

Compliance Assessment Report CAR_NRW0043779

Permit being assessed: AB3690FL.

For: National Grid Electricity Distribution Withybush, held by National Grid Electricity Distribution (South Wales) PLC

At: Fishguard Road Industrial Estate, Haverfordwest, Pembrokeshire, SA62 4EQ.

Type of assessment carried out: Site Inspection, Reason: Routine.

On 15/03/2024 between 12:40 and 13:30.

Parts of permit assessed: See Below

NRW Lead Officer: Michael Edwards.

Report sent to: Mark Philips, TCM on 15/03/2024.

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	Assessed (A)	
B3 - Infrastructure - Site drainage engineering (clean and foul)	Assessed (A)	
B4 - Infrastructure - Containment of stored materials	Assessed (A)	
C1 - General Management - Staff competency/training	Action only (X)	
C2 - General Management - Management system and operating procedures	Action only (X)	
C3 - General Management - Materials acceptance	Assessed (A)	
C4 - General Management - Storage, handling labelling and Segregation	Assessed (A)	
G4 - Monitoring and Records, Maintenance and Reporting - Reporting and notification to Natural Resources Wales	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?

Criteria	Action needed	Complete by
C1	Please provide evidence of continuing competency to an	05/04/2024

Criteria	Action needed	Complete by
	approved scheme as required under condition 1.1.4.	
C2	As discussed on site, ensure that anyone having duties affected by the environmental permit have convenient access to it and the EMS	05/04/2024

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.

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

Unannounced site inspection undertaken by Michael Edwards of Natural Resources Wales (NRW) accompanied on site with Matt Lewis of National Grid Electricity Distribution (South Wales) PLC.

General Management (C1 & C2)

During the inspection, the officer of NRW requested copies of the waste permit and the current site working plan, or Environmental Management System (EMS).

The EMS was not available during the inspection. NRW currently holds a copy of *Withybush Depot Environmental Plan v5.0* - updated April 2019.

Action - Please confirm if this is the most recent EMS in place for the operation. If there is a newer version of this document please provide a copy of the document to NRW.

The permit issue and variation notices were produced on request held in an accessible folder, however the conditions of the permit held, **Standard Rules 2012 No 15** were not included. The rule set was available digitally, however as suggested during the inspection under **condition 1.1.3** - *Any person having duties that are or may be affected by the matters set out in these standard rules shall have convenient access to a copy of them kept at or near the place where those duties are carried out.*

Action - as discussed on site, ensure that the EMS and copy of the conditions of the permit (SR2012 No15) are available to those who are affected by the above condition.

Under **condition 1.1.4** the site is required to comply with an approved competency scheme, as discussed on site, please provide evidence of this condition.

Waste Acceptance and Storage (B1, B3, B4, C3 & C4).

Wastes identified on site were compliant with **condition 2.2.1 (a)** and **table 2.1**.

A container for scrap metal was noted in the permitted area, as discussed with Matt on site, these waste are produced by National Grid in routine works and are brought back to the depot pending final disposal.

This activity is allowed under Non-Waste Framework Directive exemption 3 which allows organisations to temporarily store wastes produced when working away from normal business premises. This is highlighted in the EMS that NRW has on its system.

Permitted wastes were stored in a well maintained bunded area with sealed drainage systems with adequate volume as required under **condition 2.3.1** and **table 2.3**.

All wastes were stored within the permitted area as required under **condition 2.4.1**.

Reporting (G4)

A review of the waste returns submitted for 2023 has been completed and no issues were identified with the submitted documents being compliant with **condition 4.2.2**.

Many thanks for your time during the inspection.

END.

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.