

Compliance Assessment Report

Report ID:
CAR_NRW0034014

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

Site	Worldcare Wales Ltd	Permit Ref	UP3794FZ			
Operator/Permit holder	World Care (wales) Ltd					
Regime	Waste Operations					
Date of assessment	19/09/2018	Time in	10:30	Out	12:30	
Assessment type	Audit					
Parts of the permit assessed	The CAR sub-criteria listed below					
Lead officer's name	Briscoe, Ross					
Accompanied by	Lombardi, Karl					
Recipient's name/position	Lee Jones/ Director / TCM	Date issued	12/10/2018			

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
C2 - General Management - Management system and operating procedures	C3	5.7.1

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

This audit was carried out on Wednesday 19th September 2018 by Natural Resources Wales officers Ross Briscoe (Senior Environment Officer) and Karl Lombardi (Environment Officer).

Present were Lee Jones of World Care (Wales) Limited and Clare Walters of Ceri Environmental Consulting Limited, the appointed consultants working on behalf of World Care (Wales) Limited.

The objective of the audit was to review and discuss the operators Fire Prevention and Mitigation Plan (FPMP), in line with the current guidance. Prior to and throughout the audit officers assessed whether the FPMP is suitable and follows the minimum standards set out in the guidance.

The audit would have formed two parts. The first part which was undertaken, was to work through the site FPMP document within the site office before proceeding out into the permitted area of the site to observe how the plan was being implemented. However, due to adverse weather conditions (strong winds) officers made the decision not to proceed into the permitted area due to safety concerns. It was agreed therefore that a follow up visit would take place when weather conditions would hopefully be more favourable. It was agreed that the operator would be notified in advance of this future visit.

Natural Resources Wales received World Care (Wales) Limited's FPMP (Version 4.0, August 2018) document and associated plans on Monday 13 August 2018. This was the document which has been reviewed as part of the audit. The document was reviewed against the standards set out in the current Natural Resources Wales Fire Prevention & Mitigation Plan Guidance – Waste Management (Version 2.0) document dated August 2017.

The Natural Resources Wales FPMP guidance sets out what *must* be included within a site FPMP, and what *should* be included in a site FPMP. For the *should*, operators are to do these, give alternatives or explain why they don't apply. Please note that "stack" can also mean "pile".

Findings and actions from the review are summarised below.

Your FPMP document does indicate that it has been produced considering the current NRW FPMP guidance. Your FPMP also refers to the current Waste Industry Safety and Health (WISH) Forum guidance.

Your FPMP is a separately produced document which forms part of the overall site Environment Management System.

Alongside your FPMP, your Environment Management System should also include a separate written assessment of fire risk on site and describe the measures in place to prevent, detect, suppress, mitigate and contain fires in accordance with the Regulatory Reform (Fire Safety) Order 2005. The Regulatory Reform (Fire Safety) Order 2005 is referenced within the introduction section of your FPMP and officers were advised that documentation was in place. However, officers did not view any documentation relating to this. **ACTION 1** - Ensure that your on site Environment Management System includes this separate written assessment of fire risk.

Your FPMP must specify the amount and types of waste received daily and how this waste is managed. At present your FPMP states that '*currently the site accepts general skip waste consisting of wood, metals, soil, stones, construction & demolition type waste etc*'. **ACTION 2** - Your FPMP must detail the different types of waste received and the amount received on a daily basis.

Your plan must also specify the total amount of waste and the types and forms (unprocessed, chipped, shredded, fines etc) that are stored on site at any one time and how it will be stored. Currently your FPMP does not specify the total amount of each waste type which will be stored. Section 3.5 of your plan suggests that the table within this section will contain the storage limits of all the materials on site however it is not clear from the table which items are

waste and which items are materials. It also gives no information on storage limits and types and forms that the materials or wastes are stored in. **ACTION 3** – Ensure your FPMP specifies the total amount of waste and the types and forms (unprocessed, chipped, shredded, fines etc) that are stored on site at any one time and how it will be stored.

