states the operator shall submit a written Fire prevention and mitigation plan to NRW for approval within 3 months or otherwise agreed in writing with NRW. Derwen will not be required to submit a FPMP at this time as the condition will be removed from the permit.

Filter cake stockpile

It was noted that the stockpile of filter cake had reduced, and Stuart informed me that the entire stockpile had been removed in October/November last year. What is currently in stock is that which has been produced since. I was informed the filter cake has been taken to Tir John Landfill for restoration and capping and Trecatty Landfill for the Asbestos cell development works, and that the landfills will be opening again soon to complete further works.

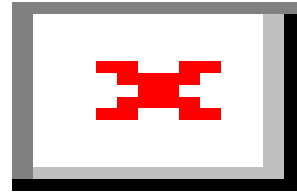
When removing the filter cake, it was discovered that underneath the stockpile were wastes which had not yet been through the washplant. This waste will go through the washplant at Derwen's earliest convenience. This waste will have been on site for quite some time and should be treated as soon as possible.

At the time of the inspection there was a back log of waste on site due to a mechanical breakdown of plant. The plant is now back up and running and should start making headway through the remaining wastes quickly.

Derwen indicated the written management system had been updated with the stockpile rotation plan.

ACTION: Provide the updated written management system reflecting the proposed filter cake stockpile rotation plan and time limits for when waste will remain on site by 8th June 2018.

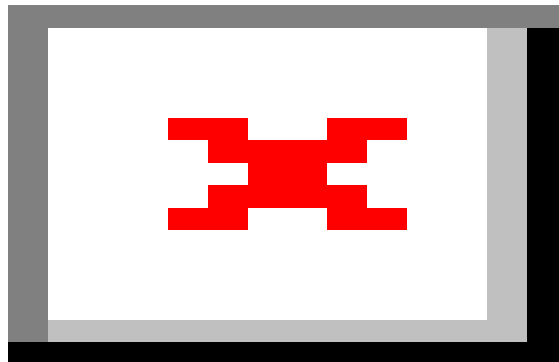
Photographs showing current stockpile of filter cake:



It was noted that at the boundary of the site the area which was being walked upon was higher (see photograph) than the surrounding land and where the fence along the northern edge of the site is situated. Derwen's

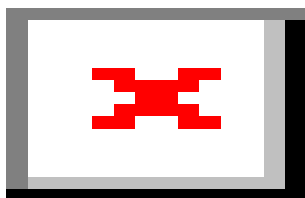
ACTION: Please provide any information you have on the height of made ground within the site compared to the surrounding land and level of the washplant (e.g. engineering drawings/old photographs of site etc) by 8th June 2018.

Photograph showing height of waste underfoot compared with ground level and fenceline at NE corner of the site:

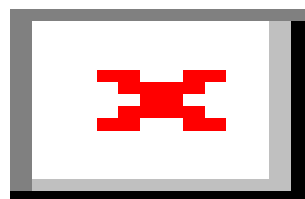
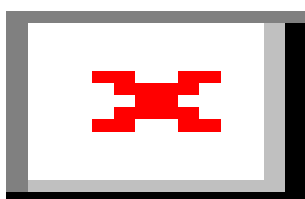


Further photographs of the site inspection:

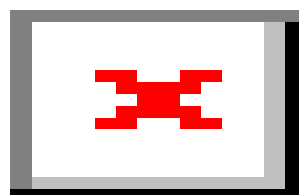
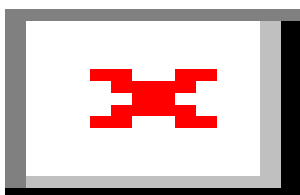
Filter Cake:



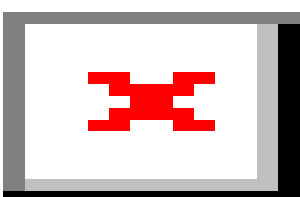
Input feed stock for washplant:



Outputs from wash plant



Residual wastes which are left over following the process which go to Derwen Recycling Limited permitted site.



Thank you to your and your colleagues for accompanying 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 Natural Resources Body for Wales established by Article 3 of the Natural Resources Body for Wales

(Establishment) Order 2012.

END

EPR Compliance Assessment Report

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CAR_NRW0033351**

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Site	Derwen Aggregates Ltd	Permit Ref	GB3831AM
Operator/Permit holder	Derwen Aggregates Ltd	Date	02/05/2018

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 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.