

Compliance Assessment Report CAR_NRW0043159

Permit being assessed: SP3795FZ.

For: Biffa Viking Place Waste Transfer Stn, held by Biffa Waste Management Ltd

At: Roath Docks, Cardiff, Glamorgan, CF10 4TS.

Type of assessment carried out: Site Inspection, Reason: Incident Response (Incident number 2309182).

On 27/11/2023 between 15:50 and 16:20.

Parts of permit assessed: Permitted areas

NRW Lead Officer: Amy Bailey, accompanied by Charlotte Rhodes.

Report sent to: Owen Thirkettle , Station Manager on 16/01/2024.

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

Part of permitted activity assessed (criteria)	Assessment result	Permit condition
D2 - Incident Management - Accidents, emergency and incident planning	C3 Minor	C10.1
D1 - Incident Management - Site security	C3 Minor	D4
G4 - Monitoring and Records, Maintenance and Reporting - Reporting and notification to Natural Resources Wales	C3 Minor	E22

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

Total number of non-compliances recorded	Total non-compliance score
3	12

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
D2	Please review your FPMP and submit a revised version in accordance with the FPMP guidance within 3 months. Please ensure the fire detection system service is up to date and identified issues are resolved within appropriate time frames.	16/04/2024
D1	Please update your signage in accordance with the above permit condition and send evidence to NRW by 30.1.2024.	30/01/2024
G4	Please ensure you report any future incidents to NRW immediately, as in accordance with the above permit condition.	16/01/2024

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

Introduction

Industry and Waste Regulation Officer Amy Bailey, and Environment officer Charlotte Rhodes attended the permitted facility of, Biffa Waste Services Ltd, Viking Place, Roath Docks, Cardiff CF10 4TS on the 27th November 2023 to undertake a unannounced inspection, arriving at approximately 15:50. Throughout the duration of the inspection there was a light rain and low daylight.

Biffa Waste Services Ltd hold a Waste Management Licence dated 23rd August 1996 which was subject to a variation on the 9th March 2018. Environmental permit reference EPR/SP3795FZ.

The purpose of the unannounced inspection was to assess the sites compliance with the conditions of the environmental permit following a reported fire on site on the 26th November 2023.

We were met by the Station Manager, Owen Thirkettle who showed us around the site.

The site consists of a waste transfer building, external waste storage areas, vehicle and skip parking areas and a site office.

Reported fire on site.

Owen confirmed that the Fire and Rescue Service (FRS) had been on site on the 26th November 2023 but informed officers that no actual fire had taken place on site. Owen said that his understanding was that due to the drop in temperature, steam from a waste stack within the waste transfer building had activated a smoke detector and that the FRS had doused the stack with water as a precaution.

Owen also informed officers that the fire alarm system service was one month overdue, and one detector was faulty.

Officers inspected the waste transfer building where wastes are sorted and stored. There was no identifiable odour of burning upon entry or subsequent walkaround of the facility.

Owen showed officers the location of the stack that had been doused, the material had been processed that morning and the area was clear. There were no scorch marks on the floor or any evidence of burnt material.

The site benefits from an impermeable surface which runs to an interceptor, the surface was

in good condition with no visible cracking.

The other waste stacks within the building were three meters or below, with good separation distance between each stack which is in accordance with the sites Fire Prevention Plan dated February 2017 and permit condition C 10.1:

C 10.1 The operator shall manage and operate the activities in accordance with a written fire prevention plan using the current, relevant fire prevention plan guidance.

Following the site visit, Officer Amy Bailey spoke with the FRS who confirmed that there had been a small, isolated fire to the top of a waste stack that was doused with water, with minimal fire water run off due to the low level of water used and absorption from the waste.

In accordance with the FPMP guidance, it is essential that you ensure your FPMP is kept up to date to ensure that you maintain compliance. Your FPMP should be treated as a live working document and be reviewed regularly to reflect any changes that your business experiences. Circumstances that would warrant a review of your FPMP can include:

- Experiencing a fire incident. Following any fire, it is essential that your FPMP (and overall fire management measures) should be reviewed and improved as required to address any issues/concerns.

D2 Category 3 breach. Permit condition C10.1

You have been given this breach because the fire detection system was faulty, one detector wasn't working, and the service was one month overdue.

Action- Please review your FPMP and submit a revised version in accordance with the FPMP guidance within 3 months. Please ensure the fire detection system service is up to date and identified issues are resolved within appropriate time frames.

D1 Category 3 breach, Permit condition D4.

You have been given this breach under the above condition because the Fire and Rescue Service (FRS) reported that there were no emergency contacts listed on your identification board and were therefore unable to receive assistance on site.

Permit Condition D4 specifies that *'An identification board of durable material and finish shall be displayed at the entrance to the facility. This shall clearly give the name of the facility, the name, address and telephone number of the operator and of the Environment Agency, the hours of operation and the telephone numbers of the personnel to contact in the event of an emergency'*

Action- Please update your signage in accordance with the above permit condition and send evidence to NRW by 30.1.2024.

G4 Category 3 breach, Permit condition E22

You have been given this Category 3 breach under the above condition because during our inspection it was noted that you did not inform Natural Resources Wales of the incident

prior to our arrival on site.

Permit Condition E22 specifies that *'No wastes shall be burnt within the boundaries of the facility. Any fire occurring within the confines of the facility shall be treated as an emergency and immediate action shall be taken to extinguish it. **All outbreaks of fire shall be reported immediately to the Environment Agency** and a note of the incident made in the site diary. Firefighting equipment and emergency water supplies shall be provided, regularly maintained, and identified at the facility in accordance with the working plan.'*

Please ensure you report any future incidents to NRW immediately, as in accordance with the above permit condition.

TCM

Owen Thirkettle is the sites Technically Competent Manager (TCM). The latest WAMITAB certification we have on file is dated 25th September 2020, with expiry on the 25th September 2022.

Action- Please send the most recent WAMITAB certification within 14 days.

Many thanks for your time during the inspection.

If you have any queries regarding this Compliance Assessment Report please contact regulatory officer Amy Bailey on 0300 065 3000, or via email at

Amy.bailey@naturalresourceswales.gov.uk

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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.