

Compliance Assessment Report CAR_NRW0039193

Permit being assessed: CB3095FL.

For: Perdue Recycling Ltd, held by PERDUE RECYCLING LTD

At: Kemys Way, Gas Works Industrial Estate, Gas Works Industrial Estate, Swansea Enterprise Park, Swansea, SA6 8QF.

Type of assessment carried out: Site Inspection, Reason: Routine.

On 17/01/2022 between 10:00 and 11:15.

Parts of permit assessed: A, B, C, D, F, G

NRW Lead Officer: David Morgan.

Report sent to: Terry Perdue, Site Manager on 24/01/2022.

1. Summary of our findings (full details in section 4)

Part of permitted activity assessed (criteria)	Assessment result	Permit condition
D2 - Incident Management - Accidents, emergency and incident planning	C3 Minor	3.4.1
G4 - Monitoring and Records, Maintenance and Reporting - Reporting and notification to Natural Resources Wales	C4 No impact	4.2.2
A1 - Specified by permit	Assessed (A)	
B4 - Infrastructure - Containment of stored materials	Assessed (A)	
B1 - Infrastructure - Engineering for prevention and control of emissions	Assessed (A)	
B3 - Infrastructure - Site drainage engineering (clean and foul)	Action only (X)	
C1 - General Management - Staff competency/training	Assessed (A)	
C3 - General Management - Materials acceptance	Assessed (A)	
C4 - General Management - Storage, handling labelling and Segregation	Assessed (A)	
F1 - Amenity - Odour	Assessed (A)	
F2 - Amenity - Noise	Assessed (A)	
F3 - Amenity - Dust/fibres/particulates and litter	Assessed (A)	
F4 - Amenity - Pests/birds and scavengers	Assessed (A)	
F5 - Amenity - Deposits on road	Assessed (A)	

Result types are explained in more detail in the 'Important Information' section below.

Total number of non-compliances recorded	Total non-compliance score
2	4.1

How we use the non-compliance score to calculate your annual fee is explained in the 'Important Information' section below.

2. What action is required?

Criteria	Action needed	Complete by
D2	You must submit a Fire Prevention and Mitigation Plan that complies with relevant guidance	04/04/2022
G4	You must submit all outstanding Waste Return information	04/04/2022
B3	Please produce drainage plans for the site	04/04/2022

Action criteria codes are listed in the 'Important information' section below.

3. What will happen next?

Any non-compliance we have identified and recorded on this form is an offence. It can result in criminal prosecution and/or suspension or revocation of your permit.

At this time, we do not intend to take any further action.

This statement does not stop us from taking additional enforcement action if further relevant information comes to light or offences continue.

4. Details of our assessment

A routine site inspection was undertaken on Monday 17th January 2022. Present at the time of the site inspection were David Morgan (NRW) and Terry Perdue (Site Manager, Perdue Recycling).

This is the first regulatory compliance inspection since the Environmental Permit (EPR/CB3095FL) was issued on 24th March 2021.

This report contains: a record of topics discussed in the site meeting, observations following an inspection of the operations on site, a record of non-compliances identified, a summary of the inspection and list of actions that you must complete.

Site Meeting

During the inspection, the following topics, related to general operation of a permitted waste facility, were discussed with the Site Manager:

Technical Guidance - guidance document 'How to Comply with Your Permit' was discussed and Site Manager confirmed this guidance had been read and had informed the development of the Environmental Management System (EMS) for the site. This guidance can be found using the following link to our website:

[Natural Resources Wales / Guidance to help you comply with your Environmental Permit](#)

Environmental Management System (EMS) - A copy of the EMS was made available on site. Natural Resources Wales will review this document at some point and provide feedback. It was noted that some information from the EMS was missing or in draft version (site layout etc.).

Technical Competence - It is noted that Mr. Peter Jones is the Technical Competent

Manager (TCM) for the site. Please provide copies of certification/continuing competency.

Waste Returns - Waste Returns were discussed and Site Manager had full understanding of requirements. It has been suggested that the TCM for the site completes the Waste Returns. Having reviewed Natural Resources Wales' records, Waste Returns information has not been submitted since the site became operational (24th March 2021). This will be recorded as a non-compliance of the Environmental Permit (detailed below).

The following link will take you to the 'Waste Returns' section of our website. This contains further information about Waste Returns (format, deadline dates etc.): [Natural Resources Wales / Submit your waste return](#)

Compliance Classification Scheme (CCS) & Compliance Assessment Report (CAR) - We discussed the compliance scoring system and how non-compliance can impact subsistence fees. It is noted that the TCM is the lead for accepting and actioning findings in CAR forms.

Public Register - A brief discussion was had regarding the documents that will be placed on the public register. This includes copies of the Environmental Permit and Compliance Assessment Reports (after 14 days of issue).

