

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

Site	ASH Wrexham Recycling Centre	Permit Ref	WP3094FB		
Operator/Permit holder	Alan's Skip Hire (Wales) Ltd				
Regime	Waste Operations				
Date of assessment	26/06/2020	Time in	N/A	Out	N/A
Assessment type	Site Inspection				
Parts of the permit assessed	Staff competency and training; Management system and operating procedures; Accident, incident and emergency planning				
Lead officer's name	White, Steven				
Accompanied by					
Recipient's name/position	Neil Hassall/Thomas Farrell/ Director/Compliance Manager	Date issued	26/06/2020		

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
C1 - General Management - Staff competency/training	C2	1.1.1b
C2 - General Management - Management system and operating procedures	C3	3.7.1
D2 - Incident Management - Accidents, emergency and incident planning	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	2	Total compliance score (see section 5 for scoring scheme)	35
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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

This was a review of the site incident procedures and Fire Prevention and Mitigation Plan (FPMP) following the fire at the Wrexham Industrial Estate site on 23/05/2020. Due to the current Covid-19 restrictions and NRW guidelines officers did not attend the incident but were on standby to do so should the incident have escalated further.

From accounts of the North Wales Fire & Rescue Service (NWFRS), NRW incident log and ASH incident review the following review was carried out into the incident and FPMP.

- NWFRS received notification at 04:25 and were on site at approx 05:00, the fire started in the main waste transfer building within the permitted area of the site.
- A total of 156 tonnes of mixed waste was affected by the fire, the main wastes in the building at the time were: mixed municipal waste (20-03-01), cardboard (20-01-01) and transfer station waste (19-12-12).
- The source of ignition is currently unknown, approx. 150T of waste on site was affected by the fire, once this had been dowsed down by NWFRS it was removed during the response to an area separate from the rest of the waste on site; this was then further soaked. The fire lasted for approx. 8 hours and site operatives carried on damping down the waste after NWFRS had left site.
- There was a discharge of fire-fighting runoff from the site interceptor, from the calculation by NWFRS from the water application rates of 120,000 litres per hour a top-end estimate of 100,000 litres of runoff would have entered the Redwither Brook for the two hour timeframe until the interceptor was blocked.
- ASH are carrying out their own review into the incident and the site FPMP.

A review into the incident and site FPMP (version 2.2) by NRW has recorded the following:

- FPMP was not given to NWFRS until about 2hours into incident. NWFRS Incident Commander was made aware of FPMP by NRW standby officer, and not by site staff who seemed either unaware of the site FPMP or its contents.
- NWFRS were given a basic black and white map of the site which was difficult to work to (NWFRS were unable to distinguish the drainage plans and site boundary), found the hydrants themselves and were using them before ASH staff informed them of their location
- There was no clear direction during the incident from ASH operatives on how big the site interceptor was; the Incident Commander was told that it was large enough to last a couple of days, but filled up very quickly and started to overflow. NWFRS were pumping water onto the fire at a rate of 120,000 litres per hour, a top-end estimate of 100,000 litres of contaminated fire-fighting runoff would have entered the Redwither Brook from this overflow over the two hours before the discharge was stopped. The full capacity of the interceptor and any overflow points is not mentioned in the current FPMP for the site. Improvements have already been put in place on the interceptors discharge points to reduce the chances of a recurrence of a discharge from site.
- NWFRS were also not made aware of the solar panels on the roof of the affected building, these were discovered when the aerial platform was deployed. On discussions with ASH staff there was no-one on site, at the time, who knew how to isolate the solar panels. The current FPMP (Version 2.2) does not include the solar panels on the building in the document; they would need to be included in the next version as they are a potential ignition source on site.

From the feedback of the NWFRS Incident Commander and discussions with the site the FPMP requires updating to including

more information on the site drainage (including interceptor capacity and potential discharge points) and information on the solar panels and their isolation procedures.

FPMP's are to be made available to NWFRS at the earliest opportunity and ideally as they enter the site so they have the relevant information and tools to tackle the fire. On this occasion NWFRS were not made aware of the site FPMP until 2 hours after they had arrived on site and notification of the FPMP was by the NRW standby officer.

