Compliance Assessment Report

Report ID: CAR_NRW0032115

This form will report compliance with your permit as determined by an NRW officer					
Site	B A E Systems Global Combat Systems Munitions	Permit Ref	GB3293HT		
Operator/Permit holder	BAE Systems Global Systems Munitions Limited				
Regime	Waste Operations				
Date of assessment	04/09/2017	Time in	12:00	Out	17:00
Assessment type	Audit				
Parts of the permit assessed	Waste acceptance and treatment				
Lead officer's name	Green, Rebecca				
Accompanied by					
Recipient's name/position	Calum Stewart/ Safety, Health and Environment Manager	Date issued	07/11/2017		

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	
B1 - Infrastructure - Engineering for prevention and control of emissions	A	
B4 - Infrastructure - Containment of stored materials	A	
B5 - Infrastructure - Plant and equipment	A	
C1 - General Management - Staff competency/training	A	
C2 - General Management - Management system and operating procedures	A	
C3 - General Management - Materials acceptance	A	
C4 - General Management - Storage, handling labelling and Segregation	A	
E5 - Emissions - Waste	A	
G1 - Monitoring and Records, Maintenance and Reporting - Monitoring of emissions and environment	A	
G2 - Monitoring and Records, Maintenance and Reporting - Records of activity, site diary/journal/events	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	**0**	**Total compliance score** (see section 5 for scoring scheme)	0

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

In September 2015 BAE Systems were issued with a bespoke waste permit for the treatment of metal wastes. Recommendations were made in the pre-application documentation that procedures for ensuring materials were FFEH should be audited once the installation had been running for a reasonable time. The equipment has taken longer than anticipated to fully commission and so it has only been running in a production capacity since 2016.

Waste acceptance and treatment procedures were audited and the full results are available in the audit report.

The meeting audit agenda is given below -

1. Business update;
2. Inspection and audit objectives and format;
3. Equipment inspection;
4. Audit
   - pre-acceptance procedures;
   - acceptance/rejection procedures;
   - storage pre and post treatment;
   - disposal procedures;
   - traceability
5. Overview of audit findings;
6. AOB.

Present at the meeting
C. Stewart, Safety, Health and Environment Manager, BAE;
D. Davies, BAE;
Rebecca Green, PPC Compliance Officer, Natural Resources Wales (NRW).

1). Business update
Business is steady and is currently undergoing some organisational changes.

2). Inspection and Audit Objectives and Format
4). and 5). Audit and Overview of Findings
BAE had prepared a comprehensive collection of documents describing all stages of the process, with evidence that internal procedures had been followed. This was most helpful in conducting the audit.
BMS 05_824 is the business management procedure that governs all operations used to ensure material can be certified FFEH at the end of the treatment process. This audit confirmed that the procedure is followed.
Material awaiting treatment is not stored near the treatment process. It is a "just-in-time" process, so consignments are only received when they can be treated immediately.
Treated materials are stored in one of two locations while they are awaiting off-site disposal or recovery. Both locations are under cover on impermeable hardstanding.
Traceability of waste from originator to final disposal or recovery could be better and BAE should consider ways of drawing all the strands of the process together so that the final fate of a given batch can be followed more easily.

There is no procedure for rejected materials at present and this should be addressed as soon as possible.
NRW would like to see a draft procedure by 1st December 2017.
At present there is no way of confirming absolutely what weight of waste has been treated. The weight of standard products is known, but that of non-standard products is not. BAE should consider how they could confirm that the permit limits have not been exceeded, should they be asked for evidence.
The FFEH processes and procedures comply with the recommendations in the sector guidance note and confirm that the treatment process is not waste incineration. There is thus no need for it to be compliant with the Waste Incineration Directive (WID).

3). Equipment Inspection
The area covered by the waste permit was inspected. It is all built on impermeable hardstanding and was clean, tidy and in good condition. Any surface water run-off goes to an interceptor. Spill kits were available and full of an assortment of absorbent mats and booms. The equipment itself has various automatic process and safety controls. The process monitoring equipment was also seen.
The two storage areas for treated waste were also inspected and found to be secure, clean and tidy. Material is stored under cover on an impermeable surface. Batches of treated material were labelled with their FFEH documentation and treatment details.
Secondary containment for the fuel was of an adequate volume and cast in-situ. The feed pipe from the fuel store runs inside a plastic pipe for most of the distance it is outside. This would not contain any leaks, but would prevent anything from reaching unmade ground, directing it onto the impermeable surface where it would be immediately obvious.

6). AOB
None was discussed.
END.

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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			

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.