

Compliance Assessment Report CAR_NRW0040571

Permit being assessed: BB3796FA.
For: The Scrapyard, held by Airfield Metals Limited
At: Carew Airfield, Tenby, SA70 8SX.

Type of assessment carried out: Report/Data Review, Reason: Routine.
On 20/10/2022.
Parts of permit assessed: FPMP & EMS

NRW Lead Officer: Sally Wakeford.
Report sent to: Nening Jones, Director on 24/10/2022.

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	Update the EMS and FPMP to meet with the current relevant guidance.	20/11/2022

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

Airfield Metals CAR Form – EMS/FPMP review

On 05/10/2022 An Environment Management System (EMS) and Fire Prevention and

Mitigation Plan (FPMP) were submitted by Gareth Hill on behalf of Airfield Metals Limited for the permitted site EPR/BB3796FA – The Scrapyard.

This compliance report contains a review of the submitted documentation.

The site holds a Standard Rules permit and operates some activities under a T9 and S2 exemption. On review of these documents, the EMS and FPMP include the activities which are undertaken under both the permit and exemptions, as required.

Environment Management System

A review the EMS Version 1 October 2022 was undertaken by Sally Wakeford and compared to the criteria in the guidance documents How to Comply which stipulates the requirements of an EMS. The following table identifies those parts of the EMS which do and do not comply with the guidance document. Denoted with a Y or N. Those highlighted in red require update to ensure compliance with the requirements of the guidance (N).

Risk Assessment	N	No mention of Standard Rules Risk Assessment.
Legal Requirements	Y	Understanding of permit requirements.
Site Condition Report	N	None provided (see below *)
Site Plans	Y	Storage locations Site layout does not include: Drainage including foul collection point and drainage channels.
Contingency Plans	Y	FPMP available. Incidents. Non-conformances. Complaints.
Operations	Y	Pre-acceptance procedures Acceptance procedures Clearly separated exempt from permitted activities Rejection procedures On site treatment processes – separate Exempt and Permitted activities noted.
Waste Storage	N	No mention of specific times for waste to be on site. No specific tonnages etc. other than overall yearly storage. No maximum storage heights mentioned.
Maintenance	Y	Notes on defects.
Accidents and Incidents	Y	Spill kits, wheel wash, debris, liquid spillages in building. Separate FPMP. Emergency contact details on site ID board
Site Security	Y	Daily checks, suitable for site type and location.
Closure		
Complaints	Y	External complaints form & mitigation report.

Sufficient Competent Persons, resources and training	Y	Named TCM. Induction training programme and signed by staff. Ongoing training sessions and toolbox talks. Logs held.
Emissions and Monitoring	Y	Dust reduction measures noted, pests, odour and litter mentioned.
Records	Y	Note on records including incoming and outgoing WTN & HWCN.
Access to permit	N	No mention of permit being on site etc.
Review	Y	Regular review. (annual from email)

* Site condition report:

If you apply for a standard rules permit we recommend that you produce a site condition report when you get your permit. When you come to apply to surrender your permit, you will need to be able to show you have taken the necessary measures to avoid any pollution risk resulting from your activities and the site has been returned to a satisfactory state. Keeping your site condition up to date during the life of your permit will help you demonstrate this.

Fire Prevention and Mitigation Plan

A review the FPMP Version 1 October 2022 was undertaken by Sally Wakeford and compared to the criteria in the guidance document Fire Prevention and Mitigation Plan Guidance which stipulates the “musts” and “shoulds” of an FPMP. The following table identifies those parts of the FPMP which do and do not comply with the guidance document, denoted with a Y or N. Those highlighted in red require revision to ensure compliance with the requirements of the guidance:

Section	Compliant with guidance? Yes / No / N/A	Comments
5. FPMP Summary	N	(must) Contains all requirements, except sensitive receptor contact details
5. Site Plan	N	(must) Inclusion of larger scale map with sensitive receptors needed - although already mentioned within the plan.
6. Common Causes of Fires and Preventative Measures	Y	(must)
7. Storage Times and self-combustion factors	Y	(must)

		All musts covered. (should) not covered.
8. Managing Waste Material Stacks and Separation Distances	Y	(must)
10. Baled Waste Storage	N	(must) Metals baled only (noted as site activity). No mention of reducing fire risk in bales
11. Enclosing Stacks Using Bays and Walls	n/a	
12. Waste Stored Within a Building	Y	(should) You should seek advice from your insurer to ensure that you have met any requirements for fire detection and fire suppression. No mention of escape routes, fire exits, alarm call points and fire extinguishers are kept clear and free from waste at all times
13. Waste Stored in Containers	Y	(must) (should) No mention of ability to easily move the containers.
14. Layout of Waste Stacks on your Site	Y	(may need to)
15. Seasonality and Waste Stack Management	n/a	(should)
16. Monitoring and Turning of Stacks	n/a	(should) no monitoring for hotspots using temp probes.
17. Fire Detection	Y	(should) no comments
18. Fire Suppression Systems		
19. Firefighting Strategy	N	(Guidance does not state whether they must have these or need to consider these) Water supply – see below No mention if plant on site is suitable for moving waste around during a fire (i.e.

		<p>enclosed cab etc)</p> <p>No mention of finances available for additional resources (such as tanker hire/machinery hire etc)</p> <p>Crushed rock can only be used when groundwater vulnerability is low (principal aquifer)</p>
<p>20. Water Supplies</p>	<p>N</p>	<p>(Musts):</p> <p>Tributary to the River Carew - must consider the following before NRW/FRS can agree this in the FPMP:</p> <p>*the water sources ability to provide the required volume of water in the required time. Will it have an unacceptable impact on the river? (risk assessment)</p> <p>*can the river provide enough water all year round eg. if small does it have the volume of water in it during summer / drought conditions. what is there back up if it doesn't.</p> <p>*is it accessible e.g. how is the water getting out of the river? FRS need to be consulted in regards to this, are they happy they could access the river and get the water across to site accordingly etc.</p>
<p>21. Managing Water Run-off</p>	<p>N</p>	<p>(Must take all reasonably practicable steps):</p> <p>No mention of principal aquifer underneath the site.</p> <p>Water entering site drainage. But more detail required on removal of fire water from the area if it cannot be recirculated. Groundwater must be protected.</p>

22. Designated Quarantine Area	Y	(Shoulds): Area not noted for separation distance.
23. During and After an Incident	N	(Musts): No notification plan in place for receptors. No clearing and decontamination plan in place. No steps to be taken before the site can be operational again
24. Reviewing and Monitoring your Fire Prevention & Mitigation Plan	N	(Musts): the circumstances that would warrant a review not noted.

You have been marked ACTION ONLY against the permit condition 1.1.1(a) and 3.4.2(a) against criteria C2 – Management Systems, requiring you to update the EMS and FPMP to meet with the current relevant guidance.

If you have any questions, please don't hesitate to contact Sally Wakeford.

END

Any compliance criteria not highlighted in the above summary should be considered as not assessed.

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

You should note that the Natural Resources Body for Wales has been formed by bringing together the Countryside Council for Wales, Forestry Commission Wales and Environment Agency Wales. The Natural Resources Body for Wales has been empowered to exercise Welsh devolved functions since 1st April 2013 and has, generally, taken over the responsibilities of the Countryside Council for Wales, the Forestry Commissioners and the Environment Agency for Wales.

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.