

Compliance Assessment Report

Report ID:
CAR_NRW0035661

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	05/09/2019	Time in	10:00	Out	12:00	
Assessment type	Audit					
Parts of the permit assessed	A B C F					
Lead officer's name	Wakeford, Sally					
Accompanied by	Willington, Jonathan					
Recipient's name/position	Damian Lloyd/ HSEQ Manager	Date issued	11/09/2019			

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	
B4 - Infrastructure - Containment of stored materials	A	
C1 - General Management - Staff competency/training	C3	1.1.1 (b)
C3 - General Management - Materials acceptance	C4	2.3.2 (a)
F1 - Amenity - Odour	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	2	Total compliance score (see section 5 for scoring scheme)	4.1
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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

Site inspection:

A site inspection was undertaken at Swansea Drydocks on 05 September 2019 by site officer Sally Wakeford, Jonathan Willington (Waste Regulation SW Team Leader) and Hannah Loughlin (Waste Permitting). We were accompanied on site by Damian Lloyd.

The site visit was conducted as 2 small barges had arrived at site and had started to be dismantled.

We viewed the partially dismantled barge. Some wastes had been removed from the barge and placed on the sealed drainage pad on top of the yard. A wood skip and covered cable storage was located on the ship.

A soft strip of the first floor had been completed. The lighting strips had been removed and placed in a container inside the building. A coffin is being ordered. The WEEE was also stored in the building as per permit requirements.

As requested at last inspection, the interceptor was cleaned out on 06 August 2019 by Siddell. The Hazardous Waste Consignment note was inspected.

C3 General Management - Materials Acceptance - Permit condition 2.3.2 (a) & Table S2.1 – CAT 4 breach.

C1 General Management - Staff Competency/Training - Permit condition 1.1.1 (b) – CAT 3 breach.

You have been scored against the above criteria and permit conditions as during the inspection it was noted that there was the base of a wind turbine in the dock brought in for recycling. Your permit only allows end-of-life vessels and not metal.

The action of bringing this in shows that the conditions within the permit are not fully understood. There is no actual environmental impact from accepting this incorrect waste type, as the waste type and marine life contained on it is much like the hull of a ship, and there are procedures in place to deal with these waste types.

Part of the turbine had been brought out of the dry dock onto the side, containing marine life, it was stored on the area of sealed drainage. The Ship Recycling Plan and Operational Techniques (enzygo) documents, although regarding ships, do not specifically contain information if the sections containing marine life should remain in the dry dock, but do mention that once identified it should be removed and put into a sealed container and stored on the sealed drainage, with the dock then being swept to ensure removal of all residue.

As a permit variation is due soon (see below) if you wish to continue to bring this type of waste it, it

would be timely to add it to the permit variation and to your operational documents.

ACTION: Cease to accept waste which are not included in Schedule 2 – Table S2.1 of your permit.

Photographs of site inspection:





Brexit:

If Britain leave the EU without a deal, there will be immediate implications on your business. You will be removed from the list of EU approved facilities for recycling EU flagged ships over 500GT on Exit day.

You will however still be able to recycle non-EU ships flagged ships and will be able to reapply as a third country, in the same way as the USA and Turkey.

The Ship Recycling (Facilities and Requirements for Hazardous Materials on Ships) (Amendment) (EU Exit) Regulations 2019 are now in place to ensure you are able to continue recycling ships from Britain and other non-EU countries.

This is the scenario in a “no deal” situation. It is unclear what will happen under a “deal”.

Current Permit:

You're current authorisation is time limited and expires on 02 July 2020. As such, to continue to recycle ships after this date, a permit variation (with NRW and HSE) must be submitted and determined. As the determination time for a permit variation with NRW is around 4-6 months, I suggest you ensure you apply around January 2020. If time lines change I will update you. This will require the update to the Ship Recycling Facility Plan and other documents as they contain out of date information.

The current guidance for this can be found at:

<https://www.gov.uk/guidance/ship-recycling-authorisation>

This guidance may change following the UK's exit from the EU.

EPR Compliance Assessment Report

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Operator/Permit holder	Swansea Drydocks Limited	Date	05/09/2019

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.

Other than the provision of advice and guidance, at present we do not intend to take further enforcement action in respect of the non-compliance identified above. This does not preclude us from taking enforcement action if further relevant information comes to light or advice isn't followed.

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			
C3	C4	Cease to accept waste which are not included in Schedule 2 – Table S2.1 of your permit.	10/09/2019
C1	C3	Cease to accept waste which are not included in Schedule 2 – Table S2.1 of your permit.	10/09/2019

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.