Section 3.6 also refers to the maximum storage capacity of the site being 5,000 tonnes. The site is only permitted to accept 4,999 tonnes of waste per annum, so this section will also need to be revised to specify the maximum storage capacity of wastes at any one time. **ACTION 4** – Stipulate the maximum storage capacity of the site at any one time.

The FPMP must also specify the maximum time that each waste type will be stored on site and how it will be managed. Currently your FPMP does not detail how long each waste type will be stored on site. The only reference to timescales is within section 3.6 where your FPMP currently specifies that '*any waste with a potential to self-combust such as wood will not be stored on site for longer than 3 months*'. **ACTION 5** - The FPMP must detail how long each type of waste will be stored on site.

Section 3.4 of your current FPMP indicates that the site undertakes various waste processing operations. It does not specify how each different waste type will be managed on site and what processes the waste will be subjected to (managed). **ACTION 6** – Your FPMP must detail how each waste type will be managed on site.

The table within section 3.5 of your current FPMP indicates the location of where wastes (and materials?) are stored. The contents of the table needs to be clarified as to what is waste and what is material, however all items of waste must be included. For example, the site currently stores a quantity of plasterboard, but this is not listed within the table. **ACTION 7** - Please ensure this is reviewed and that all items of waste being stored on site are included. In addition, the table needs to be fully completed as the location of where soils are stored is missing from the table.

Your FPMP must also specify the maximum size of any waste pile (stack), stipulating the maximum length, width and depth of each pile. This will then provide you with a m³ calculation figure. Your FPMP does not give any indication as to the maximum size of any waste pile on site or any measurements that would support this. Once you have these figures it will also then allow you to ensure that other sections of the plan are based on evidence **ACTION 8** – Include all of this information within your revised FPMP.

Whilst reference to separation distances are made within section 4.3 of your current FPMP, the FPMP must detail what techniques will be used to minimise the risk of fire spreading within the site or from the site. The text in this section needs to be reviewed to confirm/state the actual detail of the site for example '*There are some existing fire walls in place between stockpiles and in order to seek to comply with the FPMP Guidance World Care (Wales) Ltd has recently added to and improved the fire walls to contain the various stockpiles on site*'. Your FPMP must include the minimum separation/fire break distance required between all waste/baled waste stacks and between buildings and waste/baled wastes stacks. **ACTION 9** – Include information as detailed above.

Your FPMP details that waste stockpiles are enclosed and segregated using bay walls. You *should* also demonstrate that the bay walls used are of sufficient height, thickness and construction to offer a fire resistance period of at least 120 minutes to allow waste to be isolated to stop fire spreading and minimise radiant heat. It is noted from your FPMP and associated plan's that a variety of materials are being utilised as bay walls including concrete blocks, metal walls and wooden sleepers. Of concern are the wooden sleepers being used as a bay walls especially with the 120-minute limit – this should be clarified within your FPMP. A freeboard space of 1m at the top and sides of the bay walls *should* also be maintained at all times. Your FPMP should detail how this will be maintained. **ACTION 10** - Outline how the bay walls offer fire resistance.

As discussed during the audit the FPMP is designed to be used in the event of an emergency by relevant parties such as the emergency services and their partners. With this in mind it is important to ensure that the document is easy to navigate, and all the required information is contained within the relevant sections. It would be worthwhile undertaking a review of the layout of the FPMP whilst considering this. For example, information regarding sensitive receptors can be found within section 2.3 whereas the contact details are found within section 6.1. It may be prudent to have this information together or at least have the contact details duplicated so they are also next to the details of the receptors within section 2.3.

You may want to consider relocating the 'off site' emergency information pack to a position which is more prominent and further away from waste stockpiles and site buildings making access to the box easier during an emergency. One position which was discussed was on the rear of the site access gates.

