

Kevin Ingram
Interim Chief Executive
Natural Resources Wales

12 February 2018

Dear Kevin,

Tackling fires at recycling sites

The Climate Change, Environment and Rural Affairs Committee of the National Assembly for Wales are looking into the frequency of fires at recycling sites in Wales. Members have noted the prevalence of fires, as reported by the BBC, of 123 incidences, 13 of which were serious.

The Committee is concerned on the impact to local businesses and the Fire and Rescue Services. I note from your comments to the BBC, that NRW has three officers from fire services in Wales working to develop fire prevention plans for all permitted sites.

I am interested in your response to Mark Andrews, who is the lead on waste fires in Wales and England for the National Fire Chiefs Council, to take a "more robust line" with operators who fail to comply with what he called "common sense" practices, including not stacking waste too high and leaving space between piles of waste so firefighters gain access if a fire does start.

At the time of writing, the Welsh Government has laid draft England and Wales regulations for approval by the National Assembly (The Waste Enforcement (England and Wales) Regulations 2018), which, if approved by both the National



Assembly and the UK Parliament will provide additional powers to Natural Resources Wales (NRW) as the Welsh waste regulation authority.

The Regulations amend two Acts of Parliaments to provide powers for NRW to tackle illegal activity in the waste sector which includes sites permitted under the Environmental Permitting (England and Wales) Regulations 2016 (“EPR”) or which are exempt from the requirement to have a permit. Amendments to The Environment Act 1995 would give NRW the ability to prohibit or restrict access to permitted and illegal waste sites by physical means and to secure premises against access. Amendments to the Environmental Protection Act 1990 would expand the powers of NRW and local authorities (as the Welsh waste collection authorities) to issue a notice on occupiers or owners of land, requiring them to undertake specified action on their land in relation to waste unlawfully kept or unlawfully disposed of, including its removal.

In the Explanatory Memorandum accompanying the Regulations, the Minister for Environment states as follows (at page 10, ‘Benefits of introducing the new powers’):

The two new powers will help tackle illegal and poor performance in the waste industry. They will help to reduce the risk of harm to the environment and human health from pollution incidents and to reduce problems with odour, litter, fly infestations and the potential for waste fires. Compliant businesses will benefit from increased competitiveness and costs to the public purse in dealing with fires or clearance at waste sites will be reduced...

I would also be grateful to know whether NRW is content that the current regulatory framework is sufficient to deal with the threat of fires. Does NRW consider that the proposed new Regulations will reduce the potential for waste fires? Are further legislative changes needed to help tackle waste fires in Wales?



Please can you let us know if NRW has identified any additional resources needed to tackle this issue and had relevant discussions with the Welsh Government about this?

In order to inform our work, please can you respond to this letter by 12 March 2018?

Yours sincerely,

A handwritten signature in black ink that reads "Mike Hedges". The signature is written in a cursive style with a large initial 'M'.

Mike Hedges AM

Chair of Climate Change, Rural Affairs and Environment Committee