Preventative measures for fires on the site will need reviewing as something occurred on site that caused a fire to break out, at present the cause of the fire is unknown; it is recommended that the site reviews the waste storage conditions, detection measures, monitoring of stack temperatures and CCTV to ensure that the risk of another fire is reduced.

CCS Scores

Fire Prevention & Mitigation Plan

Permit condition 3.7.1: 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 for the site (Version 2.2) does not include important information on the overall capacity of the interceptor on site, in conversations with NWFRS during the incident it was communicated that the interceptor capacity would last "a few days" whereas it was overwhelmed and discharged through previously unknown points directly into the Redwither Brook. The FPMP does also not include the solar panels as a potential source of ignition for the site. As such the FPMP for ASH Wrexham is recommended to be reviewed by ASH at the earliest opportunity and updated to include the information that was not available during the incident.

This has been scored as a **C3** breach of the above permit condition

Staff competency & Training

Permit condition 1.1.1b: The operator shall manage and operate the activities... using sufficient competent persons and resources.

ASH staff need to be aware of the site FPMP, its location and contents; during this incident it is apparent that there is a need for extra training for ASH staff on the site FPMP. Had the staff been aware of the FPMP and its contents, the site interceptor and drainage then the discharge of fire runoff from site would have been decreased from the estimated 100,000 litres. Following investigations by NRW and NWFRS the root cause of the discharge to the brook was the lack of awareness by ASH staff of the FPMP and site drainage. Had NWFRS known of the existence of a FPMP with all the relevant discharge points included sooner then the discharge of fire runoff from site would have been significantly reduced. This has contributed to a significant discharge of contaminated runoff from site to the Redwither Brook totalling an estimated 100,000 litres; in line with current CCS scoring guidelines a CCS score of **C2** has been issued against the permit under 'Staff Training and Competency'.

The FPMP is adequate for the site but needs to be updated with information regarding the site interceptor, location of FPMP on site map, and location and isolation procedures for the solar panels. It is the conclusion of this review that the lack of knowledge of the FPMP and site drainage by the site operatives at the time of the fire was the root cause of the significant discharge of fire runoff from site.

After discussions with Compliance Manager Thomas Farrell improvements in the location of the FPMP and access to NWFRS, updates for site drainage/interceptor, and increased training in waste fires and FPMP are to be put in place. A date of 31st July 2020 has been set for the actions below to be carried out.

Actions/Recommendations

Access to FPMP: NWFRS did not get access to the site FPMP for some time, on discussions with Thomas Farrell a locked box is to be situated close to the entrance to the site with a copy of the FPMP and large-scale maps of the site including drainage, access, site map of waste types, hydrants. This is likely to be included in the next version of the NRW FPMP guidelines.

Update to site FPMP: Following the incident it is recommended that the site FPMP is reviewed and updated to include the full capacity of the site interceptor and any potential overflow/discharge points on drainage plans and in the body of the FPMP. The solar panels (if still functional) are to be included in the updated FPMP as potential ignition sources.

Staff training: Site operatives must be made aware of the existence of the FPMP, its location and its contents; it is advised that this is to be brought into the regular staff training for the site. The FPMP for waste sites is viewed as a valuable asset to the Fire Service and has been recognised as an important tool in FRS arsenal when fighting waste fires at permitted sites.

Thank you for your assistance during the incident, please find my contact details below.

Regards

Steven White

Senior Environment Officer (Waste Regulation Team)

Email: steven.white@naturalresourceswales.gov.uk

Post: Natural Resources Wales, Chester Road, Buckley, Flintshire, CH7 3AJ

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.

EPR Compliance Assessment Report

**Report ID:
CAR_NRW0036719**

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

Site	ASH Wrexham Recycling Centre	Permit Ref	WP3094FB
Operator/Permit holder	Alan's Skip Hire (Wales) Ltd	Date	26/06/2020

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.

We will now consider what enforcement action is appropriate and notify you, referencing this form.

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	X	A locked box is to be situated close to the entrance to the site with a copy of the FPMP and large-scale maps of the site including drainage, access, site map of waste types, hydrants	31/07/2020
C2	C3	Site is to review the FPMP and update with the relevant information. Preventative measures for fires are to be looked at being improved.	31/07/2020
C1	C2	Site operatives must be made aware of the existence of the FPMP, it	31/07/2020

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.