

Compliance Assessment Report CAR_NRW0040854

Permit being assessed: UP3898FQ.

For: Neath Abbey Wharf, held by Sims Group U K Ltd

At: Skewen, Neath, N P T, SA10 6BL.

Type of assessment carried out: Site Inspection, Reason: Incident Response (Incident number 2208819).

On 16/12/2022 between 09:30 and 10:30.

Parts of permit assessed: A, D

NRW Lead Officer: David Morgan.

Report sent to: Richard Morgan, Site Manager on 22/12/2022.

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)	
D2 - Incident Management - Accidents, emergency and incident planning	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

A site inspection was undertaken on Friday 16th December 2022 in response to a fire incident that occurred on site (FRS incident no. 55988).

No non-compliances have been recorded against the Environmental Permit.

The following observations were made following our attendance on site.

Fire Incident

Natural Resources Wales received notification of a fire incident on the morning of Friday 16th December 2022.

On arriving at site, it was noted that the fire had been extinguished and the Fire and Rescue Service remained on site as a precautionary measure.

The fire appears to have started by way of accidental ignition (possibly Lithium Ion Battery) within the SME (Small-Mixed-Electrical) waste which was stored on the wharf area of the site.

Plant and equipment on site was used to separate SME from the next bay in which baled cans were stored. This allowed FRS crews to tackle the blaze and end the incident early. Please ensure these storage practices (with firebreaks) are continued and the plant & equipment used is well-maintained.

The ability to separate waste and dampen down material involved in the fire prevented escalation to a major fire incident.

Firewater Management

Natural Resources Wales officer in attendance undertook an inspection of firewater management practices. All firewater (and approximately 30L fire-fighting foam) appeared to have been successfully contained within the interceptor which was used as a catchment unit.

The discharge of the interceptor was inspected and was found to be blocked thus preventing any possible escape of water into the river. The discharge outlet, on the bank of the river, was checked and found to be clear of any effluent.

A visual inspection of the nearby river was undertaken and there was no sign of polluting matter having entered the watercourse.

The fire incident appears to have occurred through accidental ignition. All firewater appears to have been contained and fire/accident management procedures can be deemed effective. However, we may wish to review fire/accident management plans in the coming weeks.

On site, it was noted that the interceptors would be emptied. Please provide copies of the consignment notes for this interceptor clearance for our records.

Ongoing storage of WEEE (Waste Electrical and Electronic Equipment)

It is noted that this fire incident is now the second of its kind this year at site. As with a

previous incident, it appears a fire started by way of accidental ignition in electrical waste stored on site. Confirmation was provided that SME, damaged and undamaged, would now be taken to a SIMS site in Nottingham (EPR/BP3790CG) where hazardous materials will be removed prior to shredding.

As these waste items are not to be reused, or have components extracted for reuse, you are not required to store such items in weatherproof containers/storage units.

Please consider how this waste is stored in the future. On site we discussed the possibility of some type of thermal imaging system that would identify hotspots/damaged WEEE. Another option may be storing this waste in a building so rainwater does not short-circuit faulty electronics.

Summary

On Friday 16th December 2022, a fire occurred on site which appears to have been caused by accidental ignition in small-mixed-electrical waste.

The incident was dealt with effectively with no pollution caused to nearby watercourse as firewater was successfully contained on site. Although managed effectively, we may wish to review fire/accident management plans.

No non-compliances have been recorded against the Environmental Permit.

ACTIONS ON OPERATOR:

- * Please provide copies of consignment notes of firewater removal from interceptor**
- * Please review ongoing storage of SME**

Thank you for your time during the inspection.

END OF REPORT

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 1 st 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.