

Compliance Assessment Report

Report ID:
CAR_NRW0032196

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

Site	Paperback Collection & Recycling Ltd	Permit Ref	JB3932RM		
Operator/Permit holder	Paperback Collection & Recycling Limited				
Regime	Waste Operations				
Date of assessment	18/09/2017	Time in	13:00	Out	14:45
Assessment type	Site Inspection				
Parts of the permit assessed	Storage, handling, labelling and segregation. Management system and operating procedures.				
Lead officer's name	Challender, Paul				
Accompanied by	Geraint Hughes (NWFRS)				
Recipient's name/position	Gordon Anderson/ Managing Director	Date issued	28/09/2017		

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
C2 - General Management - Management system and operating procedures	C3	Permit Condition 1.1.1, Fire Prevention Plan 5.1
	X	

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)	4
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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

This was an unannounced inspection visit to the site by Environment Officer (EO) Paul Challender in the company of Geraint Hughes. Mr Hughes is a representative of North Wales Fire and Rescue service currently seconded to Natural Resources Wales (NRW) to assist NRW in its work in preventing fires at waste sites. As such the inspection visit was limited to the storage situation in the external yard of Paperback Collection & Recycling Ltd and the current format and contents of the company's Fire Prevention and Mitigation Plan (FPMP) which was produced in September 2016 and written to conform with Technical Guidance Note 7.01 (TGN7.01).

Prior to entering the site EO Challender and Geraint Hughes viewed the rear of the storage yard from the public cycle way to the rear of the site. The volumes of sorted and baled waste currently on site prevent access to the perimeter fence and the rear of the yard from on site. The levels of waste and the condition of the stacks and bales are the same as reported in the previous Compliance Assessment Report (CAR_NRW0031827) with old and torn wrapping and well established and extensive vegetation growing from the bales. The stacks have also become unstable and collapsed in places. In addition, some bales have completely lost their wrapping. It was observed that the waste that had fallen outside the permitted area previously had been cleared as per previous email communication; thank you for completing this action.

On site after preliminary introductions; we inspected the external yard where the issues were discussed with the operator Mr Gordon Anderson. Mr Hughes had reviewed the site's FPMP prior to the visit and has highlighted several concerns.

The September 2015 Fire Prevention Plan which was submitted during the last permit variation contains a yard layout plan which was proposed to be in effect by December 2016. The proposed layout contained discrete stacks with regular fire breaks. This layout has not been achieved. Furthermore, the document has not been updated in line with the attached Fire Prevention and Mitigation Plan Guidance – Waste Version 2 (<https://naturalresources.wales/media/682159/eng-guidance-note-16-fire-prevention-mitigation-plan.pdf>) which has replaced TGN7.01. The volumes of stored baled plastic and SRF in the yard area is huge with very little if any appreciable separation. Stack size is greater than the recommended 4 metres or 4 bales high (whichever is lower) stated in FPMP Guidance – Waste v2. Should a fire occur towards the rear of the stack this would hinder firefighting operations as there is no vehicular access to the rear. North Wales Fire and Rescue Service would have to depend on hose lines operating from the cycle path with the need for an aerial appliance in the yard however, this could hamper the safe operation of the operator's forklift trucks or other plant when removing bales not involved in the fire to a quarantine area to allow for firefighter access to burning material. There is the risk for a deep-seated fire to travel unseen by crews; spreading to the majority of the stack. The length of the stack and its proximity to adjacent premises could pose a risk to the factory unit next door. Reference to Graph 2 in the FPMP Guidance – Waste v2 suggests that with the current size of the stack the separation distance to the adjacent premises should be 25 metres which it is not. The plans in the permitted site's current FPMP also do not include a compass rose indicating north or prevailing wind direction.

Mr Hughes provided advice to Mr Anderson regarding stack sizes and the problems that that the excessive volumes pose to managing a waste fire on the site. Mr Hughes also emphasised the need to reduce stack sizes in line with the latest NRW FPMP Guidance to conform with the parameters contained within the document. In addition, it was requested that the current FPMP for Paperback Collection and Recycling is updated to ensure compliance with the guidance as presented in NRW's Fire Prevention and Mitigation Plan Guidance – Waste Version 2. Mr Anderson was receptive to the advice provided by Mr Hughes and was happy to progress the document in line with the new guidance.

During the visit site operatives were actively processing waste within the building. Also, baled and wrapped material waste was being moved from inside the building and being stacked in the yard further adding to the total volume of externally stored waste. There has been no obvious reduction in stock levels or reorganisation of the waste stack to access previously identified bales with failed wrapping or to restack areas where the stack has collapsed.

The following breaches to the permit have been recorded:

(C2) Management system and operating procedures. Permit Condition 1.1.1, Fire Prevention Plan 5.1. CCS Score 3.

Permit condition 1.1.1 states that the operator should manage and operate the activities on site in accordance with a written management system that identifies and minimises risks of pollution; the Fire Prevention Plan forms part of this system. The existing Fire Prevention Plan was written to conform with TGN7.01 with the standards contained within it achieved by December 2016. Section 5.1 of the Fire Prevention Plan details the standard for the External Yard. The storage of bales in the External Yard does not conform to Section 5.1, Table 2 or the plans within Appendix 3 apart from the maintenance of a 15 metre stand-off of waste storage from the building. The stack is one continuous stack with no separation to mitigate against the spread of fire which will also limit the access of fire fighters and firefighting equipment. The volume of waste is also causing storage and stock rotation issues. The stock pile has become unstable and has collapsed in areas particularly at the rear of the yard adjacent to the

perimeter fence and the wrapping of several bales have failed. No operation has yet commenced to access the stockpile to restack the bales or to access the damaged waste bales to re-bale and re-wrap. Indeed, during the inspection wrapped bales were being added to the stockpile. The operator needs to reduce the number of bales on site and rearrange bales to allow for restacking and rewinding operations to take place.

Failure to address this non-compliance may lead to further action being taken by NRW. This could be in the form of an enforcement notice requiring compliance with permit conditions.

Thank you for your time during the inspection.

Regards

Paul Challender - Environment Officer

EPR Compliance Assessment Report

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Operator/Permit holder	Paperback Collection & Recycling Limited	Date	18/09/2017

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			
C2	C3	Remove excess bales from site. Rewrap damaged bales. Restack collapsed bale stacks in line with Fire Prevention Plan.	18/12/2017
C2	X	Update the existing FPMP to bring it into line with the requirements of FPMP Guidance – Waste Management V2	01/01/2018

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.