

Compliance Assessment Report CAR_NRW0038291

Permit being assessed: KB3097TU.

For: Nantycaws Materials Recycling Facilities, held by CWM Environmental Ltd
At: Nantycaws Waste Management Site, Llanddarog Road, Nantycaws, Carmarthen, SA32 8BG.

Type of assessment carried out: Site Inspection, Reason: Incident Response (Incident number 2103612).

On 05/05/2021 between 10:00 and 11:00.

Parts of permit assessed: Incident Response

NRW Lead Officer: Sally Wakeford.

Report sent to: Paul Wakelin, Operations Manager on 18/05/2021.

1. Summary of our findings (full details in section 4)

Part of permitted activity assessed (criteria)	Assessment result	Permit condition
A1 - Specified by permit	Assessed (A)	
C1 - General Management - Staff competency/training	Assessed (A)	
C2 - General Management - Management system and operating procedures	Assessed (A)	
D2 - Incident Management - Accidents, emergency and incident planning	Assessed (A)	
E3 - Emissions - Surface water	Assessed (A)	
G4 - Monitoring and Records, Maintenance and Reporting - Reporting and notification to Natural Resources Wales	Assessed (A)	

Result types are explained in more detail in the 'Important Information' section below.

Total number of non-compliances recorded	Total non-compliance score
0	0

How we use the non-compliance score to calculate your annual fee is explained in the 'Important Information' section below.

2. What action is required?

No action required.

3. What will happen next?

Any non-compliance we have identified and recorded on this form is an offence. It can result in criminal prosecution and/or suspension or revocation of your permit.

At this time, we do not intend to take any further action.

This statement does not stop us from taking additional enforcement action if further relevant information comes to light or offences continue.

4. Details of our assessment

This Compliance Report covers the incident which occurred in the Blue MRF Building on Saturday 24 April until the 05 May 2021.

On 24 April at 16:15hrs NRW received a call from MAWWFRS stating they were in attendance at CWM Environmental Ltd and the waste shed containing blue bags was well alight.

NRW on call officer Matthew Lowe attended on site and provided advice to FRS Incident Commander and CWM Representative regarding fire water management and agreed all waster would be contained and pumped to the leachate lagoon.

On 25 April Matthew Lowe again attended on site and confirmed that Fire water run off was being collected and pumped to the leachate lagoon. FRS confirmed that no further advice was required at that time.

On 26 April Sally Wakeford and Michael Edwards attended on site. A walk of the site was undertaken with FRS officers, Paul Wakelin and Sean Gallagher of CWM. At the time the main concentration of the fire fighting effort was to the rear of the buildings in the yard area, where paper bales were well alight. Once the waste was doused it was put in RORO skips. It was agreed by NRW that to aid with the fighting of the fire, the paper waste could be deposited at the rear of the site on an area of hardstanding to ensure any fire was out, prior to it being taken to landfill. It was stated that as little water as possible would be used, and the land would be remediated after the waste had been removed.

Waste from inside the building would be removed to the front, where the water was being contained and then removed to landfill.

All ditches and water exit points from the site were dammed, including the main potential discharge point from the interceptor for the HWRC to the ditch at the rear of the site. These discharge points showed no potentially polluting liquid leaving the site.

On 30 April Sally Wakeford attended on site. FRS had just handed the site back to CWM, the main area of fire was out, and some smouldering remained in the rear of the building.

There was a small amount of waste still remaining in the front of the building, the majority of the waste had been removed to Pwllfawarkin landfill. We discussed that the fire started in the bag splitting area, after the plant had shut down for the day and all closedown procedures had been implemented, including clearing the lines and bag split area of waste.

It is unclear how the fire spread to the waste, however at the time of the fire, there was less waste in the building than had been on the inspection in February 2021.

Fire water measures were still in place and functional.

The Black MRF was back operational.

On 05 May 2021 a final site inspection was undertaken by Sally Wakeford and Jon Willington. The waste had been completely removed from the front of the building.

Some waste still remained in the rear yard, but was in the process of being removed from site, with a small amount still smouldering in the building.

Blue bag waste was being deposited in a rear bay in the Black MRF for loading to containers for transport to various operators who will process the waste on a rolling short contract basis until the Blue MRF is again operational.

Summary

It was confirmed on site with Sean Gallagher and Paul Wakelin that CWM would not be penalised for an accident, and NRW would take no further action.

Staff on site had completed all requirements when closing the site down prior to the fire starting. There was minimal detriment to the environment due to the fire as CWM had reacted swiftly and in a way which ensured the fire fighting, fire water management and waste removal was undertaken in the most appropriate manner.

Thank you for taking the time to accompany us around the site.

Any compliance criteria not highlighted in the above summary should be considered as not assessed.

In this document 'Natural Resources Wales' means the Natural Resources Body for Wales established by Article 3 of the Natural Resource Body for Wales (Establishment) Order 2012.

You should note that the Natural Resources Body for Wales has been formed by bringing together the Countryside Council for Wales, Forestry Commission Wales and Environment Agency Wales. The Natural Resources Body for Wales has been empowered to exercise Welsh devolved functions since 1st April 2013 and has, generally, taken over the responsibilities of the Countryside Council for Wales, the Forestry Commissioners and the Environment Agency for Wales.

END

If you have any queries about this report, or to discuss completion of any actions, please contact the NRW Officer named above.

