

Compliance Assessment Report CAR_NRW0043203

Permit being assessed: ZB3297TP.

For: Plot 12a, held by Mr Phillip Thomas And Mr Steven Thomas

At: Waterston, Milford Haven, Pembrokeshire, SA73 1DP.

Type of assessment carried out: Unknown, Reason: Incident Response (Incident number 2400507).

On 11/01/2024 between 14:15 and 15:00.

Parts of permit assessed: Fire Incident

NRW Lead Officer: Cathy Lloyd.

Report sent to: Steven Thomas, Operator on 23/02/2024.

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

Part of permitted activity assessed (criteria)	Assessment result	Permit condition
B1 - Infrastructure - Engineering for prevention and control of emissions	Action only (X)	
D2 - Incident Management - Accidents, emergency and incident planning	Action only (X)	
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
B1	Please provide in writing the date when the repairs to the building will be completed.	08/03/2024
D2	Please update the FPMP and implement any actions required to be able to provide adequate water supplies for the site.	15/04/2024
C2	Please review section 11.4 of the FPMP and complete all required actions.	15/04/2024

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.

You are non-compliant with your permit.

We are currently considering taking enforcement action against you for the non-compliance recorded above. We will contact you in due course.

4. Details of our assessment

A site inspection was carried out on the 11 January 2024. The purpose of the inspection was to assess the impact on operations following a fire that occurred on 10 January 2024. Present on site at time of inspection was Cathy Lloyd (NRW) Steve Thomas (Operator) and Dave Mackay (TCM).

The site is permitted under a Standard Rules permit SR2012No14 - Metal recycling, vehicle storage, depollution & dismantling (authorised treatment) facility. There are also 6 exemptions registered for the site:

S1 – Storage of Waste in Secure Containers

S2 - Storage of Waste in a Secure Place

T5 – Screening and Blending of Waste

T6 – Treatment of waste wood and waste plant matter by chipping, shredding, cutting or pulverising

U1 – Use of Waste in Construction

T4 – Preparatory Treatments (bailing, sorting, shredding)

Fire incident

The waste material involved in the fire was Waste Electronic and Electrical Equipment, (WEEE) which had been produced from local Civic Amenity sites. This WEEE was being prepared for removal from site to Sims that day.

During the incident, the drainage tank contained all the fire water and booms had been deployed to prevent any runoff from the site. The drainage tank which serves the site, and also a section of plot 10, was being emptied during the inspection.

NRW has received the documents showing the disposal of the contents from the tank.

Fire and Rescue Service stated that the operator was very helpful during the incident, and they appreciated the assistance TBS provided with use of their machinery to pull out some of the contents from the building.

Fire damaged WEEE remained within the building to drain off any remaining water. Discussions are ongoing with SIMS as to what would be required to the damaged WEEE before it can be removed from the site. Extra skips will be supplied to Pembrokeshire

County Council civic amenity sites whilst TBS is unable to accept WEEE waste at unit 12a. NRW has received the documentation showing the removal of the fire damaged WEEE.

The fire had partially damaged the building and repair is needed to some of the panels on the roof and the back and northern site of the building.

Action: Please provide in writing the date when the repairs to the building will be completed.

FRS expressed a number of concerns following the incident. The fire hydrants identified in your FPMP were actually 4 inch mains which has a standard flow rate of 500 – 600 litres / minute, provided they were operating at full capacity and Welsh Water have not activated the pressure reducing valve. At the time of the incident the water produced from the hydrant was negligible.

Action: Please update the FPMP and implement any actions required to be able to provide adequate water supplies for the site.

Post Incident – Site Recovery

Action: Please review section 11.4 of the FPMP and complete all required actions.

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.