Within the sensitive receptors section, the details of Worldcare Recycling Limited should be updated to reflect current operations and clarify which exemptions the site holds as this could also potentially include combustible wastes. The railway station should also be clarified as 'Llandudno Junction Station'. **ACTION 11** – Review and update details within sensitive receptors section

Within section 3.1, arrangements concerning the drainage system on site need to be clarified. The FPMP currently reads '*It is understood that the drainage system discharges into the foul sewerage system and as such there will be*

no pathway to the receptor sites'. Clarification of where the drainage system discharges to is required. This is a significant point as any firewater used in firefighting will enter the site drainage system and its discharge point needs to be confirmed. **ACTION 12** - Clarification of the drainage system and discharge points are required.

Within section 3.2 The procedure for a 'hot load' arriving at the site should be reconsidered as taking the load back to the producer may exacerbate any situation. Clarification should also be made as to where appropriate records will be made of incidents that occur on site.

References made to the site working plan should also be clarified with a working plan (Environment Management System) version number. **ACTION 13** – Clarify version number of working plan/EMS

Within section 4.3, 'figure 1 of NRW' s FPMP Guidance' is referenced however there is no figure 1 within the NRW FPMP guidance. **ACTION 14** – Amend reference to 'figure 1' of NRW's guidance.

Section 4.5 indicates that there are no height restrictions to impeded access. No reference is made to any width restrictions on site which could also impeded access such as the area between the site office and processing line. **ACTION 15** – Clarify any width restrictions which may apply on site.

Under section 4.8 water supplies you must refer to section 20 of the NRW FPMP guidance and demonstrate how sufficient water supplies are available. **ACTION 16** – Demonstrate that adequate water supplies are in place and are available.

There is no reference to how run off from firewater will also be managed - please refer to section 21 of the NRW FPMP guidance and include this within your FPMP. **ACTION 17** – Document how firewater run of will be managed on site.

Within your FPMP it is stated multiple times that land adjoining your permitted area will be utilised as a quarantine area. As outlined within section 22 of NRW's FPMP guidance the quarantine area should be within the permitted area and should be large enough to both hold at least 50% of the volume of the largest stack and have a separation distance of a least 6 metres around the quarantined wastes (this could be decreased if concrete bunkers/walls will be used).

Whilst it is discussed within your FPMP and marked upon the site plan CEC/WCE/002, given that this area of land is also used to store wastes you should demonstrate how at least one specified area will be kept clear at all times which is large enough to both hold at least 50% of the volume of the largest stack (this quantity needs to be confirmed) and how a separation distance of a least 6 metres around the quarantined wastes will be maintained. You should also set out how you will utilise your quarantine area in the event of a fire – this should involve detailing the location of specified quarantined areas and confirming how one of these areas will be kept clear at all times. In addition you should also document what will happen to any waste (fire damaged or not) removed to this area in the event of a fire including how this waste will be then managed and how it will then be removed from this area (including timescales) **ACTION 18** – Clarify arrangement for the quarantine area.

The FPMP should be treated as a live document, therefore detail should be included describing how and when the document will be reviewed. Any operational changes on site or a fire incident should prompt a review of the FPMP. **ACTION 19** – Include details of when the FPMP will be reviewed.

Site plans:

Your FPMP includes three associated plans which are as follows

- Plan CEC/WCW/001 dated 23 July 2018 showing the local receptors surrounding the site,
- Plan CEC/WCE/002 dated 08 August 2018 showing the specific layout of the World Care (Wales) Limited site
- Plan CEC/WCE/003 which is plan indicating the provision of water hydrants within the locality

ACTION 20 - As discussed during the audit the plans need to be amended to ensure they contain all the required information as follows (examples in brackets – lists not exhaustive):