Important information

Legal status of this report

Your permit is issued to you under the Environmental Permitting Regulations. You have a responsibility to comply with the conditions of your permit and prevent pollution/harm of the environment. You must also ensure that you comply with any other relevant legislation that may apply to your site's operations.

This report explains the findings of our assessment and any action you are required to take. We categorise non-compliance using our guidance for assessing non-compliance at regulated sites.

When we find potential non-compliance/s we will normally give you advice on how to maintain compliance.

To correct non-compliance, we may:

- require you to take specific actions
- issue a notice
- review the conditions of your permit.

Any advice and guidance we give will be without prejudice to any other enforcement response that we consider may be required.

Assessment results and non-compliance categories (used in section 1):

Assessment result	Description
Assessed (A)	Assessed or assessed in part, no evidence of non-compliance found
Action only (X)	Action only relating to the activity assessment
Ongoing (O)	Ongoing non-compliance, not scored

Non-compliance category	Description	Score
C1 Major	Potential to have a major, serious, persistent and/or extensive impact or effect on the environment, people and/or property	60
C2 Significant	Potential to have a significant impact or effect on the environment, people and/or property	31
C3 Minor	Potential to have a minor or minimal impact or effect on the environment, people and/or property	4
C4 No environmental impact	Non-compliance at a regulated site that cannot foreseeably have any impact on the environment, people and/or property	0.1

How we use assessment scores

The number and severity of non-compliances recorded in a year will affect your annual subsistence fee the following year. A non-compliance factor is added to your site's Operator

Performance Risk Appraisal (OPRA) score when we calculate your fee to reflect the additional resource we use to assess permit compliance.

What are suspended scores?

In line with our guidance, we may suspend scores for up to six months to allow time for remedial action to be taken. Suspended scores will be re-instated if the action is not completed.

Full list of Industry and Waste action criteria (used in section 1 and 2):**A: Permitted activities**

- A1 Specified by permit

B: Infrastructure

- B1 Infrastructure – Engineering for prevention and control of emissions
- B2 Infrastructure – Closure and decommissioning
- B3 Infrastructure – Site drainage engineering (clean and foul)
- B4 Infrastructure – Containment of stored materials
- B5 Infrastructure – Plant and equipment

C: General management

- C1 General management – Staff competency/training
- C2 General management – Management system and operating procedures
- C3 General management – Materials acceptance
- C4 General management – Storage, handling, labelling and segregation

D: Incident management

- D1 Incident management – Site security
- D2 Incident management – Accidents, emergency and incident planning

E: Emissions

- E1 Emissions – Air
- E2 Emissions – Land and groundwater
- E3 Emissions – Surface water
- E4 Emissions – Sewer
- E5 Emissions – Waste

F: Amenity

- F1 Amenity – Odour
- F2 Amenity – Noise
- F3 Amenity – Dust/fibres/particulates and litter
- F4 Amenity – Pests/birds and scavengers
- F5 Amenity – Deposits on road

G: Monitoring and records, maintenance and reporting

- G1 Monitoring and records, maintenance and reporting – Monitoring of emissions and environment
- G2 Monitoring and records, maintenance and reporting – Records of activity, site diary/journal/events
- G3 Monitoring and records, maintenance and reporting – Maintenance records
- G4 Monitoring and records, maintenance and reporting – Reporting and notification to Natural Resources Wales

H: Resources efficiency

- H1 Resource efficiency – Efficient use of raw materials
- H2 Resource efficiency – Energy efficiency

Enforcement response

Any permit condition non-compliance is an offence and we may take legal action against you. Action we take can include prosecution, serving a notice on you and/or suspension or revocation of your permit. See our Enforcement and Sanctions Guidance for further information.

Data protection notice

You should make sure that anyone named in this report knows that the information it contains will be processed by Natural Resources Wales to fulfil its regulatory and monitoring functions and to maintain the relevant public register(s).

We may also use and/or disclose the report in connection with:

- offering or providing you with our literature or services relating to environmental matters
- consulting with the public, public bodies and other organisations (e.g. 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 our service
- Freedom of Information Act or Environmental Information Regulations requests.

We may also pass it on to our agents or representatives to do these things on our behalf.

Disclosure of information – this report will be available to view on-line

If you think this report contains commercially confidential information that should not be placed on our public register, you must contact your local Natural Resources Wales office within **fifteen working days** of receiving this report, using the contact details in the accompanying email or letter. You must give a full explanation of why it should not be added to our public register, including specifying which information is commercially confidential. We will assess your request and respond to you within 20 working days to let you know if we agree to your request.

What do I do if I disagree with the report or have a complaint?

If you disagree with this compliance assessment report, you should contact the lead officer without delay to discuss your concerns.

If you are unable to resolve the issue with the lead officer or their line manager you should contact our Customer Contact team on 0300 065 3000 (Monday to Friday 08:00 – 18:00), or email enquiries@naturalresourceswales.gov.uk for details of how to raise your dispute further through our Complaints and Commendations procedure.

If you are dissatisfied with our response, you can contact the Public Services Ombudsman for Wales by phone on 0300 7900203 or by email at ask@ombudsman.wales

Welsh Language Standards

We are committed to establishing Natural Resources Wales as a naturally bilingual organisation. We will provide compliance reports in your preferred language.