

Compliance Assessment Report

Report ID:
CAR_NRW0032193

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

Site	Phase 2 Wrexham Recycling Park	Permit Ref	BB3436RA		
Operator/Permit holder	Waste Recycling Limited				
Regime	Installations				
Date of assessment	05/09/2017	Time in	10:40	Out	13:10
Assessment type	Audit				
Parts of the permit assessed	Fire Prevention Plan				
Lead officer's name	Ellis, Rhys				
Accompanied by	Geraint Hughes (NWFRS Secondee)				
Recipient's name/position	Gary Smith/ Operations Manager	Date issued	27/09/2017		

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
A1 - Specified by permit	X	
D2 - Incident Management - Accidents, emergency and incident planning	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	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

Regulatory officer Rhys Ellis from Natural Resources Wales, and Geraint Hughes Fire and Rescue Service (Seconded with Natural Resources Wales) met with Garry Smith (operations manager), Keele Mawby (Assistant manager) and Chris Griffiths of FCC. The aim of the visit was to discuss and review the sites Fire Prevention Plan which was submitted as part of Improvement condition 1 of the permit.

A site visit was undertaken followed by discussion of the fire prevention plan. It was explained that the current plan has been written in accordance with the 'Fire prevention Plans' (Version 2), the Environment Agency, March 2015.

General observations in regards to fire prevention/mitigation concluded that the site is overall well managed and well run. The following recommendations (but not limited to) were drawn from the visit

- The Fire Prevention and Mitigation Plan Guidance – waste management (FPMP) was published in July 2017. This guidance replaces the Natural Resources Wales Fire Prevention and Mitigation Plan Guidance – Waste Version 1 , May 2016. It was discussed that the plan should be amended and updated to reflect the newly issued guidance. The FPMP must be a separate document within your accident management plan which forms part of your written management system. Your management system should also include a separate written assessment of fire risk on your site and describe the measures in place to prevent, detect, suppress , mitigate and contain fires in accordance with the Regulatory reform (fire safety) order 2005.

- Managing Water run-off. It is encouraging to see that internal drains are located within the post-treatment hall which lead through to sewer through a lock off valve and that surface water drains to two oil interceptors before flowing to a storm drain. It was explained that the following secondary and tertiary containment facilities for fire water run off are in place.

- Storage lagoon
- Bunded area with shut off valve
- Interceptor tanks

Please note that the plan should be clear and easily identifiable to identify all isolation points on site.

- Emergency services. It was explained that safe access for fire and rescue services will be achieved by maintaining routes for fire engines and access points around the site perimeter through good pile layout as indicated in drawing 2. This drawing is not clear and should be reviewed to include this information.

- Containing and mitigations. Designated quarantine area should be clearly marked on the drawing.

- Fire action Plan. It is stipulated that 'the fire action plan is specified within the Emergency Management Plan. This should be incorporated into the FPMP.

- During and after an incident. Your FPMP must have contingency measures in place for dealing with issues during and after a fire.

- Fire detection – It was discussed that reference should be made in the FPMP to the sites weather station. This station can provide useful information during an incident that can be provided to Fire service (i.e wind speed and direction etc).

- Firefighting Strategy- There should be a section on firefighting strategy and members of staff should know their roles and responsibilities.

Active firefighting does not mean that you or your staff have to fight the fire; no one should put themselves at risk by trying to fight a fire.

It was explained that the site would review the current document and submit a revised one to reflect the updated guidance and comments raised during the visit (mentioned above). Please could the site submit a revised version by 30th November 2017.



EPR Compliance Assessment Report

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Operator/Permit holder	Waste Recycling Limited	Date	05/09/2017

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.

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			
D2	X	Update FPMP to reflect current guidance and comments/recommendations raised during site meeting.	30/11/2017
A1	X	Update and review Fire Prevention Plan	30/11/2017

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.