Compliance Assessment Report

Report ID: CAR_NRW0034405

This form will report compliance with your permit as determined by an NRW officer					
Site	JR Works	Permit Ref	EB3397TU		
Operator/Permit holder	Gavin Griffiths Recycling Ltd				
Regime	Waste Operations				
Date of assessment	03/01/2019	Time in	N/A	Out	N/A
Assessment type	Report/Data Review				
Parts of the permit assessed	3.4.1 - Fire Prevention and Mitigation Plan				
Lead officer's name	Davies, Gareth				
Accompanied by					
Recipient's name/position	Andrew Wright/ Commercial Director	Date issued	03/01/2019		

Section 1 – Compliance Assessment Summary

This is based on the requirements of the permit under the Environmental Permitting Regulations or the licence under the Water Resources Act 1991 as amended by the Water Act 2003. A detailed explanation is captured in "Compliance Assessment Report Detail" (Section 2) and any actions you may need to take are given in the "Action(s)" (section 4). This summary details where we believe any non-compliance with the permit has occurred, the relevant condition and how the non-compliance has been categorised using our Compliance Classification Scheme (CCS). CCS Scores can be consolidated or suspended where appropriate, to reflect the impact of some non-compliances more accurately. For more details of our CCS scheme, contact your local office.

Permit conditions and compliance summary	**CCS Category**	**Condition(s) breached**
D2 - Incident Management - Accidents, emergency and incident planning	C3	3.4.1

KEY: See Section 5 for breach categories, suspended scores will be indicated as such.
A = Assessed or assessed in part (no evidence of non-compliance), **X** = Action only,
O = Ongoing non-compliance, not scored.

Number of breaches recorded	1	**Total compliance score** (see section 5 for scoring scheme)	4

If the Number of breaches recorded is greater than zero, please see Section 3 for our proposed enforcement response

Section 2 – Compliance Assessment Report Detail

This section contains a report of our findings and will usually include information on:

- The part(s) of the permit that were assessed (eg. Maintenance, training, combustion plant, etc)
- Where the type of assessment was 'Data Review' details of the report/results triggering the assessment
- Any non-compliances identified
- Any non-compliances with directly applicable legislation
- Details of any multiple non-compliances
- Information on the compliance score accrued inc.
- Details of advice given
- Any other areas of concern
- Any actions requested
- Any examples of good practice
- A reference to photos taken

On 1 August 2017, Natural Resources Wales published an updated version to standard rules set SR2008 No3. Gavin Griffiths Recycling Limited hold an environmental permit to operate under this standard rules set.

The updated version of the standard rules set included Section 3.4 - Fire. Condition 3.4.1 states that: The operator shall manage and operate the activities in accordance with a written fire prevention plan using the current, relevant fire prevention plan guidance.

On 31 October 2017, you provided Natural Resources Wales with your Fire Prevention and Mitigation Plan (FPMP). Following review of your FPMP in accordance with Fire Prevention and Mitigation Plan Guidance – Waste Management Version 2 August 2017 (guidance), I have the following comments and associated updates that are required to the FPMP. These comments have been written in conjunction with your regulatory officer.

The FPMP guidance sets out what must be in your FPMP, and what should be in you FPMP. The comments have been divided in to these sections. For the "must" requirements you are required to include these in your FPMP. For the "should" requirements, please consider these, give alternatives or explain why they may not apply to your operations.

Section 5 - Fire Prevention and Mitigation Plan Contents

Following review of your FPMP it does not contain the following requirements as set as musts out in the above section of the guidance.

• the amount and type of waste received daily and how it is managed. No information has been provided on daily amounts, it is assumed the amounts provided are maximum tonnages stored on site.
• the total amount of waste and the types and forms (e.g. unprocessed, shredded, chipped, fines or baled) that are stored on site at any one time
• the maximum time each type of waste will be stored on site and how it will be managed. It is not clear from the FPMP whether the 6 weeks applies to all waste or certain wastes.
• the maximum size of any waste pile (in m3), stipulating the maximum length, width and depth
• the minimum separation (fire break) distance between waste piles or storage areas
• 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
• the fire prevention techniques used, including management of hotspots (sign of potential self-combustion), monitoring, reporting, recording and actions
• techniques used to minimise the risk of fire spreading within the site or from the site
• all combustion products and emissions (to air, land and water) from the fire and the emergency response (including the impact on people, critical infrastructure and the environment) and how they will be minimised. Operator needs to recognise the pollution impact of smoke and fire water and impact on environment and people.
• Contact details of sensitive receptors within 1km of your site. To protect sensitive receptors, does the plan include measures that will be used to raise the alarm and to inform local residents, e.g. local school, nursing home etc. These measures will be site specific. Operator may need to check emergency planning procedures with Local Authority.
• how safe access to the site for fire and rescue services and other emergency responders is achieved

You must include these requirements in your FPMP

Action: The above requirements of the guidance must be included in a revised FPMP.

