

Compliance Assessment Report CAR_NRW0040510

Permit being assessed: CB3495FF.

For: Kings Dock, held by South West Wood Products Limited

At: Swansea, Swansea, SA1 8QT.

Type of assessment carried out: Report/Data Review, Reason: Routine.

On 08/09/2022.

Parts of permit assessed: Fire Prevention and Mitigation Plan

NRW Lead Officer: Michael Edwards.

Report sent to: Tom Dunn, Regional Manager on 07/10/2022.

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

Part of permitted activity assessed (criteria)	Assessment result	Permit condition
C2 - General Management - Management system and operating procedures	Action only (X)	

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

Total number of non-compliances recorded	Total non-compliance score
0	0

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
C2	Review and resubmit a Fire Prevention and Mitigation Plan which is in line with the current NRW Guidance.	30/11/2022

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

Fire Prevention and Mitigation Plans (FPMP) must be produced in accordance with current published guidance (Natural Resources Wales Guidance Note 16) which stipulates the fire prevention standards you must follow when formulating a site specific FPMP for your

operation.

The standards laid out in the guidance should be in the working plan and management systems implemented on site. If you do not follow the guidance when producing your FPMP then you must ensure that the measures taken are equivalent or superior to the standards and comply with the regulatory requirements.

Following the review of the Kings Dock, Fire Prevention and Mitigation Plan, Document Reference 2205B/FPMP v1B. Natural Resources Wales do not agree to its use at Kings Dock, permit CB3495FF.

Below are some points that would require to be addressed in future FPMPs. These points are not an exhaustive list of issues identified in the submitted FPMP, and the operator should review Guidance Note 16 Version 2 for a more comprehensive list on the minimum requirements that an FPMP should address and contain.

Sensitive Receptors

Contact details for the identified sensitive need to be included within the submitted FPMP, where this is not practical a detailed explanation on the most efficient way to contact them needs to be provided.

Stockpile Sizes

The submitted FPMP proposes maximum stockpile sizes of 50m(L)X20m(W)X7m(H).

Widths

The FPMP states a maximum stack width of 20 metres and guidance states that stack widths of 20 metres, are only appropriate where access for plant/machinery is available from both sides.

Where this is not possible, guidance states stockpiles should not exceed a maximum of 10m. This is based on practical fire-fighting considerations. Information from the Fire and Rescue Service indicates that stack widths of more than 10 metres (with access from one side) start to degrade the effectiveness of standard fire hoses, in applying water to the 'seat' of a fire, which would result in spraying water in the air.

Heights

The FPMP states stack heights of 7m and the maximum stack height of the guidance is 4 metres, which is based on practical firefighting and stability considerations for the Fire and Rescue Service.

Lengths

The stack lengths included in the FPMP do not consider the separation distance required for stacks of their size.

Separation Distances

Calculated separation distances are paramount due to the radiant heat that a fire in the largest stack could emit, effecting adjacent piles and having the potential to hamper firefighting efforts to extinguish a fire, should one occur. Distances are dependent on stack length, with a longer stack requiring a larger separation distance.

The separation distances of 6m are insufficient for the stack sizes outlined in the plan and a calculation is required to determine the appropriate separation distance, as the separation distances required vary dependent on the length and width of a stack. The justification that this is in accordance with Environment Agency guidance or that it has been agreed on a different site are insufficient, these are site specific plans that are assessed on their own merit.

Please refer to figure 1 within Guidance Note 016 for more information on the requirements stockpile sizes and separation distances of a Fire Prevention and Mitigation Plan.

Site Plan

The site plan is not attached in the appendices of the submitted FPMP as stated, and has been provided separately as document **LMM/061/01 A**.

Section 5 of the guidance provides the minimum required information to be displayed on a plan including but not limited to; Building layouts, main access point for FRS, alternative access points around the site, location of water sources and hydrants, plant storage location, drainage plans. This information must be provided in a single site plan.

Please refer to the guidance to ensure that the plan provides all required information.

Summary

The proposed FPMP does not meet the standard required, failing to demonstrate that the proposed management of wood waste will decrease the associated risks and potential impacts.

Please ensure that future versions include the required information that 'must' be included in accordance with Guidance Note 16.

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.