

Compliance Assessment Report

Report ID:
CAR_NRW0036009

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

Site	Unit 12F	Permit Ref	AB3296HT		
Operator/Permit holder	Install Waste management Limited				
Regime	Waste Operations				
Date of assessment	20/11/2019 - 29/11/2019	Time in	13:50	Out	14:20
Assessment type	Site Inspection				
Parts of the permit assessed	Permit & operational area				
Lead officer's name	Warwick-Brown, David				
Accompanied by	Lee, Jonathan				
Recipient's name/position	Dean Horgan/ Operator	Date issued	29/11/2019		

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	3.5.1

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
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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

Compliance Assessment Report – Install Waste Management Limited (EPR/AB3296HT)

Environment Officers Jonathan LEE and David WARWICK-BROWN inspected Unit 12F, Atlantic Estate, Barry on the 20th November 2019. The purpose of this visit was to hand-over the responsibility of Regulatory Officer from Officer LEE to Officer WARWICK-BROWN and to carry out a routine inspection of the site. We met with Site Manager and TCM Dean Horgan upon arrival at the site, and the weather during the inspection was dry, cold and breezy.

Inspection

It was evident that the operation was being conducted efficiently, and the site was clean and tidy during the inspection.

During the last inspection on the 6th June 2019, a category 3 breach was scored for the storage of waste outside of the building, since this part of the permitted area doesn't contain the run-off from waste material via means of an impermeable surface & sealed drainage system. This breach had been rectified by the date set in the previous CAR form, and Officers confirmed that there was no longer any waste being stored outside of the building at the time of the visit.

The last CAR form also required appropriate pest management procedures to be introduced to reduce the presence of rats witnessed by Officers during the previous site visit. Officers were pleased to see that this issue had now been resolved - suitable measures (rat traps) had been introduced following the previous inspection, which had apparently quickly reduced the number of pests within the weeks following their instalment. The Officers were informed that there hasn't been an issue with pests since the issue was resolved, but routine baiting procedures have continued for the time being to ensure that the problem doesn't resurface.

All relevant paperwork (i.e. the Environmental Management System, WAMITAB certification and Fire Prevention & Mitigation Plan) was available as required within the site office.

Compliance

D2 - Incident Management - Accidents, emergency and incident planning – Permit Condition 3.5.1 (Category 3 breach)

Following our site visit and upon further inspection of your Fire Prevention & Mitigation Plan

(FPMP), it has come to our attention that the current operation and FPMP does not comply with your environmental permit and the approved FPMP Guidance. Due to the significant amount of detail required for a compliant FPMP, a **category 3 breach** is being scored at this time for non-compliance with permit condition 3.5.1, which states the following:

'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 stockpile of mixed 'skip' waste was piled high towards the ceiling and was estimated to be over 4 metres in height (as shown in the photo below), which is the maximum height any stockpiles can be in line with FPMP guidance. These will therefore need to be reduced.



Figure 1 – current waste stack within the building

The FPMP Guidance also outlines required separation distances between separate piles of waste and from waste stacks to walls within your building, relative to the lengths or widths of the stacks (as shown in graph 1, p.22 of the Guidance). For example, as shown on the graph, a loose stack that measures 15m in length would need to be distanced 11m from the building on each side of the stack. **However, we understand that your operation is relatively small scale, within a building of approximately 25m x 25m, and that adhering to these separation distances would significantly decrease the size and scale of your current operation. If you cannot logistically and economically comply with the separation distances in graph 1, please demonstrate that this has been acknowledged by explaining what other mitigation factors are in place to act as feasible alternatives to these requirements.**

We have assessed your current Fire Prevention & Mitigation Plan (version 1, dated 25th September 2018) against version 2 of NRW's guidance (published August 2017, as attached with this CAR form). The FPMP guidance sets out what must be in your FPMP and what should be in

you FPMP, which is set out below. For the should, please do these, give alternatives or explain why you do not think they apply. Please note that “stack” can also mean “pile”.