Natural Resources Wales' public register can be viewed by following this link: [Natural Resources Wales / Search / public register](#)

Other topics related to Environmental Permit - Up to date training records for site staff were provided as part of the EMS. The site's Fire Prevention and Mitigation Plan was incomplete. The Environmental Permit requires all activities on site to be operated in accordance with a Fire Prevention and Mitigation Plan. This will be recorded as a non-compliance of the Environmental Permit.

A brief discussion was held regarding the process for applying to **vary, transfer and/or surrender** the Environmental Permit.

Site Inspection

An inspection of the operational areas of the site was undertaken and the following observations were made:

The majority of operations take place within the building on site. Waste is deposited and sorted within the building. Operations within the building appeared to be well organised and wastes were clearly segregated.

All waste on site appeared to be compliant with the list of acceptable wastes in the Environmental Permit.

At the time of the inspection, there was some waste being stored outside in the yard, although the majority of this was in skips. The Environmental Permit (Condition 2.3 - 'Operating Techniques') states the following regarding the storage and treatment of waste on site:

Table 2.3 Operating techniques

1. Unless stored or treated outside as specified waste³:
 - a) all bulking, transfer or treatment of waste shall be carried out inside a building;
 - b) all waste shall be stored in a building or within a secure container.
 - c) all waste shall be stored and treated on an impermeable surface with sealed drainage system.
2. Specified waste shall be stored and treated on hard standing or on an impermeable surface with sealed drainage system.

A list of specified wastes can be found under Condition 4.4 ('Interpretation') of the Environmental Permit. At the time of the inspection, some waste was being stored outside in skips. Please review outside storage practices to ensure they continue to be compliant with the Environmental Permit.

The site surfacing in the operational areas of the site appears to be impermeable concrete and in very good condition. The outside areas of the site are served by drains running along the front of the building.

Can you please provide drainage plans for the site. As is required by the permit, waste can only be stored/treated within a building or in areas of the site that benefit from hardstanding surface or an impermeable surface **and sealed drainage system**.

Operations did not appear to be having a detrimental impact on the local amenity. General housekeeping appeared to be of a sufficient standard with no litter, waste, dust etc. escaping the site.

Record of Non-compliance

Following the inspection and site meeting, non-compliances with the Environmental Permit were identified. These non-compliances with the permit must be rectified by the date stated in the table overleaf.

A non-compliance was recorded against Condition 3.4.1 of the Environmental Permit (Category 3 - Minor)(Ref:D2)

To become compliant with this condition operations must be undertaken in accordance a full written Fire Prevention and Mitigation Plan that is in line with relevant guidance. Please ensure the FPMP is completed and submitted to Natural Resources Wales' South West Waste Regulation Team (wasteregulation.swwales@cyfoethnaturiol.cymru). I request that this action is completed by **Monday 4th April 2022**.

A copy of the relevant guidance can be found by using this link: [Guidance No. 16 Fire prevention and mitigation plan - waste management \(naturalresources.wales\)](#)

A non-compliance was recorded against Condition 4.2.2 of the Environmental Permit (Category 4 No Impact)(Ref: G4)

Natural Resources Wales records indicate that Waste Returns have not been submitted since the site began operating (March 2021). You must ensure Waste Returns information

is submitted to Natural Resources Wales by **Monday 4th April 2022**.

Summary

This was the first site inspection by Natural Resources Wales since the Environmental Permit was issued on 24th March 2021.

Generally, operations appeared to be largely compliant with the Environmental Permit. All waste complied with the list of acceptable wastes, and was clearly sorted and segregated.

Operations were not having a detrimental impact on the local amenity. No litter or waste was escaping the site and the access to the site was free from mud, dust and other debris.

Non-compliances were recorded as the Fire Prevention and Mitigation Plan for the site was incomplete and Waste Returns data has not been submitted since operations began.

Actions

You are required to:

1. Address non-compliances (FPMP & Waste Returns) by **Monday 4th April 2022**
2. Submit drainage plans for the site by **Monday 4th April 2022**
3. Provide certificates of technical competence/continuing competence by **Friday 4th February 2022**
4. Provide the current copy of the Environmental Management System (EMS) in email by **Friday 4th February 2022**

Thank you for your time during the inspection.

If you have any queries about this report, or to discuss completion of any actions, please contact the NRW Officer named above.

Important information

Legal status of this report

Your permit is issued to you under the Environmental Permitting Regulations. You have a responsibility to comply with the conditions of your permit and prevent pollution/harm of the environment. You must also ensure that you comply with any other relevant legislation that may apply to your site's operations.

This report explains the findings of our assessment and any action you are required to take. We categorise non-compliance using our guidance for assessing non-compliance at regulated sites.

When we find potential non-compliance/s we will normally give you advice on how to maintain compliance.

