

Compliance Assessment Report CAR_NRW0040551

Permit being assessed: AB3699FY.

For: Alexandra Docks, held by Associated British Ports

At: Alexandra Docks, Newport, NP20 2NP.

Type of assessment carried out: Site Inspection, Reason: Routine.

On 13/10/2022 between 10:45 and 11:00.

Parts of permit assessed: Various

NRW Lead Officer: Greg Gardner, accompanied by Carla Curtis.

Report sent to: Mr. Sean Sullivan, Compliance Manager on 18/10/2022.

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

Part of permitted activity assessed (criteria)	Assessment result	Permit condition
A1 - Specified by permit	Assessed (A)	
B3 - Infrastructure - Site drainage engineering (clean and foul)	Assessed (A)	
C3 - General Management - Materials acceptance	Assessed (A)	
F1 - Amenity - Odour	Assessed (A)	
F2 - Amenity - Noise	Assessed (A)	
F3 - Amenity - Dust/fibres/particulates and litter	Assessed (A)	
F5 - Amenity - Deposits on road	Assessed (A)	
G4 - Monitoring and Records, Maintenance and Reporting - Reporting and notification to Natural Resources Wales	Assessed (A)	

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?

No action required.

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

This report details the site visit made on the 13th of October 2022 to Associated British Ports, Newport, permit reference number EPR-AB3699FY.

NRW Officers Greg GARDNER and Carla CURTIS attended the Associated British Ports (ABP) site at Alexandra Docks, East Way Road, Newport, NP20 2NP for a routine site inspection at 10:45am. The weather was dry, and reasonably mild which it had also been the previous day.

To remind the company following each visit Natural Resources Wales will produce a Compliance Assessment Report (CAR) detailing our comments from the inspection. If we substantiate reasonably foreseeable risks or actual impact to the environment, we can breach the business against your permit conditions which can affect your site banding and annual subsistence fees; this is scored on a Category 1 - 4 basis:

- 1 - Major, serious persistent and/or extensive impact on the environment/people/property
- 2 – Significant impact on effect on the environment/people/property
- 3 – Minor impact or effect on the environment/people/property
- 4 – A non-compliance which has no potential environmental effect

PERMIT BREACHES / ACTIONS

No permit breaches / actions have been identified during this site inspection.

PERMIT HISTORY

See below extract from permit regarding variation history.

Status log of the permit		
Description	Date	Comments
Permit issued EPR/PB3333DH (EAWML 400181)	17/10/13	Tier 3 bespoke permit for a waste transfer station for the storage and bulking up of wood waste for onward transport issued to Bowergy B V.
Variation determined EPR/PB3333DH/V002	15/10/14	Varied permit to include storage of RDF and increase the throughput to 140,000 tonnes a year.
Transfer determined EPR/QB3093HE/T001	05/03/15	Full transfer of permit to South Wales Wood Recycling Limited complete.
Variation determined EPR/QB3093HE/V002	20/05/15	Varied permit to treat waste wood for recovery prior to being transported off site issued
Part Transfer Application EPR/QB3093HE/T003	Duly made 06/10/17	Part transfer of EPR/QB3093HE application; transfer of RDF and wood waste storage from South Wales Wood Recycling Limited to Associated British Ports
Additional information received in response to Schedule 5 notice	11/12/17	Information consisting of amended fire prevention and mitigation plan, odour management plan, drainage information.
Additional information received following an informal request for information sent on 15/12/2017	20/12/17	Information relating to fire plan: perimeter, water supplies, contact information and walls
	05/01/17	Information confirming that walls used in Fire Prevention and Mitigation Plan Version 3 will meet the guidance standards
Permit determined EPR/AB3699FY	22/01/18	Permit for the storage of wood waste and RDF issued to Associated British Ports

GENERAL OBSERVATIONS

ABP, Newport operates under a Tier 3 bespoke permit for household, commercial and industrial (HCI) waste transfer station. The treatment operations are limited to the storage and bulking up of permitted wood wastes, and pre-baled Refuse Derived Fuels (RDF) where all treatment is for the purpose of recovery only and may be by either manual and/or mechanical methods. The maximum quantity of waste accepted and processed on site shall not exceed 74,999 tonnes per year and the maximum amount of RDF waste stored on site shall not exceed 5,000 tonnes at any one time. The site was not in operation at the time of site inspection.

SITE INFRASTRUCTURE

The flooring on site was in good condition with no apparent damage visible. General housekeeping on site was maintained to a good standard and no causes for concern were identified. There was no excessive noise along with no airborne dust present during the site inspection. Whilst undertaking a site inspection of SWWP Ltd, Operations Manager, Mr. Martin CHUBB indicated that the waste present on the ABP permitted site was processed wood waste that was pending export from Newport Docks.

It is worth reminding the operator that although this is wood waste is from the adjoining SWWP Ltd site, it is still your responsibility as a permit holder to ensure compliance with your permit conditions as this was within your permitted boundary. As dictated within section 5.3 (Material Storage Arrangements) of your FPMP, you must ensure stockpile levels of wastes remain under 4 metres.

To ensure this compliance with your FPMP, regular discussions / site visits should take place of your site to ensure permit compliance. On this particular occasion, due to the prompt proactiveness by on site SWWP Ltd management the stockpile was brought back into compliance with your FPMP guidance.



Photo 1 - ABP Site, with wood stockpile in exceedance of sites FPMP document



Photo 2 - SWWP Ltd heavy machinery bringing wood waste back into compliance



Photo 3 - SWWP Ltd heavy machinery with wood waste back into compliance

WASTE RETURN SUBMISSIONS

ABP Ports have submitted all of their quarterly waste returns for 2022 on time and in full. They declared, as a total for 2022 so far, 0 tonnes of waste was received and 0 tonnes of waste was removed which is within their permitted allowance.

NRW Officers Greg GARDNER and Carla CURTIS left site at 11.00am the same day.

If you have any issues with this report please contact Greg Gardner on greg.gardner@naturalresourceswales.gov.uk

I look forward to working with the site in the future.

Thank you.

In this document 'Natural Resources Wales' means the Natural Resource 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.