In reference to specific sections & pages of the FPMP Guidance, please make the following additions or amendments to your FPMP:

a. Section 5, p8: Fire Prevention and Mitigation Plan contents

Your FPMP does not currently (but must) include the following:

- the amount & type of waste received daily and how it is managed
- the total amount of waste & the types and forms (e.g. unprocessed, shredded, chipped, fines or baled) that are stored on site at any one time and how it will be stored
- the maximum time each type of waste will be stored on site and how it will be managed

- the location within the site where each type of waste will be stored
- the maximum size of any waste pile, stipulating the maximum length, width and depth
- the minimum separation/fire break distance required between all waste/baled waste stacks, and between buildings and waste/baled waste stacks
- 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 (signs 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
- the steps and procedures to be followed if a fire occurs on your site
- all combustion products and emissions (to air, land and water) from the fire and the emergency response (including the impact on the community, critical infrastructure and the environment) and how they will be minimised
- contact details of sensitive receptors within 1km of your site –
 - **Human receptors** include hospitals, nursing homes, schools, residential areas, places of work, transport networks.
 - **Environmental receptors** include source protection zones, surface, waters, potable abstractions, groundwater, protected habitats, fisheries
- how safe access to the site for fire and rescue services and other emergency responders is achieved

b. Section 5, p9: Site plan

You must include a single site plan drawn to scale showing:

- layout of buildings (including access points, fire exits & location of utilities)
- areas where hazardous materials are stored (location of gas cylinders, process areas, chemicals, piles of combustible materials, oil & fuel tanks)
- main access routes for fire engines & any alternative access points around the site perimeter to assist fire fighting
- Location of hydrants and water supplies
- 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
 - location of sensitive receptors within 1km of your site –
 - **Human receptors** include hospitals, nursing homes, schools, residential areas, places of work, transport networks.
 - **Environmental receptors** include source protection zones, surface, waters, potable abstractions, groundwater, protected habitats, fisheries
 - location of the quarantine area
 - assembly point for staff and visitors to site
 - compass rose showing north and the prevailing wind direction

c. Section 6, p.10: Common causes of fires and preventative measures

When producing your FPMP you should consider where applicable, the common causes of fire and the preventative measures you can take to reduce the risk at your site. Some of these risks may not apply to your site or there may be others you need to include in your fire prevention plan. It is your responsibility to identify all possible risks, depending on the activities you carry out on your site.

Some of the risks and measures can include:-

- **Arson or vandalism** - You need to have adequate security measures in place, such as security fencing, intruder alarms and CCTV. Arrangements for outside of working hours should also be considered.
- **Visitors & Contractors** – You should ensure all visitors follow the correct safety and fire prevention procedures. Fire prevention messages can be reinforced around the site using suitable signs.
- **Ignition sources** - You need to keep naked flames, space heaters, furnaces, incinerators and other sources of ignition 6 metres away from combustible and flammable waste.
- **Self-combustion** - (e.g. due to chemical oxidation in stored waste material) what measures you will put in place to monitor and control this issue and help prevent the risk of fire
- **Plant or equipment failure** - You need to ensure that you:-

o have a maintenance and inspection programme for static and mobile plant and equipment

o fit vehicles with fire extinguishers, dust filters, spark arrestors and where practicable all bucket loaders are to be fitted with rubber strips to prevent sparks when the bucket comes into contact with hardstanding etc.

o keep mobile plant that is not being used away from combustible waste

- **Discarded smoking materials** - You should apply a no smoking policy or have designated smoking areas a safe distance from combustible wastes to prevent accidental ignition.
- **Hot works (e.g. welding or cutting)** - You need to ensure all staff and contractors follow

safe working practices, such as a permit to work system, when carrying out hot works such as welding and cutting. A fire watch for a suitable period should be implemented once hot works have ceased and in particular at the end of a working day. For further information please refer to relevant **Health and Safety Executive (HSE) Guidance**

