Cyfoeth Naturiol Cymru
Natural Resources Wales

Compliance Assessment Report CAR_NRW0039812

Permit being assessed: AB3493CS. For: Unit 1- Crugmore Farm, held by M D Recycling Limited At: Crugmore Farm, Penparc, Cardigan, Ceredigion, SA43 1RD. **Type of assessment carried out:** Report/Data Review, Reason: Routine. On 26/04/2022. Parts of permit assessed: Fire Prevention and Mitigation Plan **NRW Lead Officer:** Malcolm Dines. **Report sent to**: Marc Davies, Owner on 27/04/2022.

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

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

Total number of non-compliances recorded	Total non-compliance score
1	4

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	Improve your Fire Prevention and Mitigation Plan so that it at least meets the minimum standards as set out in the current guidance	31/07/2022

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.

You are non-compliant with your permit.

At this time, we are issuing you with a warning for the non-compliance recorded above. Warnings may influence future enforcement response for continued or further non-compliance.

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

This was a routine review of data carried out by Malcolm Dines without visiting the site. This data review was to ensure that the operator is complying with the requirements of a Technical Competence scheme as well as reviewing the site Fire Prevention and Mitigation Plan (FPMP) against the MINIMUM requirements set out in the current Fire Prevention Plan guidance.

Permit Breaches

D2 - Accidents, Emergency and Incident Planning - Cat 3; Permit Condition 3.4.1

The operator shall manage and operate the activities in accordance with a written f

At present you are not complying with permit condition 3.4.1 as your FPMP does not comply with the requirements of the latest Fire Prevention Plan Guidance, especially with regards to the sections setting out minimum requirements for the plan.

In particular, currently your FPMP is a section within the wider Environmental Management System (EMS) for the site. It is a requirement of the Fire Prevention Plan guidance that the FPMP is a separate document (for example: a copy must be available in a "Fire Box" at the site entrance) and therefore all documents, plans and appendices referenced in the FPMP must be contained within the document itself.

Also there is no site plan included with your FPMP. The minimum requirements set's out very clearly that a site plan is required and that the site plan must include specific information. This is one of the sections that your FPMP references but does not include. Please ensure that there is a site plan included in the FPMP and that is contains ALL the minimum requirements as set out in the guidance.

FPMP includes details regarding the whole site and all activities including the Bespoke permit you operate. Currently the Bespoke permit does not require an FPMP and so reference does not need to be made to those activities in your FPMP for this site. However, as long as the information for the Bespoke permit does not detract from the information required for SR then there is no issue with it being included, you must just ensure that your FPMP meets requirement for this permit before anything else.

Below I have set out where the minimum requirements for a Fire Prevention and Mitigation Plan as detailed in the guidance are not being met, along with comments relating to the requirement.

1) The amount & type of waste received daily and how it is managed

- Although the type of waste accepted at the site is listed in the FPMP, it is stated that, "Quantities of waste have not been considered at present". This is not adequate as the minimum requirement a FPMP requires you to specify the amount of waste received daily. There is also no information about how the waste is managed when it is received on site.

2) The total amount of waste & the types and forms (e.g. unprocessed, shredded, chipped,

fines or baled) that are stored on site at any one time and how it will be stored

- Your FPMP specify the total amount of waste stored at the site but only as the size of the stockpile for each waste type and the number of stockpiles at the site. This is not adequate as in the event of a fire the Fire and Rescue Service will then have to calculate the total quantity of waste when they arrive on-site. The total quantity of each waste stored on site should be set out separately.
- There is no information contained within the FPMP about the form that wastes are stored on site.

3) The maximum length of time each type of waste will be stored on site and how it will be managed:

- There is no information contained within your FPMP about how each waste type will be managed

4) The minimum separation/fire break distance required between all waste/baled waste stacks, and between buildings and waste/baled waste stacks

- There is no information provided within the FPMP about this requirement

5) A clear area must be established around the perimeter of site, this can vary depending on the layout of your site and permitted stack sizes in accordance with the separation distances as illustrated in Table 2 (this must be available at all times and identified on your site plan)

- There is no information provided within the FPMP about this requirement

6) The fire prevention techniques used, including management of hotspots (signs of potential self-combustion), monitoring, reporting, recording and actions

- Fire prevention techniques are referenced throughout the document with relation to specific waste types or locations which, although appearing to be sufficient does make it difficult to assess whether they are fully adequate. You may wish to consider whether you need to revise the FPMP to ensure that fore prevention techniques are set out in the most appropriate way.
- The only information regarding the management of hotspots is in relation to the composting process which is not part of this permit. There is no mention of monitoring of hotspots within the wood waste stockpile
- The only reference to monitoring is that staff will monitor the temperature of stockpiles by hand. There should also be a justification of why this means of assessment is suitable
- There is no reference to any reporting, recording or actions with regard the monitoring of stockpiles

7) Techniques used to minimise the risk of fire spreading within the site or from the site

- Although this has been addressed throughout the document, there are sections within the FPMP which has identified short-comings and has set out actions that the operator is required to carry out. Please ensure that actions that your own risk assessment has identified as needing to be improved are carried out and the FPMP updated accordingly.

8) The steps and procedures to be followed if a fire occurs on your site

- In your FPMP you state that if there is the need to call the Fire and Rescue Service, you must refer to Section 8.3. This section is titled, "Activation Plan" and states that the "Accident/Pollution Incident Response Procedure - Fire & Explosion (PR2) should be followed when fire or smoke is suspected or discovered." However, this document is not included in the FPMP. Please ensure that all referenced documents or sections are included and contain the information that is specified.

9) All combustion products and emissions (to air, land and water) from the fire and the emergency response (including the impact on the community, critical infrastructure and the environment) and how they will be minimised

- Page 23 of your FPMP includes generic considerations as to what is emitted from an uncontrolled fire source (not combustion activity), but there is no specific consideration given to the materials stored or permitted at the site. Your FPMP states that further information about the combustion products is covered in Section 11 of the FPMP, but section11 does not include this information.
- There is no list of emissions in the event of a fire.
- The emergency response is inadequate as it only makes a generic reference to the impact on residents. There is no detail about the impact on the community, critical infrastructure and the environment from the emergency response or how they will be minimised.

10) Contact details of sensitive receptors within 1km of your site - Human receptors include hospitals, nursing homes, schools, residential areas, places of work, transport networks. - Environmental receptors include source protection zones, surface waters, potable abstractions, groundwater, protected habitats, fisheries

- The only reference is to the closest property to the site and then that there are other properties within 1km. This is inadequate and you must include contact details for all sensitive receptors within 1km of your site.

11) How safe access to the site for fire and rescue services and other emergency responders is achieved

- There is nothing in the FPMP about this.

12) You must include a site plan(s) drawn to scale showing: - layout of buildings (including access points, fire exits & location of utilities) - areas where hazardous materials are stored (location of gas cylinders, process areas, chemicals, piles of combustible materials, oil & fuel tanks) - main access routes for fire engines (typical FRS vehicle access requirements are below) & any alternative access points around the site perimeter to assist fire fighting

- There is no site plan included in the FPMP. This is something that must be included and demonstrates why the FPMP has to be a separate document and not included as part of a wider site EMS.

In this document 'Natural Resources Wales' means the Natural Resources Body for Wales established by Article 3 of the Natural Resources Body for Wales (Establishment) order 2012.

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.