The guidance requires that you should also include the following actions to be taken should a fire occur.

• reducing the amount of firewater run-off generated - use sprays and fogs rather than jets
• recycling firewater if it's not hazardous and it's possible to reuse

Action: You shall include these requirements/actions in your FPMP. Where any of these requirement/actions have not been included a justification shall be provided.

Section 5 - Site Plan

Following review of your site plan it does not contain the follow requirements as set out as musts in the above section of the guidance.

• any areas where hazardous materials are stored on site (location of gas cylinders, process areas, chemicals, piles of combustible materials, oil and fuel tanks)
• main access routes for fire engines and any alternative access
• access points around the site perimeter to assist firefighting – see table in guidance for typical FRS vehicle access requirements
• any watercourse, borehole or well located within or near the site
• areas of natural and unmade ground
• the location of plant, protective clothing and pollution control equipment and materials
• drainage systems, foul and surface water drains, and their direction of flow and outfall points
• the location of drain covers and any pollution control features such as drain closure valves and firewater containment systems
• location of "off- site" emergency information pack with site plan (as specified above)
• location of key receptors such as critical infrastructure, schools, hospitals, residential areas, workplaces, protected habitats and rivers within 1km of the site

You must include these requirements in your site plan.

Action: The above requirements of the guidance must be included in a revised FPMP Site Plan. It may be beneficial to provide more than one Site Plan containing the information.

Section 6 – Common causes of fires and preventative measures

Following review of your FPMP it does not contain information on the following causes of fire and the preventative measures you can take to reduce the risk at your site. Some of these have been mentioned, but not considered applicable, such as arson or vandalism. NRW considers that they are applicable and should be considered as part of the FPMP.

• arson or vandalism
• Visitors & contractors
• Ignition sources
• plant or equipment failure
• discarded smoking materials
• damaged or exposed electrical cables
• hot loads deposited at the site
• Build up loose combustible waste, dust and fluff
• "Tramp" metal
• Batteries within waste deposits
• Cylinders stored at site
• Leaks and spillages of oils and fuels

Action - You shall include information on the following causes of fire and the preventative measures you can take to reduce the risk at your site in your FPMP. Where any of these measures not been included a justification shall be provided as to why it has not been considered or included.

Section 7 – Storage times and self-combustion factors

Following review of your FPMP it does not contain the follow requirements as set out as shoulds in the above section of the guidance.

• minimise stacks sizes (small stacks with appropriate separation are safer than one larger one)
• control moisture levels
• demonstrate good stock rotation for all stored materials and show how this is monitored and implemented daily
• routinely turn stacks

Action: You shall include the above information on preventing self-combustion in a revised FPMP. Where any of these measures have not been included a justification shall be provided as to why it has not been considered or included.

Section 8 – Managing waste material stacks and separation distances

Following a review of your FPMP it does not meet the requirements of the above section of the guidance. No information has been provided on separation distances.

Action – You must demonstrate how you intend to comply with this section of the guidance. You must provide detail on where each waste type is stored on any associated plans so that an assessment can be made.

Section 11 – Enclosing Stacks Using Bays and Walls

Following a review of your FPMP it does not meet the requirements of the above section of the guidance. No information has been provided on how you intend to comply with this section of the guidance.

Action - You shall include the required information on enclosing stacks using bays and walls. Where any of these measures have not been included a justification shall be provided as to why it has not been considered or included.

Section 12 Waste Stored Within a Building

Following review of your FPMP it does not contain the following requirements as set out as should in the above section of the guidance

• Ensure waste stack sizes and separation distances are appropriate to the risk. Table 2 can be used as a starting point but not absolute guidance for internal storage.

General principles should be adopted:

• Consider the use of fire walls/bunkers.
• Separation between internally stored wastes and building walls, plant & other equipment within buildings will need to be considered. In general fires in internally stored wastes are far more likely to spread to buildings and plant than for externally stored wastes. As a result, your insurer is likely to place more emphasis on internal storage than external storage fire management. You should seek advice from your insurer to ensure that you have met any requirements for fire detection and fire suppression.
• If you are storing wastes internally in large quantities, such as in warehousing, then you should seek competent advice on the precautions to be taken. These will depend on the type of building used, the types of waste being stored and what fire precautions are already in place. This is a specialised area, and the general standards applied to the warehousing of goods may not be appropriate to the internal storage of wastes.
• If the building is heated this could affect the potential for self-heating of the waste and should be taken into account when assessing self-heating risks.
• You must ensure that all escape routes, fire exits, alarm call points and fire extinguishers are kept clear and free from waste at all times
• Waste storage areas should be fire compartmented away from office areas.
• 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.