To correct non-compliance, we may:

- require you to take specific actions
- issue a notice
- review the conditions of your permit.

Any advice and guidance we give will be without prejudice to any other enforcement response that we consider may be required.

Assessment results and non-compliance categories (used in section 1):

Assessment result	Description
Assessed (A)	Assessed or assessed in part, no evidence of non-compliance found
Action only (X)	Action only relating to the activity assessment
Ongoing (O)	Ongoing non-compliance, not scored

Non-compliance category	Description	Score
C1 Major	Potential to have a major, serious, persistent and/or extensive impact or effect on the environment, people and/or property	60
C2 Significant	Potential to have a significant impact or effect on the environment, people and/or property	31
C3 Minor	Potential to have a minor or minimal impact or effect on the environment, people and/or property	4
C4 No environmental impact	Non-compliance at a regulated site that cannot foreseeably have any impact on the environment, people and/or property	0.1

How we use assessment scores

The number and severity of non-compliances recorded in a year will affect your annual subsistence fee the following year. A non-compliance factor is added to your site's Operator

Performance Risk Appraisal (OPRA) score when we calculate your fee to reflect the additional resource we use to assess permit compliance.

What are suspended scores?

In line with our guidance, we may suspend scores for up to six months to allow time for remedial action to be taken. Suspended scores will be re-instated if the action is not completed.

Full list of Industry and Waste action criteria (used in section 1 and 2):**A: Permitted activities**

- A1 Specified by permit

B: Infrastructure

- B1 Infrastructure – Engineering for prevention and control of emissions
- B2 Infrastructure – Closure and decommissioning
- B3 Infrastructure – Site drainage engineering (clean and foul)
- B4 Infrastructure – Containment of stored materials
- B5 Infrastructure – Plant and equipment

C: General management

- C1 General management – Staff competency/training
- C2 General management – Management system and operating procedures
- C3 General management – Materials acceptance
- C4 General management – Storage, handling, labelling and segregation

D: Incident management

- D1 Incident management – Site security
- D2 Incident management – Accidents, emergency and incident planning

E: Emissions

- E1 Emissions – Air
- E2 Emissions – Land and groundwater
- E3 Emissions – Surface water
- E4 Emissions – Sewer
- E5 Emissions – Waste

F: Amenity

- F1 Amenity – Odour
- F2 Amenity – Noise
- F3 Amenity – Dust/fibres/particulates and litter
- F4 Amenity – Pests/birds and scavengers
- F5 Amenity – Deposits on road

G: Monitoring and records, maintenance and reporting

- G1 Monitoring and records, maintenance and reporting – Monitoring of emissions and environment
- G2 Monitoring and records, maintenance and reporting – Records of activity, site diary/journal/events
- G3 Monitoring and records, maintenance and reporting – Maintenance records
- G4 Monitoring and records, maintenance and reporting – Reporting and notification to Natural Resources Wales

H: Resources efficiency

- H1 Resource efficiency – Efficient use of raw materials
- H2 Resource efficiency – Energy efficiency

Enforcement response

Any permit condition non-compliance is an offence and we may take legal action against you. Action we take can include prosecution, serving a notice on you and/or suspension or revocation of your permit. See our Enforcement and Sanctions Guidance for further information.

Data protection notice

You should make sure that anyone named in this report knows that the information it contains will be processed by Natural Resources Wales to fulfil its regulatory and monitoring functions and to maintain the relevant public register(s).

We may also use and/or disclose the report in connection with:

- offering or providing you with our literature or services relating to environmental matters
- consulting with the public, public bodies and other organisations (e.g. 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 our service
- Freedom of Information Act or Environmental Information Regulations requests.

We may also pass it on to our agents or representatives to do these things on our behalf.

Disclosure of information – this report will be available to view on-line

If you think this report contains commercially confidential information that should not be placed on our public register, you must contact your local Natural Resources Wales office within **fifteen working days** of receiving this report, using the contact details in the accompanying email or letter. You must give a full explanation of why it should not be added to our public register, including specifying which information is commercially confidential. We will assess your request and respond to you within 20 working days to let you know if we agree to your request.

What do I do if I disagree with the report or have a complaint?

If you disagree with this compliance assessment report, you should contact the lead officer without delay to discuss your concerns.

If you are unable to resolve the issue with the lead officer or their line manager you should contact our Customer Contact team on 0300 065 3000 (Monday to Friday 08:00 – 18:00), or email enquiries@naturalresourceswales.gov.uk for details of how to raise your dispute further through our Complaints and Commendations procedure.

If you are dissatisfied with our response, you can contact the Public Services Ombudsman for Wales by phone on 0300 7900203 or by email at ask@ombudsman.wales

Welsh Language Standards

We are committed to establishing Natural Resources Wales as a naturally bilingual organisation. We will provide compliance reports in your preferred language.