

Compliance Assessment Report

Report ID:
CAR_NRW0033849

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

Site	Thomas Skip And Plant Hire Ltd	Permit Ref	LB3933AE		
Operator/Permit holder	Thomas Skip & Plant Hire Limited				
Regime	Waste Operations				
Date of assessment	21/08/2018	Time in	10:15	Out	12:15
Assessment type	Audit				
Parts of the permit assessed	As below				
Lead officer's name	Thomas, Rhys				
Accompanied by	Karl Lombardi				
Recipient's name/position	Natasha Thomas/ TCM	Date issued	23/08/2018		

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	A	
C2 - General Management - Management system and operating procedures	C3	3.4.1
C3 - General Management - Materials acceptance	A	
C4 - General Management - Storage, handling labelling and Segregation	A	
D1 - Incident Management - Site security	A	
G2 - Monitoring and Records, Maintenance and Reporting - Records of activity, site diary/journal/events	A	
G3 - Monitoring and Records, Maintenance and Reporting - Maintenance records	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	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

Audit carried out on 21st August 2018 by Environment Officers Rhys Thomas and Karl Lombardi. The main objective of the audit was to review the operators Fire Prevention and Mitigation Plan (FPMP), in line with the current guidance. Officers assessed whether the FPMP is suitable and follows the minimum standards set out in the guidance, and whether the procedures were followed on site.

The operator was pre-notified of the audit, and a copy of the Audit Plan was sent. Present on site during the audit was Site Operator, Iestyn Thomas. A desk-based review of the FPMP was carried out prior to the audit taking place by Rhys Thomas. Findings from the review were discussed on site during the visit.

The following version of the site FPMP was reviewed as part of the audit: *Thomas Skip and Plant Hire Ltd Fire Prevention & Mitigation Plan. Revision 0.1 (29/01/18)*. The document was reviewed against the standards set out in the following guidance document: *Fire Prevention & Mitigation Plan Guidance – Waste Management (Version 2.0 August 2017)*. The FPMP guidance sets out what *must* be in your FPMP, and what *should* be in your FPMP, this 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".

Findings from the review along with action points and recommendations are summarised below:

Waste types and tonnages:

The Plan stipulates the amount and type of waste that is received daily and the maximum storage capacities (Section 2.1). It was established that the maximum storage capacities quoted in the plan (totalling 1,250 tonnes) are what the building can hold, however these figures are much higher than the typical amount stored. It is recommended that the typical amount stored at any one time is also detailed in this part of the plan. It would also be useful to include a bit more detail about how the waste is stored within the building.

Storage Times:

Section 2.1 details a maximum storage time of 6 months for all waste materials. Some materials are considered to be at risk of self-combustion if stored for more than 3 months (such as green waste, wood, paper/card, mixed waste). If you are storing materials at risk of self-combustion for longer than 3 months you must demonstrate what additional measures you will take, including monitoring the piles to reduce risk. This is detailed in part 7 of the FPMP guidance.

Action 1: Include details of what actions / measures you will take if materials are stored for longer than 3

months.

Waste stacks and separation distances:

The plan does not currently provide any site specific detail in relation to waste storage and separation distances. It was clarified that all waste materials are stored within skips inside the building, other than what is being processed at the time which is in a stockpile in the centre of the building. It was discussed during the audit that a certain distance is maintained between the waste storage skips in the building to allow access if required to extinguish any fire, and to allow for removal of the skips if necessary to prevent fire spread. Such detail must be included in the FPMP. You should also include details of how the mixed waste stockpile within the building is managed on a daily basis to maintain stockpile size and maintain separation distances between this and other wastes stored within the building. Further details can be found in part 8 and 13 of the FPMP guidance.

Action 2: Include detail of stockpile / container separation within the building.

Firefighting Strategy:

Section 3.4 of the plan provides some details about firefighting strategy. The information provided in this section is generic, therefore it is recommended that some site specific detail is included in this section. As discussed during the audit, this should include what techniques are most likely to be used on site, how they will be carried out and what equipment is available to carry out these tasks. When considering what actions are to be taken, the surrounding environment and risk to people and property should be considered.

Action 3: Provide further site specific details on the techniques that will be used to minimise fire spreading within or from the site.

Quarantine area:

A specified quarantine area must be designated on site, which should be suitable to place fire affected waste, or to move unburnt material for isolation to prevent fire spreading. The quarantine area should be large enough to hold at least 50% of the volume of the largest stack. The location of the quarantine area should be detailed in the FPMP, and you should set out how such an area would be used in the event of a fire on site.

Action 4: Include details of a designated quarantine area.

Site Plan:

Two site plans are currently included in the FPMP (2.2 & 3.2). The site plan must contain information on where any hazardous materials are stored on site. It was confirmed during the audit that vehicle oils (for maintenance) is the only such materials stored on site. This must be marked on the plan.

The site plan must contain information on access points around the site perimeter to assist firefighting. As discussed, it would be useful for a site location plan to be included in the FPMP, at a wider scale to the other two plans, showing the site within the local area. Such a location plan could show potential alternative access point through neighbouring units to the Eastern perimeter of the site.

The site plan must show any watercourses, boreholes or well located near the site. If a location plan is

produced this should show the watercourse which is located approx. 20 metres North of site.

The site plan should also show the location of key receptors, as identified in section 5.2 of the FPMP. These could also be identified on a location plan should one be produced.

The site plan must contain the location of the quarantine area.

