



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

Site	Fenestration Recycling Ltd	Permit Ref	34202		
Operator/ Permit holder	Fenestration Recycling Company Ltd				
Date	08/05/2014	Time in	10:30	Out	11:40
What parts of the permit were assessed	Site security, product segregation, permitted activities				
Assessment	Site Inspection	EPR Activity:	Installation	Waste Op	X Water Discharge
Recipient's name/position	Barrie Cotterell - TCM				
Officer's name	Alun Thomas	Date issued	27/05/2014		

Section 1 - Compliance Assessment Summary

This is based on the requirements of the permit under the Environmental Permitting Regulations. A detailed explanation and any action you may need to take are given in the "Detailed Assessment of Compliance" (section 3). 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

Condition(s) breached

a) Permitted activities	1. Specified by permit	A	
b) Infrastructure	1. Engineering for prevention & control of pollution	N	
	2. Closure & decommissioning	NA	
	3. Site drainage engineering (clean & foul)	N	
	4. Containment of stored materials	A	
	5. Plant and equipment	A	
c) General management	1. Staff competency/ training	A	
	2. Management system & operating procedures	A	
	3. Materials acceptance	A	
	4. Storage handling, labelling, segregation	A	
d) Incident management	1. Site security	C3	3.2.1
	2. Accident, emergency & incident planning	A	
e) Emissions	1. Air	A	
	2. Land & Groundwater	A	
	3. Surface water	A	
	4. Sewer	A	
	5. Waste	A	
f) Amenity	1. Odour	A	
	2. Noise	A	
	3. Dust/fibres/particulates	A	
	4. Pests, birds & scavengers	A	
	5. Deposits on road	A	
g) Monitoring and records, maintenance and reporting	1. Monitoring of emissions & environment	N	
	2. Records of activity, site diary, journal & events	A	
	3. Maintenance records	N	
	4. Reporting & notification	A	
h) Resource efficiency	1. Efficient use of raw materials	N	
	2. Energy	N	

KEY: C1, C2, C3, C4 = CCS breach category (* suspended scores are marked with an asterisk),

A = Assessed (no evidence of non-compliance), N = Not assessed, NA = Not Applicable, O = Ongoing non-compliance – not scored

Number of breaches recorded	1	Total compliance score (see section 5 for scoring scheme)	4
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If the Total No Breaches is greater than zero, then please see Section 3 for details of 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 (e.g. 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 suspended or consolidated scores.
- details of advice given
- any other areas of concern
- all actions requested
- any examples of good practice.
- a reference to photos taken

This report should be clear, comprehensive, unambiguous and normally completed within 14 days of an assessment.

The site inspection was carried out in the company of John Lovegrove & Stephen Hemmings. Dave Evans was unable to attend due to traffic congestion on the M4.

The weather condition at the time of the inspection was strong wind and heavy rain.

Upon arriving on site I was informed by Jon Lovegrove (JL) that the company have now welcomed aboard 2x new directors of the company; Stephen Hemmings & Sam Hemmings. The addition of Stephen & Sam Hemmings occurred in January 2014. Taking this information into account the company is now made up of the following 4 company directors; Dave Evans, Jon Lovegrove, Stephen & Sam Hemmings.

I was informed that Dave Evans (DE) had already notified Natural Resources Wales of this amendment to the structure of the company in line with your permit. To date we have yet to formally receive this notification. Could you please ensure that these updates are applied to the site Working Plan etc to reflect this new development.

The following was discussed and observed during the inspection;

The site was reasonably clean & tidy (**Photo 1**).

The volume of waste on site appeared to be near the sites total permitted limit of 100 Tonnes (**Photo 2**).

There was a section of waste being removed during the site inspection (**Photo 3**). This was being taken to Derwen.

The site security was in a particularly poor condition (**Photo 4**). This has been an ongoing concern for a considerable amount of time. JL explained that the security fencing is due to be repaired/replaced before the end of July 2014. I explained that this is a breach of the permit which states;

"3.2 Site Security 3.2.1 - Site security systems shall be provided at all times during the subsistence of this license, the objective of which shall be to prevent access by humans and livestock which is not authorised either by the License Holder or under legal powers of entry. These shall be installed, operated and maintained, and shall be fully documented and recorded, in accordance with section WP/3.001 and WP/3.200 of the working plan"

Section WP/3.00 of the site Working Plan states; "...Any breaks in the fencing are repaired on the same day to ensure security. Daily inspections of the site perimeter fencing and gates are recorded in the site diary; the site will remain locked when unmanned."

This has been recorded as a CCS3.

Stephen Hemmings is to undergo WAMITAB training along with a member of site staff on site. Barrie Cotterell is still the site' TCM.

New electronic weighbridge & CCVTV is due soon at the site.

New Hammer Mill is due to arrive by the end of August 2014.

JL explained that the intention is to install a number of push walls on site to enable efficient segregation of product & waste etc. I explained that this would be a good way of ensuring that product & waste are kept apart however caution must be exercised when loading & unloading from these bays to ensure that the product does not overspill into the areas between the bays and perimeter fencing (**Photo 5**). This work is due to start imminently.

JL explained that the brown plastic product is soon to be processed and subsequent future storage of the brown plastic product would be within a pre-defined push wall bay.

I reminded JL & SE the importance of ensuring that the site remains within the site' 100 Tonne permitted limit.



Photo 1: The yard was clean & tidy during the inspection



Photo 2: The site must be kept within it's permitted tonnage total of 100 Tonnes



Photo 3: Waste pile being removed during the visit



Photo 4: Despite previous concerns the site security fencing was in a particularly poor condition



Photo 5: Caution must be exercised when loading & unloading from the push wall bays to ensure that the product does not overspill into the areas between the bays and perimeter fencing



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Section 3- Enforcement Response

Only one of the boxes below should be ticked

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.

X

In respect of the above non-compliance you have been issued with a warning. At present we do not intend to take further enforcement action. This does not preclude us from taking additional enforcement action if further relevant information comes to light or offences continue.

We will now consider what enforcement action is appropriate and notify you, referencing this form.

Section 4- Action(s)

Where non-compliance has been detected and an enforcement response has been selected above, this section summarises the steps you need to take to return to compliance and also provides timescales for this to be done.

Criteria Ref.	CCS Category	Action Required/Advised	Due Date
See Section 1 above			
D1	C3	Ensure that the site security fencing is repaired and/or replaced by the agreed date (end of July 2014) in line with the permit.	31/07/14

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 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 which 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 fulfill 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 (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 and taking any resulting action
- preventing breaches of environmental law
- assessing customer service satisfaction and improving its service
- Freedom of Information Act/Environmental Information 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 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 the officer's line managers. 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.