- **Industrial heaters** - You should have written procedures that set out the use and regular maintenance of industrial heaters.
- **Plant & Hot exhausts** - You need to ensure that a fire watch/visual check is carried out at regular intervals during the working day and at the end of the day to detect signs of a fire caused by dust settling on hot exhausts and engine parts. Set out in your plan how regular these intervals are, methods to record the inspection, actions taken and concerns. As part of your end of day procedures you should make sure separation distances are observed between plant and material when the site is not staffed
- **Damaged or exposed electrical cables** - Electricians on site should be fully certified by a qualified electrician and you must have written procedures in place that set out the regular maintenance.
- **Reactions between wastes** - You should ensure that you have written procedures within your management system for waste acceptance checks to prevent reactions between incompatible or unstable wastes, including lithium batteries. You must have a **quarantine area** available at all times and identified on your site plan.
- **Hot loads deposited at the site** – use a suitable **quarantine area** for hot loads.
- **Build-up of loose combustible waste, dust and fluff** - Your plan should state how regularly you will inspect and clean the site to prevent the build-up of loose combustible waste, dust and fluff within buildings & around the site
- **'Tramp' metal** that finds its way into moving machinery and causes localised 'hot spots'. Prevent metal getting into moving machinery by pre-sorting and/or extraction by a magnet/eddy current separator, especially when ignitable or explosive materials are present;
- **Batteries within waste deposits** - as part of your reception procedures, you must ensure that every effort is made to remove any form of battery unit from within the waste prior to processing. A number of recent fires within waste processing systems have been caused by batteries entering processing machinery.
- **Batteries in ELVs** - Batteries left connected in un-depolluted vehicles can short circuit and cause fires. You must disconnect or remove batteries from un-depolluted vehicles as soon as possible after reception
- **Cylinders stored at the site** – should be stored in the correct manner when either in/or not in use. Cylinder storage locations should be identified on the site plan
- **Leaks and spillages of oils and fuels** - You need to prevent fuels and combustible liquids leaking or trailing from site vehicles and ELVs. For example, this includes from vehicles:

o being tracked around the site

o before or after the de-pollution process

You must ensure that any materials used to absorb combustible liquids are correctly disposed of to reduce the risk of a potential fire situation.

d. Section 8, p.14: Managing waste material stacks and separation distances

Within the FPMP:

- the maximum heights are given as 4 meters.

- Stack widths and lengths can be 20 meters, but only if;
- Separation distances (stack to stack) are 10 meters (Figure 1 in FPMP)
- Separation distances (stack to building) are 13 meters (Figure 1 in FPMP)

Please note- A maximum stack width of 20 metres can be used provided appropriate access for plant/machinery is available from both sides. If it is not, a maximum of 10 metres should be used (based on practical fire-fighting considerations).

As part of your waste stack management protocol you should consider adopting the following general fire prevention and mitigation principles:

- manage all stacks to within the maximum sizes and minimum separation distances
- have availability to adequate water supplies or alternative firefighting methods at all times to fight a fire
- enable easy access for emergency vehicles around the whole site
- manage all stacks of materials that can self-combust and demonstrate suitable additional precautions if they are stored for more than 3 months

e. Section 12, p. 31: Waste Stored Within a Building

If you are storing waste within a building; you should adopt the following general principles for fire prevention and mitigation of fires at all times:-

- 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.
- 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
- Ensure electrical equipment and heaters are kept free from waste, including dust and packaging materials.
- Waste storage areas should be fire compartmented away from office areas.
- Waste storage areas should have some means of clearing smoke from

f. Section 14, p.32: Layout of waste stacks on your site

When you have identified the potential stack sizes, storage methods/types and appropriate separation distances required at your site, you can plan the storage arrangements. In addition to the above, there are other factors that you may need to take into account when deciding on your site/stack layout. These include the below examples as well as specific site conditions:

- Location of potential ignition sources on your site
- Location/s of occupied buildings and high-asset value equipment and plant
- Escape and evacuation routes around your site and within buildings must not be compromised by stack layout
- Location of flammable and/or hazardous substances kept on site, such as gas cylinder cages, diesel tanks, quarantine areas which may contain nonconforming wastes etc.
- Locations of on or off-site fire hydrants, other water supplies and fire-fighting equipment. you do not want to block access to these with your stack layout
- Proximity and location/s of any infrastructure which may be affected by a fire, such as overhead power lines, major roads, rail lines etc.
- Proximity and location/s of any off-site, third party buildings which may be affected by a fire
- Permitted amounts of wastes, and types of waste, allowed on site
- Location of a 'quarantine' area, as appropriate to site specifics
- Operational practicalities such as movements of vehicles & designated routes
- Stock rotation requirements, seasonality of supply/off-take etc.
- prevailing wind
- where fire water will flow
- firefighting strategy.

g. Section 15, p.33: Seasonality and waste stack management

You should:

- demonstrate that your waste stack management is viable and that you are able to prove the suitability of materials, the resilience of the supply chain and end user outlets.