Action - You shall include the above information on waste stored within a building. Where any of these measures have not been included a justification shall be provided as to why it has not been considered or included.

Section 13 – Waste Stored in Containers

Following review of you plan it does not contain the follow requirements as set out as musts in the above section of the guidance.

• each container must be accessible so any fire inside it can be extinguished. The location of the containers storing waste has not been provided.

You must include these requirements in your plan.

Action: The above requirements of the guidance must be included in a revised FPMP.

Following review of your FPMP it does not contain the following requirements as set out as should in the above section of the guidance

• 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.

Action - You shall include the above information on waste stored in containers. Where any of these measures have not been included a justification shall be provided as to why it has not been considered or included.

Section 15 Seasonality and Waste Stack Management

Following review of your FPMP it does not contain any information in relation to the above section of the guidance.

Action: You shall include information on seasonality and waste stack management. Where any of these measures have not been included a justification shall be provided as to why it has not been considered or included.

Section 16 Monitoring and Turning of Stacks

Following review of your FPMP it does not contain the following requirements as set out as should in the above section of the guidance

• Staff must be trained to detect and manage hotspots.
• Piles are monitored regularly and temperature increases and changes in moisture content are minimised.
• The equipment they use to detect temperature and moisture content must be capable of operating at any depth throughout the pile. Therefore, if they are proposing to have a stack 4m deep, their probe must be capable of operating the depth of the proposed stack.
• Explain what indicators they will use in relation to temperature and moisture content and the escalation of actions in relation to these indicators.

Action: You shall include information on monitoring and turning of stacks. Where any of these measures have not been included a justification shall be provided as to why it has not been considered or included.

Section 17 – Fire Detection

Comments to be provided by Mid and West Wales Fire & Rescue Service

Section 18 – Fire Suppression Systems

Comments to be provided by Mid and West Wales Fire & Rescue Service

Section 19 – Firefighting Strategy

Comments to be provided by Mid and West Wales Fire & Rescue Service

Section 20 – Water Supplies

NRW – No information on supply rate of hydrant has been provided. What capacity is there within the adjacent Afon Llan during any dry summer periods. There is reference to rainwater harvesting on the site plan. Is there the potential for this to be used as an initial water supply in the event of an incident.

Further comments to be provided by Mid and West Wales Fire & Rescue Service

Section 21 – Managing Water Run-off

NRW – It is not clear where any potential run-off would accumulate or how it will be managed during the incident

Further comments to be provided by Mid and West Wales Fire & Rescue Service

Section 22 – Designated Quarantine Area

Following review of your FPMP it does not contain the following requirements as set out as should in the above section of the guidance.

• The quarantine area should hold at least 50% of the volume of the largest stack.
• The quarantine area should have a separation distance of at least 6 metres around the quarantined waste.

Action - You shall include the above information on a designated quarantine area. Where any of these measures have not been included a justification shall be provided as to why it has not been considered or included.

23 – During and After an Incident

Following review of your FPMP it does not contain the following requirements as set out as must in the above section of the guidance.

• Diverting incoming wastes to alternative sites during a fire
• having a plan for how you will notify those who may be affected by a fire, such as nearby residents and businesses.

You must include these requirements in your FPMP

Action: The above requirements of the guidance must be included in a revised FPMP.

24 – Reviewing and Monitoring your Fire Prevention and Mitigation Plan

Following review of your FPMP it does not contain the following requirements as set out as should in the above section of the guidance.

Stated the circumstances that would warrant a review, these could 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
• Additional combustible waste streams accepted on site.
• Increase waste volumes accepted.
• Development of site infrastructure – new buildings.
• Installation of new equipment or plant – baler/loading shovel/sort-line/trommel etc.

Described the areas of the FPMP that would need updating.

Action - You shall include the above information on reviewing and monitoring your FPMP. Where any of these measures have not been included a justification shall be provided as to why it has not been considered or included.

Non-Compliance Score

Condition 3.4.1 states "The operator shall manage and operate the activities in accordance with a written fire prevention plan using the current, relevant fire prevention plan guidance." The current FPMP submitted by Gavin Griffiths Recycling Limited does not meet the requirement set out in the current, relevant fire prevention plan guidance.
This noncompliance has been scored a CCS3 under D2 - Incident Management - Accidents, emergency and incident planning.