- Layout of buildings including access points/fire exits and utilities (location of Trommel on waste processing line, access points and stairs to site office, electricity supplies (isolation switches) to waste processing equipment etc. There is also no indication as to what the separation between the mixed waste and wood stockpile is constructed of.
- Areas where hazardous materials are stored (Gas canisters, fuels and oils for plant machinery, paints and chemicals)
- Access routes for FRS appliances

- Areas of natural and unmade ground (impermeable surfaces, hardstanding, concreting, kerbing)
- Location of plant, protective clothing and pollution control equipment and materials (Spill kits, absorbents, drain covers etc)
- Location of off site / third party building which may be affected (labelling of neighbouring business units premises)
- Drainage systems, foul and surface water drains, and their direction of flow and outfall points (colour coding of surface water and foul drains, direction arrows)
- The location of drain covers and any pollution control features such as drain closure vales and firewater containment systems (colour coding of drains and manholes)
- Assembly points for staff and visitors
- A compass rose with the prevailing wind direction

Non-compliance:

C2 General Management – Management Systems and Operating Procedures. Permit Condition 5.7.1. Compliance Classification Scheme Score Category 3.

Permit condition 5.7.1. 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.* In summary World Care (Wales) Limited's FPMP (Version 4.0, August 2018) falls short of the requirements set out in Natural Resources Wales' current FPMP Guidance. Details of where the FPMP falls short is explained within this Compliance Assessment Report. Actions required to rectify this breach are summarised in the table below.

	Actions required when reviewing the FPMP:	
1	Ensure the site Environment Management System includes this separate written assessment of fire risk.	
2	Your FPMP must detail the different types of waste received and the amount received on a daily basis.	
3	Ensure your FPMP specifies the total amount of waste and the types and forms (unprocessed, chipped, shredded, fines etc) that are stored on site at any one time and how it will be stored.	
4	Revise section 3.6 to stipulate the maximum storage capacity of the site at any one time	
5	Your FPMP must detail how long each type of waste will be stored on site.	
6	Your FPMP must detail how each waste type will be managed on site.	
7	Review table within section 3.5 of FPMP to clarify what is waste and include all wastes which are missing from the table.	
8	Your FPMP must specify the maximum size of any waste pile on site	
9	Include the minimum separation/fire break distance required between all waste/baled waste stacks and between buildings and waste/baled wastes stacks	
10	Outline how the bay walls on site offer fire resistance of 120 minutes	
11	Review and update details within sensitive receptors section	
12	Clarification of the drainage system and discharge points are required.	
13	Clarify version of working plan/EMS throughout the FPMP	
14	Amend reference to 'figure 1' of NRW's guidance.	
15	Clarify any width restrictions which may apply on site.	
16	Demonstrate that adequate water supplies are in place and are available.	
17	Document how firewater run off will be managed on site	
18	Clarify arrangement for the quarantine area.	
19	Include details of when the FPMP will be reviewed	
20	Review site plans to include required information	

Please review your current FPMP in line with Natural Resources Wales' current FPMP guidance and submit a revised copy to Natural Resources Wales by Friday 16 November 2018.

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. Your FPMP should be revised where necessary in accordance with Section 24 - Reviewing and Monitoring your Fire Prevention & Mitigation Plan of the guidance.

Thank you for your time and I hope that our discussions throughout the audit, and the actions set out within this report has provided you with sufficient information to review your FPMP.

Regards

Ross Briscoe

Senior Environment Officer (Waste Regulation)

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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_NRW0034014**

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

Site	Worldcare Wales Ltd	Permit Ref	UP3794FZ
Operator/Permit holder	World Care (wales) Ltd	Date	19/09/2018

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.

In respect of the above non-compliance you have been issued with a warning. At present we do not intend to take further enforcement action. This does not preclude us from taking additional enforcement action if further relevant information comes to light or offences continue.

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 and update site Fire Prevention & Mitigation Plan so that it meets the requirements of the current Natural Resources Wales Fire Prevention & Mitigation Plan guidance v2.0.	16/11/2018

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.