

Compliance Assessment Report

Report ID:
CAR_NRW0034514

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

Site	Denbigh Civic Amenity Site	Permit Ref	BP3694VK		
Operator/Permit holder	C A D Recycling Ltd				
Regime	Waste Operations				
Date of assessment	13/12/2018	Time in	N/A	Out	N/A
Assessment type	Audit				
Parts of the permit assessed	(C2) Management system and operating procedures				
Lead officer's name	Lombardi, Karl				
Accompanied by					
Recipient's name/position	Tony Sykes/ Operator	Date issued	30/01/2019		

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
C2 - General Management - Management system and operating procedures	X	

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

FPMP Review

The following Fire Prevention and Mitigation Plan (FPMP) version was reviewed for the audit, *Fire Prevention & Mitigation Plan (Doc. Ref DEN-2411-B, Version 1.0), Oaktree Environmental Ltd, June 26, 2018*. The document was assessed against the FPMP guidance document, *Fire Prevention & Mitigation Plan Guidance – Waste Management (Version 2.0), August 2017*. The purpose of the review was to assess the FPMP against the minimum guidance standards for compliance. The FPMP guidance document describes what *must* and what *should* be included within an operator's FPMP. *Must* conditions are considered mandatory unless it can be justified what alternative measures are in place that meet or exceed the guidance standard. *Should* measures are to be followed, unless alternatives are proposed or explain why they don't apply. Observations and findings from the review are summarised below.

Site Plans

The following site plans were reviewed for the audit, *Site Layout and Fire Plan DCA/2411/03 and Receptor Plan DCA/2411/04*.

Text in the FPMP references the *Site Layout and Fire Plan* drawing number as DEN/2411/03 throughout the document. However, the drawing number is show as DCA/2411/03, this *must* be corrected for consistency.

Section 3.1.3 of the FPMP states, (waste) "*Storage times for all stored combustible wastes on site are detailed in the 'Storage Area Details' Table on Drawing No. DEN/2411/03*". The referenced table is not included on the drawing.

During an incident, the Fire Rescue Service will need to readily locate the off-site emergency information pack, water supplies, site drainage systems, hazardous wastes and site services that may need to be isolated to reduce the impact and spread of a fire.

Action 1, amend and/or include the following on the *Site Layout and Fire Plan DCA/2411/03*.

- Correct the discrepancy between the *Site Layout and Fire Plan* Id DCA/2411/03, and its referenced Id DEN/2411/03 in the text of your FPMP.
- Include the Storage Area Details Table as described in Section 3.1.3, of your FPMP.
- Details of isolation points of all site services that include water, gas and electricity.
- Identify and label the location of the delineated gas cylinder storage cage as detailed in Section 2.3, *Gas Cylinders* of your FPMP.
- Indicate the location of the nearest fire hydrant. For example, you could include an arrow icon with a brief label, "*Fire Hydrant, 150mm - 200m north east of site*".

Site layout drawings *must* be clear and legible for review, particularly during an incident. Consider reproducing the drawing in A3 or similar for ease of reference by site staff and the Fire Rescue Service when needed.

Separation Distances and Waste Pile Sizes

Section 5 of the FPMP Guidance states your plan *must* include the dimensions of the maximum expected waste pile on site stipulating the maximum length, width and depth.

Action 2, include in your FPMP the maximum expected waste pile size onsite (including containerised waste) stipulating its maximum length, width and depth.

Section 5.1.2 of your FPMP briefly states, "*Due to the type and size of the site it is considered there is no need for fire*

breaks between containers of waste”.

Action 3, add more detail and justify in your FPMP why fire breaks are not required between waste containers onsite, and how site operations meet or exceed minimum FPMP guidance standards regarding separation distances.

Combustion Products and Emissions

Section 5 of the FPMP Guidance states the FPMP *must* include all expected combustion products to air, land and water emitted from a fire and the emergency response, including the impact on the local community, critical infrastructure (e.g. airports, motorways) and the environment and how they will be minimised. Describe in your FPMP potential combustion products that could be emitted from waste stored onsite during a fire. For example, *“Typical combustion products to air resulting from a fire of non-hazardous mixed waste could include, oxides of carbon, nitrogen and particulate matter including white smoke.”*

Action 4, include in your FPMP information on expected combustion product/emissions and how they will be minimised.

Sensitive Receptors

Section 5 of the FPMP guidance states that sensitive human and environmental receptors within 1km of the site including schools, hospitals, nursing homes and businesses must be considered within the FPMP and contact details provided where available.

Action 5, include contact details of sensitive human receptors within 1km of the site to your FPMP where available.

Staff FPMP Training.

Section 24 of the guidance describes measures for reviewing and monitoring the FPMP including the training of staff to enable them to competently carry out the procedures within the FPMP. Please note, your firewater management strategy as detailed in Section 10, *Managing Firewater* of your FPMP is based on the successful deployment and correct use of polybooms and drain mats to manage firewater.

Action 6, ensure staff have been trained to your FPMP, including the training of key-staff to the polyboom deployment procedure. Ensure training has been documented and as available for review during the next site inspection.

Compliance Assessment Report Findings

Thank you for submitting your FPMP for review. 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.

Your FPMP should be kept under constant review to ensure measures remain effective. You must also ensure that the plan is fully implemented on site at all times. The plan should be revised where necessary in accordance with Section 24 - Reviewing and Monitoring your Fire Prevention & Mitigation Plan of the guidance.

Action, review your FPMP in-line with the current guidance and follow the action items detailed in this report and update your FPMP accordingly by March 28, 2019. Your FPMP will be assessed for compliance against the findings of this report during the next site inspection.

If you would like to discuss anything further as regards to your FPMP, or require further guidance, then please contact your regulating officer.

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Kind Regards,

Karl Lombardi

C/O Paul Challender - Environment Officer (Waste Regulation)

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.

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EPR Compliance Assessment Report

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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			
C2	X	Address the actions as detailed in the body of this report	28/03/2019

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.