Please provide a date for agreement with NRW, for when you will provide an updated FPMP taking account of the points highlighted above by 1 February 2019.

Failure to provide a date for agreement and submission of a revised FPMP, may result in a Regulation 36 Notice being served.

Consultation with Mid and West Fire and Rescue Service (MWWFRS)

NRW will be consulting with MWWFRS once the above actions have been completed. Any comments from MWWFRS will be provided under separate cover, but shall be considered linked to this Compliance Assessment Report. You may be required to update your FPMP following comments from MWWFRS.

In this document 'Natural Resources Wales' means the Natural Resources Body for Wales established by Article 3 of the Natural Resources 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 in Wales.

END

This form will report compliance with your permit as determined by an NRW officer			
Site	JR Works	Permit Ref	EB3397TU
Operator/Permit holder	Gavin Griffiths Recycling Ltd	Date	03/01/2019

Section 3 – Enforcement Response

You must take immediate action to rectify any non-compliance and prevent repetition.
Non-compliance with your permit conditions constitutes an offence and can result in criminal prosecutions and/or suspension or revocation of a permit. Please read the detailed assessment in Section 2 and the steps you need to take in Section 4 below.

In respect of the above non-compliance you have been issued with a warning. At present we do not intend to take further enforcement action. This does not preclude us from taking additional enforcement action if further relevant information comes to light or offences continue.

Section 4 – Action(s)

This section summarises the actions identified during the assessment along with the timescales for when they will need to be completed.

Criteria Ref.	**CCS Category**	**Action required/advised**	**Due Date**
See Section 1 above			
D2	C3	Please provide a date for agreement with NRW, for when you will provide an updated FPMP	01/02/2019

Section 5 – Compliance notes for the Operator

To ensure you correct actual or potential non-compliance we may

- Advise on corrective actions verbally or in writing
- Require you to take specific actions verbally or in writing
- Issue a notice
- Require you to review your procedures or management system
- Change some of the conditions of your permit
- Decide to undertake a full review of your permit

Any breach of a permit condition is an offence and we may take legal action against you

- We will normally provide advice and guidance to assist you to come back into compliance either after an offence is committed or where we consider that an offence is likely to be committed. This is without prejudice to any other enforcement response that we consider may be required.
- Enforcement action can include the issue of a formal caution, prosecution, the service of a notice and/or suspension or revocation of the permit.

See our Enforcement and Civil Sanctions guidance for further information

This report does not relieve the site operator of the responsibility to

- Ensure you comply with the conditions of the permit at all times and prevent pollution of the environment
- Ensure you comply with other legislative provisions which may apply

Non-compliance scores and categories

CCS category	Description	Score
C1	A non-compliance that could have a major environmental effect	60
C2	A non-compliance which could have a significant environmental effect	31
C3	A non-compliance which could have a minor environmental effect	4
C4	A non-compliance which has no potential environmental effect	0.1

Operational Risk Appraisal (Opra) - Compliance assessment findings may affect your Opra score and/or your charges. This score influences the resource we use to assess permit compliance.

Section 6 – General information

Data protection notice

The information on this form will be processed by the Natural Resources Wales (NRW) to fulfil its regulatory and monitoring functions and to maintain the relevant public register(s). The NRW may also use and/or disclose it in connection with:

- Offering/providing you with its literature/services relating to environmental matters
- Consulting with the public, public bodies and other organisations (eg. 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 its service
- Freedom of Information Act/Environmental Regulations request

The NRW may pass it on to its agents/representatives to do these things on its behalf. You should ensure that any persons named on this form are informed of the contents of this data protection notice.

Disclosure of information

The NRW will provide a copy of this report to the public register(s). However, if you consider that any information contained in this report should not be released to the public register(s) on the grounds of commercial confidentiality, you must write to your local area office within fifteen working days of receipt of this form indicating which information it concerns and why it should not be released, giving your reasons in full.

Customer charter

What can I do if I disagree with this compliance assessment report?

If you are unable to resolve the issue with your site officer, you should firstly discuss the matter with officer's line managers using the informal appeals procedure. If you wish to raise your dispute further through our official Complaints and Commendations procedure, phone our general enquiry number 0300 065 3000 (Mon to Fri 08.00 – 18.00) and ask for the Customer Contact team or send an email to enquiries@naturalresourceswales.gov.uk. If you are still dissatisfied you can make a complaint to the Public Services Ombudsman for Wales. For advice on how to complain to the Ombudsman phone their helpline on 0845 607 0987.

Welsh Language
If you would like this form in Welsh please contact your Regulatory Officer.