- provide a technical assessment that shows you have confidence that your proposal will be viable in foreseeable market conditions.
- demonstrate how you intend to manage these variations if the materials on your site are subject to seasonal variation in demand and/or supply.
- be able to demonstrate how you will follow the principle of “first in, first out” so that wastes are stored for no longer periods than indicated in Table 1.
- All these issues and the contingencies you employ to manage them should be in your management system and implemented before operations commence on site.

h. Section 16, p.33: Monitoring and turning of stacks

Limited has been given on monitoring and turning of stacks. Please read this section of the guidance and address where relevant.

i. Section 17, p.34: Fire detection

Limited information has been given on Fire detection. Please read this section of the guidance and address where relevant.

j. Section 18, p.35: Fire suppression systems

Limited information has been given on Fire suppression systems. Please read this section of the guidance and address where relevant.

k. Section 19, p.35: Firefighting Strategy

Limited information has been given on your Firefighting Strategy. Please read this section of the guidance and address where relevant.

l. Section 20, p.36: Water supplies

More detail is required regarding your Water supplies, including evidence of sufficient volumes required for fire-fighting to take place. Please read this section of the guidance and address where relevant

m. Section 21, p.37: Managing water run-off

Limited information has been given on Managing water run-off. Please read this section of the guidance and address where relevant.

n. Section 22, p.38: Designated Quarantine Area

More information is required regarding the details of your quarantine area. Please read this section of the guidance and address where relevant.

o. Section 23, p.39: During and after an incident

Your FPMP must have contingency measures in place for dealing with issues during and after a fire. Please read this section of the guidance and address where relevant.

p. Reviewing and monitoring your Fire Prevention & Mitigation Plan

Please read this section of the guidance and address where relevant – this section should simply reflect the information provided in the Guidance, stating the possible circumstances that would warrant a review of your FPMP.

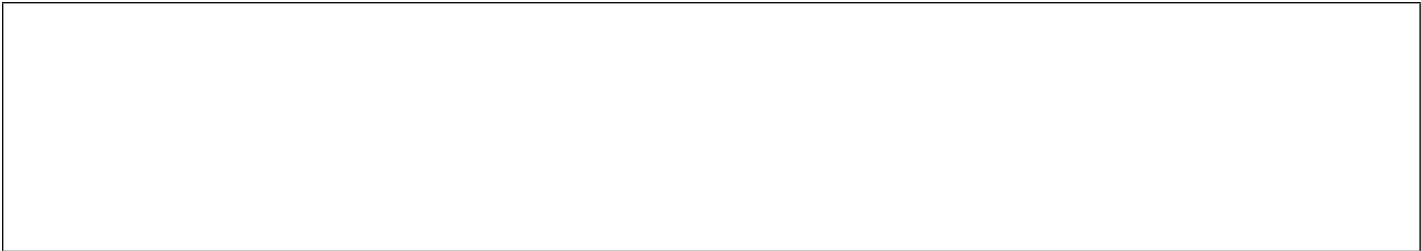
In addressing the points raised above it should not be relied upon to mean that the measures are considered to represent appropriate measures covering every eventuality through operation of the permit. The FPMP will be kept under constant review to ensure measures remain effective. The plan will always be fully implemented on site. The plan will be revised where necessary in accordance with Section 24 - Reviewing and Monitoring your Fire Prevention & Mitigation Plan of the guidance.

ACTION: Please review and update your FPMP, taking into account the comments above by Friday 31st January 2020. Please send the updated copy by email to:
David.warwick-brown@cyfoethnaturiolcymru.gov.uk

Thank you for taking the time to meet with us at the site on this occasion.

If you have any issues with this report, please contact David Warwick-Brown on 0300 065 3683 or david.warwick-brown@cyfoethnaturiolcymru.gov.uk

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.



EPR Compliance Assessment Report

**Report ID:
CAR_NRW0036009**

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

Site	Unit 12F	Permit Ref	AB3296HT
Operator/Permit holder	Install Waste management Limited	Date	20/11/2019

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			
D2	C3	Update current FPMP to comply with the latest FPMP Guidance	31/01/2020

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.