

## Compliance Assessment Report CAR\_NRW0042901

**Permit being assessed:** BB3436RA.

**For:** Phase 2 Wrexham Recycling Park, **held by:** FCC Recycling (UK) Limited

**At:** Wrexham Recycling Park, Wrexham Industrial Estate, Wrexham, Clwyd, LL13 9UT.

**Type of assessment:** Site Inspection,

**Reason:** Routine.

**On:** 29/11/2023 between 10:15 and 11:30.

**Parts of permit assessed:** 3.7 Fire, 1.1 General Management.

**NRW Lead Officer:** Kathryn Bradshaw.

**Report sent to:** Garry Smith, PFI General Manager, on 30/11/2023.

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

Part of permitted activity assessed (compliance criteria)	Assessment result	Permit condition
IR3I - Emissions and monitoring - Fire	Action only (X)	
IR1A - Management - General management	Assessed (A)	

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

Total 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
IR3I	Review and revise the current FPMP against the current guidance	01/03/2024

Compliance 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

### **Review of Fire Prevention and Mitigation Plan (FPMP) Version 9**

Version 9 of the FPMP was submitted to NRW for review following the installation of an automatic deluge system. The FPMP was reviewed against NRW's published current guidance Fire Prevention & Mitigation Plan Guidance – Waste Management, Guidance Note 16 Version 2.

#### **Section 5 – Fire Prevention and Mitigation Plan Contents**

- *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)*

This has not been referred to in your FPMP or shown on your site plan.

#### **Section 5 – Site Plan**

*The FPMP must include a site plan(s) drawn to scale showing:*

- *any watercourse, borehole or well located within or near the site*
- *areas of natural and unmade ground*
- *location of “off- site” emergency information pack with site plan (as specified above)*

The above items are not referenced on your site plan. It was discussed on site that the emergency information pack is located at the main entrance gate which is beyond the area of the site plan. This instead could be referenced in the main document.

#### **Section 6 – Common Causes of fires and preventative measures**

*The FPMP should consider where applicable the common causes of fire, some won't apply, others need to be included:*

- *Reaction between wastes*
- *hot loads deposited at the site*
- *“Tramp” metal*
- *Batteries within waste deposits*
- *Leaks and spillages of oils and fuels*

The above items are not referenced in your FPMP, although you have the procedures in place operationally as discussed on site, these are not referenced in the plan.

#### **Section 8 – Managing Waste Material Stacks and Separation Distances**

This section needs reviewing against the Fire Prevention & Mitigation Plan Guidance – Waste Management, Guidance Note 16 Version 2 to ensure the requirements of this section are met by referring to the tables and graphs included in this section of the

guidance.

### **Section 11 – Enclosing stacks using bays and walls**

The current FPMP needs to be reviewed against this section of the guidance, particularly fire resistance period, product specification and installation method. The following information in this section is also missing:

- *how you will ensure segregation of materials*
- *how calculation of flame height and radiation has been taken into account in preventing the spread of fire between piles*
- *prevention of brands or lighted material moving outside the bay walls*
- *prevention of bridging across or around walls*

### **Section 12 – Waste Stored within a building**

*If waste is stored in a building, the guidance states they SHOULD adopt the following principles at all times:*

- *Ensure electrical equipment and heaters are kept free from waste, including dust and packaging materials.*

The FPMP only mentions that vehicles are fitted with dust filters not how the rest of the equipment is cleaned and maintained.

- *Waste storage areas should have some means of clearing smoke from the building, such as openable skylights or roller shutter doors, to aid fire-fighting.*

There is no reference in the plan to how the site would clear the building of smoke.

### **Section 13 – Waste stored in containers**

*Guidance states the applicant SHOULD manage containers as follows:*

- *If you have a fire, you should be able to move containers as soon as is reasonably practicable in a safe manner to prevent the fire spreading. You should set out in your FPMP the procedures you will put in place to allow this to happen.*

It was noted on this inspection that the two Roll On Roll Off skips in the building are located directly in front of the roller shutter door with an attachment for plant directly outside so they can be dragged outside in an emergency. This procedure is not documented in your FPMP.

### **Section 20 – Water Supplies**

The FPMP has not fully demonstrated that they have sufficient water supplies on site to manage a worse- case scenario incident. The FPMP submitted for Wrexham PFI Phase 1 states clearly what volumes and rates are available if a worse-case scenario were to occur. During on site discussions the attenuation pond was also mentioned as another emergency water supply which should be referenced in the plan.

### **Section 22 – Designated Quarantine area**

This section needs reviewing against the current guidance to ensure all the details are included in your FPMP.

### **Section 24 – Reviewing and Monitoring your Fire Prevention and Mitigation Plan**

The guidance states that FPMP SHOULD be treated as a live document. Your plan does not explain when and what would trigger a review of the document to ensure it is kept up to date. It is advised to review the FPMP against this section of the guidance.

A recommendation would be to review and update the FPMP against the current guidance (see above) and possibly format it to the style of the more up to date FPMP for Wrexham PFI - Phase 1, as discussed during the site visit.

During the site visit the different bays of unprocessed and processed waste were viewed. Training was ongoing in the waste reception area on the operation of the grab vehicle to staff. There were no other issues identified during the site inspection.

Thank you for your time during the inspection.

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.

**If your assessment result in Section 1 is suspended, what does this mean?**

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 compliance criteria (used in section 1 and 2):**

**1. Management**

- IR1A – General management
- IR1B – Finance (only applicable to Landfill)
- IR1C – Energy efficiency
- IR1D - Efficient use of raw materials
- IR1E - Avoidance, recovery and disposal of wastes produced by the activities
- IR1F - Multiple operator installations

**2. Operations**

- IR2A – Permitted activities
- IR2B – The site
- IR2C – Operating techniques
- IR2D – Technical requirements
- IR2E – Improvement programme
- IR2F – Pre-operational conditions
- IR2G – Landfill engineering (only applicable to Landfill)
- IR2H – Waste acceptance (only applicable to Landfill)
- IR2I – Leachate levels (only applicable to Landfill)
- IR2J – Closure and aftercare (only applicable to Landfill)
- IR2K – Landfill gas management (only applicable to Landfill)

**3. Emission and Monitoring**

- IR3A – Emissions to water, air or land
- IR3B – Emissions of substances not controlled by emission limits
- IR3C – Odour
- IR3D – Noise and vibration
- IR3E – Monitoring
- IR3F – Pests
- IR3G – Air quality management plans
- IR3H – Monitoring for the purposes of the Industrial Emissions Directive (this heading includes Large Combustion Plants)
- IR3I – Fire

**4. Information**

- IR4A – Records
- IR4B – Reporting
- IR4C – Notification

**Enforcement response**

Any non-compliance with a permit condition 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 twenty 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 to 18:00), or email [enquiries@naturalresourceswales.gov.uk](mailto: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](mailto: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.