

Compliance Assessment Report CAR_NRW0038391

Permit being assessed: KP3195FW.

For: Newport Refrigerator Plant, held by Sims Group U K Ltd

At: South Dock, Alexandra Dock, Newport, Gwent, NP20 2WE.

Type of assessment carried out: Report/Data Review, Reason: Routine.

On 15/04/2021 - 15/06/2021.

Parts of permit assessed: Table S1.4 - IC1

NRW Lead Officer: Wayne Grimstead.

Report sent to: Georgina Sidney, SHEC Business Partner South on 17/06/2021.

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)	

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

Permit EPR/GP3337KD - Sims Fridge

IC1 - FPMP

The above-mentioned permit was varied on 15th January, 2021, following the publication of the revised Best Available Techniques (BAT) Reference Document (BREF) for Waste Treatment.

Condition 1C1 states: *'The operator shall submit a written fire prevention and mitigation plan [FPMP] to Natural Resources Wales. The Fire prevention and mitigation plan must be produced in line with the standards set out in fire prevention and mitigation plan guidance – Waste.'*

In compliance with the requirements of this condition, Sims submitted a written FPMP with appendices on 15th April, 2021. NRW confirms that the information contained in the report is acceptable and the condition is hereby discharged. If hasn't been already, it is recommended that the Accident Management Plan be updated accordingly to reflect any changes in procedures.

Operating Techniques

NRW would like to thank Sims for providing updated Appendices 2 & 3 on the 23rd April, 2021, which relate to the Newport Fridge Plant Process Description and Fridge Treatment Plant Process Flow, respectively. The details are accepted.

Permit EPR/CP3795FY - Sims Shredder

Sims will be aware that their permit, reference EPR/CP3795FY, is also under review as part of the Waste Treatment BREF.

Following a meeting at Sims' offices with NRW officers Mr Willey and Mr Grimstead on 3rd September, 2020, Sims indicated there would no longer be a need for this activity. As a result, the following information was provided in CAR form NRW0036939, dated 23rd September, 2020, which states:

'Both permits issued to SIMs are currently under review a part of the Waste Treatment BREF. For the permit EPR/CP3795FY for the shredder SIMs confirmed that there will be no longer a need for this activity. Sims also confirmed that there would be no requirement for the hazardous waste storage activity either. The site is currently storing more than 50 tonnes hazardous waste as a result of a back log of units stored during the lockdown period due to COVID 19. This will be removed over the coming months. For the permit EPR/CP3795FY SIMs have the option of applying for this permit to become a waste facility permit or to surrender the permit completely. Sims discussed the option of varying the fridge plant permit EPR/KP3195FW to include an additional area of land. We advised that they would be able to do this by varying the permit. However, SIMs should be aware that if this land forms part of the permit EPR/CP3795FY then the permit EPR/CP3795FY would be required to surrender that area of land. An option put forward to SIMs was for the site to consolidate the two permits and to then remove the shredder activity and one of the hazardous waste storage activities.'

In order to progress this matter, NRW respectfully request that Sims consider it's position and for any application to be with the permitting team by August, 2021. As set out above, this would either be for a surrender or consolidated permit with the fridge plant, or for this permit to become a waste facility permit. If no action is taken by this time, the Permitting Team at NRW will need to determine whether to start the BREF process. It is estimated that this process would take about a year to complete, allowing sufficient time for the permit to be assessed and for any improvement conditions to be complied with by August, 2022. Please be aware that Sims Group UK Ltd, will be charged the normal variation fee when NRW permitting team begin this work.

If Sims have any queries regarding the contents of this CAR form, they should contact their site regulating officer, Mr Wayne Grimstead.

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.