Action 5: Amend the site plans, or produce an additional plan, that includes the following;

- Location of hazardous materials on site
- Access points around site perimeter
- Location of key receptors such as workplaces, residential areas, protected habitats and rivers within 1km.
- Location of on site quarantine area.

Common causes of fires and preventative measures:

These are listed in section 4.1 of the FPMP. It is recommended that where applicable, further site specific information is included under these headings. For example, what security measures are currently in place to deter arson or vandalism etc.

During and after an incident:

The FPMP must have contingency measures in place for dealing with issues during and after a fire. As discussed, such measures could include; diverting incoming wastes to alternative sites, having plans to notify those who may be affected by a fire, contractors that might be used to assist. You should also set out how you will clear and decontaminate the site and the steps that will be taken before the site becomes operational again.

Action 6: Include measures for dealing with issues during and after a fire.

Please refer to the latest version of the guidance document when reviewing your FPMP and when considering appropriate measures to put in place. <https://cdn.naturalresources.wales/media/684379/guidance-note-16-fire-prevention-mitigation-plan-english.pdf?mode=pad&rnd=131654969480000000>

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.

In a future compliance visit, we will undertake an assessment of your compliance with your FPMP.

Non-compliance recorded:

C2 General Management – Management Systems and Operating Procedures. Permit Condition 3.4.1.

CCS Score C3.

Permit condition 3.4.1. states that the operator shall manage and operate the activities in accordance with a written fire prevention plan using the current, relevant fire prevention plan guidance. During the audit it has been noted that the current Fire Prevention and Mitigation Plan that is in place falls short of the requirements set out in the Fire Prevention and Mitigation Plan Guidance. Detail of where the FPMP falls short is explained in the audit report above, along with specific action points for recommended improvements.

Action: Review the Fire Prevention and Mitigation Plan in line with the relevant guidance and submit a revised copy of the plan to Natural Resources Wales by 12th October 2018.

Site inspection:

During the visit, officers discussed some of the site's record keeping practices with the operator and viewed some of the relevant documents. The site's daily inspections checklists were viewed and were all up to date and in good order. Records of TCM attendance was available on these documents. This checklist also contains the records of stockpile monitoring as detailed in the FPMP. The site have delivered training for all staff in relation to the FPMP in the form of a toolbox talk, and it was good to see this evidenced in the form of a training record sheet. Further Fire Marshal training has also been delivered to certain staff on site. A sample of records relating to wastes received and removed from site were viewed in the site office during the visit.

A site walkover was carried out by the officers. Site was busy at the time with waste material being accepted on site, and processing activities taking place within the waste transfer building. A small amount of material was tipped on the building floor and was being sorted/segregated at the time. All other wastes were stored in designated skips within the building. This area was generally tidy and organised. Two sealed containers were available within the building to store rejected / hazardous wastes. The drainage channel within the building was inspected and appeared to be clear at the time and free from debris.

No waste materials were being stored on the external yard at the time. This area was mainly used for storage of empty skips.

An Emergency Services box containing a copy of the FPMP has been installed directly outside the site gates next to the site notice board. A copy of the site plan and emergency contact details were also pinned up on the notice board next to the box.

Thank you for your time and assistance during the audit. Operations on site appeared to be well managed and organised, with good record keeping practices being demonstrated. Please ensure that you refer to the action points and recommendations listed above with regards to reviewing your FPMP. If you would like to discuss anything mentioned in this report, or would like any further guidance, please contact Rhys Thomas on 03000 65 3765, rhys.thomas@cyfoethnaturiolcymru.gov.uk.

Photographs:

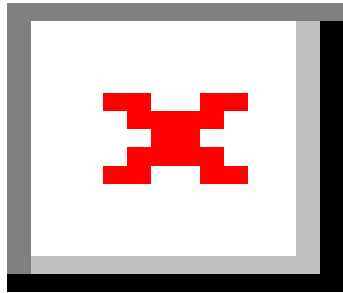


Photo 1: Materials stored in skips within the waste transfer building.

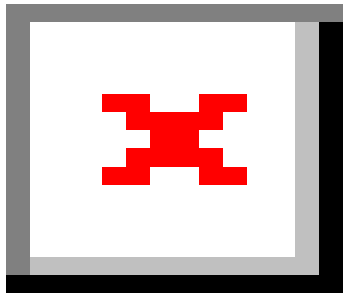


Photo 2: Tipped mixed waste for processing.

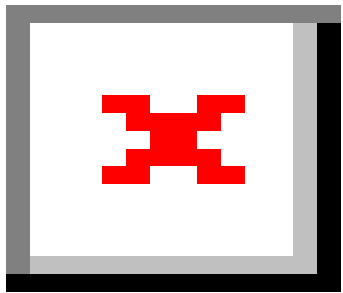


Photo 3: Rejected waste container.

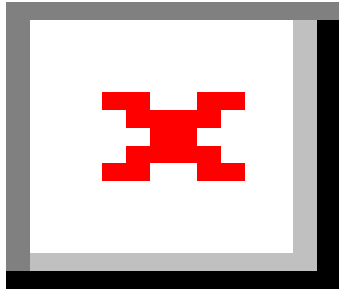


Photo 4: Emergency services box located next to site entrance.

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_NRW0033849**

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

Site	Thomas Skip And Plant Hire Ltd	Permit Ref	LB3933AE
Operator/Permit holder	Thomas Skip & Plant Hire Limited	Date	21/08/2018

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			
C2	C3	Review the Fire Prevention and Mitigation Plan in line with the relevant guidance and submit a revised copy of the plan to Natural Resources Wales by 12th October 2018.	12/10/2018

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.