

Compliance Assessment Report

Report ID:
CAR_NRW0035376

This form will report compliance with your permit as determined by an NRW officer

Site	Swansea Drydocks Ltd	Permit Ref	UP3298VL			
Operator/Permit holder	Swansea Drydocks Limited					
Regime	Waste Operations					
Date of assessment	03/07/2019	Time in	10:00	Out	12:30	
Assessment type	Audit					
Parts of the permit assessed	A, B, C					
Lead officer's name	Wakeford, Sally					
Accompanied by	Thomas, Ffion					
Recipient's name/position	Damian Lloyd/ HSEQ Manager	Date issued	08/07/2019			

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
A1 - Specified by permit	A	
B1 - Infrastructure - Engineering for prevention and control of emissions	A	
B3 - Infrastructure - Site drainage engineering (clean and foul)	A	
C1 - General Management - Staff competency/training	A	
C2 - General Management - Management system and operating procedures	A	
C3 - General Management - Materials acceptance	A	
C4 - General Management - Storage, handling labelling and Segregation	A	

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	0	Total compliance score (see section 5 for scoring scheme)	0
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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

A site inspection was undertaken by Sally Wakeford and Ffion Thomas on 03/07/2019. We were accompanied on site by Damian Lloyd of Swansea Drydocks Limited.

The inspection was a preliminary visit to introduce the new officer Sally Wakeford to the site, prior to the arrival of two barges recently been purchased to be recycled at the site.

The dry dock used for the recycling of ships was flooded ready for the arrival of the first ship. The other dry dock is used for repair – and those activities are not covered under this permit.

As requested the original permit and all subsequent variations have been emailed to you on 04/07/2019.

On inspecting the site, the impermeable pavement was found to have very little wear and is in good order. The intended locations for the storage of wastes during the dismantling process were identified.

As discussed on site, the permit states that all hazardous and non-hazardous wastes must be stored on impermeable surface with sealed drainage system. And also:

The following waste types must also be stored in a secure container within a building:

- any waste containing radioactive materials or substances
- any waste containing polychlorinated biphenyls (PCBs)
- any waste containing lead
- any waste containing mercury
- any waste containing in-organic chemicals

Storage within the building would include the oils, fuels, paints, cables, fire detectors, fluorescent tubes, etc. Items which will be identified in your Inventory of Hazardous Materials (IHM). These should be stored separately in secure containers within a building. Asbestos can be stored in the secure container outside, where it has always been situated.

The drainage on site, goes through an interceptor then into two holding tanks which discharge to sea. These can only be discharged once samples from both holding tanks are returned and assessed as within permitted limits for discharge.

The interceptor on site has not been cleaned in some time, and a quote for it has already been received and will be completed shortly. Please provide the certificate once completed.

We have received the Anti-fouling certificate, Ship recycling plan, asbestos management plan, ballast water management plan, layout plans and a basic inventory for both TCL1907 and TCL1905.

You informed us that once the ships have arrived a verification IHM and vessel survey will be completed prior to dismantling, please provide these to Sally Wakeford on completion.

We discussed the sampling requirements for an IHM. There are no permit conditions relating to the sampling frequency/requirements for the IHM. Your Operating Techniques document (by Enzygo from 2011) contains information on initial ship survey, and the Ship Recycling Plan should contain information on the methods and procedures for managing (including identification and sampling/analysis) hazardous materials.

Section 3.1.3 of your Ship Recycling Plan states: the overall waste validation surveys will be undertaken by the TCM operator in accordance with the Waste Management Control Plan (SDL-DOC-003). I have not had sight of SDL-DOC-003 and cannot find it on our system. This may give you more indication of what the requirements are.

Please provide a copy of the Waste Management Control Plan to NRW.

Fire Prevention and Mitigation Plan (FPMP).

On reviewing the permit, variation number 6 contains an Improvement Programme, Condition 2.6 Improvement Programme – 2.6.1 & Table S1.4, which was introduced to your permit to require you to provide a Fire Prevention and Mitigation Plan for the site within 3 months of the permit issue. We have no FPMP on file, and as the site was non-operational this was not chased. Now the site has become operational again this must now be completed.

ACTION: Provide a copy of the Fire Prevention and Mitigation Plan for Swansea Drydocks produced in line with the standards set out in Fire prevention and mitigation plan guidance – waste by 3 months from the date of this CAR form - by 05 October 2019

Guidance can be found here:

<https://cdn.naturalresources.wales/media/684379/guidance-note-16-fire-prevention-mitigation-plan-english.pdf?mode=pad&rnd=131654969480000000>

500 tonnes limit:

Whilst on site we discussed the 500 gross tonne limit.

The Ship Recycling Regulations (SRR) (which brought in the requirement for the Ship Recycling Facility Plan) is for EU-flagged commercial vessels above 500 Gross Tonne to ensure they are recycled in safe and environmentally sound ship recycling facilities. This covers the movement and the site-based requirements.

Ships under 500 GT are not captured by SRR and are therefore captured by the Waste Shipment Regulation (WSR) 1013/2006/EC, which relates to the movement of the ship as a waste. The WSR stipulates prior notifications for hazardous wastes, and Council Directive 96/61/EC means you must apply Best Available Techniques and comply with the non SRR parts of the permit of the facility.

Although the two barges coming in at 487 GT do not meet the requirements for the SRR, you

must apply Best Available Techniques and complete all documentation for the movement of hazardous waste as per your permit and the associated procedures incorporated into the permit (Table S1.1 Operating Techniques) to comply with the WSR.

Brexit:

We discussed the possible issues around Brexit and what that would mean for your company. The information I have received following the query is that as for DAY 1 all current European Directive requirements remain in place. However, it is unsure if UK dismantlers will be removed from the EU approved list.

Time limit on permit:

We discussed a time limited condition on the permit which allows you to dismantle under the SRR requirements. It was originally included in your permit in July 2015, and has a 5-year timespan, after which you need to apply to vary it, or it will automatically be revoked.

The condition expires on 02 July 2020.

Photographs from site inspection:





EPR Compliance Assessment Report

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Operator/Permit holder	Swansea Drydocks Limited	Date	03/07/2019

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.

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			

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.