Cyfoeth Naturiol Cymru
Natural Resources Wales

Compliance Assessment Report CAR_NRW0040828

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 20/10/2022. Parts of permit assessed: Fire Prevention and Mitigation Plan **NRW Lead Officer:** Michael Edwards. **Report sent to**: Tom Dunn, Regional Manager on 16/12/2022.

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	Ensure that proposed FPMP is written in line with the available guidance as required under permit condition 3.4.1.	02/01/2023

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 adherence to this guidance is required under permit condition 3.4.1.

The standards laid out in the guidance should be in the working plan and management systems implemented on site. The FPMP guidance sets out what must be in your FPMP, and what should be in you FPMP. The comments have been divided into these sections. For the "must" requirements you are required to include these in your FPMP. For the "should" requirements, please consider these, give alternatives or explain why they may not apply to your operations.

Following the review of the Kings Dock, Fire Prevention and Mitigation Plan, Document Reference 2205B/FPMP v1C dated 13/10/22. Natural Resources Wales do not agree to its use at Kings Dock, permit CB3495FF.

Section 5 - Fire prevention and mitigation plan contents

Following review of your FPMP it does not contain the following requirements as set as musts out in the above section of the guidance:

- the maximum size of any waste pile (in m^3), stipulating the maximum length, width and depth. – **the sizes proposed in the FPMP do not meet the guidance requirements**.
- the minimum separation (fire break) distance between waste piles or storage areas. – **the sizes proposed in the FPMP do not meet the guidance requirements for the stockpile sizes identified**.
- 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 – **minimum distances identified in plan does not take into consideration FRS equipment and gangway requirements identified in the guidance document.**
- techniques used to minimise the risk of fire spreading within the site or from the site – **Techniques are identified in proposed FPMP, however, method may lead to escalation of fire incident with proposed use of using separation areas.**
- the steps and procedures to be followed if a fire occurs on your site. – **Delay in contacting FRS out of hours may lead to escalation of incident.**
- all combustion products and emissions (to air, land and water) from the fire and the emergency response (including the impact on people, critical infrastructure and the environment) and how they will be minimised. Operator needs to recognise the pollution impact of smoke and fire water and impact on environment and people. - **more information is required on how the emissions from a fire incident will be minimised.**
- Contact details of sensitive receptors within 1km of your site. To protect sensitive receptors, does the plan include measures that will be used to raise the alarm and to inform local residents, e.g. local school, nursing home etc. These measures will be site specific. Operator may need to check emergency planning procedures with Local Authority. – **more information on how communications with local receptors is required. Where practicable the site should have contact information to hand.**

Section 5 – Site Plan

The guidance requires that you should also include the following actions to be taken should a fire occur:

- recycling firewater if it's not hazardous and it's possible to reuse
- separating burning material from the fire to quench it with hoses or in pools or tanks of water (this will reduce the amount of firewater produced)

The guidance also states that you should consider the following:

- local topography, weather conditions and fire scenarios that could reasonably be expected on site.

Section 7 – Storage times

Following review of your FPMP it does not contain the following requirements as set as musts out in the above section of the guidance.

- minimise stacks sizes (small stacks with appropriate separation are safer than one larger one) – **proposed stack sizes are in exceedance of guidance document accompanied by reduction in separation distances.**
- control moisture levels – **provide more information on how stockpiles moisture levels will be controlled, frequencies etc.**

Section 8 – Managing waste material stacks and separation distances

Following review of your FPMP it does not contain the following requirements as set as musts out in the above section of the guidance.

- Are stack lengths and separation distances in line with ***Graph 1*** for general wastes such as RDF, SRF (Refuse derived fuel/solid recovered fuel - various types of fuel derived from wastes using various treatment processes), wood, paper etc. – **Proposed separation distances are not inline with the requirements for the stack sizes identified in the FPMP.**
- enable easy access for emergency vehicles around the whole site – **proposed separation distances and permitter gap may hinder the use of FRS equipment on site.**
- manage all stacks of materials that can self-combust and demonstrate suitable additional precautions if they are stored for more than 3 months – **Proposed FPMP states that waste is to be held for a maximum of 3 months. Permit conditions allow for storage time of 6 months, more information is needed on the precautions to be taken should the site storage exceed the planned 3 month limit.**

Section 14 – Layout of waste stacks on your site

The guidance also states that you should consider the following:

- Location/s of occupied buildings and high-asset value equipment and plant
- Escape and evacuation routes around your site and within buildings must not be

compromised by stack layout

Section 15 – Seasonality and waste stack management

The guidance states you should provide the following:

- provide a technical assessment that shows you have confidence that your proposal will be viable in foreseeable market conditions – this should prove the suitability of materials, the resilience of the supply chain and end user outlets.

Section 17 – Monitoring and turning of stacks

The guidance states you should provide the following:

- The equipment they use to detect temperature and moisture content must be capable of operating at any depth throughout the pile. Therefore, if they are proposing to have a stack 4m deep, their probe must be capable of operating the depth of the proposed stack.
- They must explain what indicators they will use in relation to temperature and moisture content and the escalation of actions in relation to these indicators.

Section 22 – Designated quarantine area

The guidance states you should provide the following:

- Does the quarantine area hold at least 50% of the volume of the largest stack. – **Area is identified however dimensions used to provide 50% capacity would require storage of height of 7m.**

Section 23 – During and after an incident

Following review of your FPMP it does not contain the following requirements as set as musts out in the above section of the guidance.

- having a plan for how you will notify those who may be affected by a fire, such as nearby residents and businesses. - **More information is required in how contact with local receptors will be made (see section 5).**
- contractors that might be used to assist with additional plant for firefighting techniques, removal of waste material, containment and removal of excess water run-off – **more information is required on contractors who could be used in the event of an incident.**
- the steps you must take before the site can become operational again – **more information is required on how the site will reopen following an incident.**

Section 24 – Reviewing and monitoring your fire prevention and mitigation plan.

Following review of your FPMP it does not contain any information in relation to the above section of the guidance.

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.