

	EPR Compliance Assessment Report	Report ID: 400181/0255494			
This form will report compliance with your permit as determined by an NRW officer					
Site	Alexandra Docks		Permit Ref	400181	
Operator/ Permit holder	South Wales Wood Recycling Limited				
Date	21/12/2015	Time in	09:30	Out	16:00
What parts of the permit were assessed	1.1.1, 3.1.1				
Assessment	Site Inspection	EPR Activity:	Installation	Waste Op	X Water Discharge
Recipient's name/position	George Harvey				
Officer's name	Damien Downes		Date issued	28/01/2016	

Section 1 - Compliance Assessment Summary

This is based on the requirements of the permit under the Environmental Permitting Regulations. A detailed explanation and any action you may need to take are given in the "Detailed Assessment of Compliance" (section 3). 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			Condition(s) breached
a) Permitted activities	1. Specified by permit	N	
b) Infrastructure	1. Engineering for prevention & control of pollution	N	
	2. Closure & decommissioning	N	
	3. Site drainage engineering (clean & foul)	N	
	4. Containment of stored materials	N	
	5. Plant and equipment	N	
c) General management	1. Staff competency/ training	N	
	2. Management system & operating procedures	*C2	1.1.1
	3. Materials acceptance	N	
	4. Storage handling, labelling, segregation	C1	1.1.1
d) Incident management	1. Site security	N	
	2. Accident, emergency & incident planning	N	
e) Emissions	1. Air	C1	3.1.1
	2. Land & Groundwater	N	
	3. Surface water	N	
	4. Sewer	N	
	5. Waste	N	
f) Amenity	1. Odour	N	
	2. Noise	N	
	3. Dust/fibres/particulates	C3	3.1.1
	4. Pests, birds & scavengers	N	
	5. Deposits on road	N	
g) Monitoring and records, maintenance and reporting	1. Monitoring of emissions & environment	N	
	2. Records of activity, site diary, journal & events	N	
	3. Maintenance records	N	
	4. Reporting & notification	N	
h) Resource efficiency	1. Efficient use of raw materials	N	
	2. Energy	N	

KEY: C1, C2, C3, C4 = CCS breach category (* suspended scores are marked with an asterisk),
A = Assessed (no evidence of non-compliance), N = Not assessed, NA = Not Applicable, O = Ongoing non-compliance – not scored

Number of breaches recorded	4	Total compliance score (see section 5 for scoring scheme)	124
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If the Total No Breaches is greater than zero, then please see Section 3 for details of 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 (e.g. 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 suspended or consolidated scores.
- details of advice given
- any other areas of concern
- all actions requested
- any examples of good practice.
- a reference to photos taken

This report should be clear, comprehensive, unambiguous and normally completed within 14 days of an assessment.

D Downes on site in company with South Wales Fire & Rescue Sean Jenkins to inspect to assess extent of fire on site.

During the inspection I observed large section of the stockpile on fire and spreading to other areas. Situation was beyond the control of site operators. SWFRS to attend and assist in controlling the fire. Significant plumes of smoke emitting from the fire at the permitted site and drifting across the River Usk to eastern side of Newport.

C 2 Management Systems - CAT 2 - Permit Condition 1.1.1 Storage of 20,000 tonnes of recovered waste wood chip is stored on site in one single waste mass without the benefit of any fire breaks. We have scored this breach as the root cause for the breaches on site, which are ultimately attributed to your failure to follow your own written procedures contained within your management system. The South Wales Wood Recycling Document; Fire Risk Assessment April 2015 in Section 7, Identify Fire Hazards, Work Processes, Storage Methods, "No stockpile should exceed half of the maximum tonnage storage capacity (3,750tns) for the site at any one time". It also states in the South Wales Wood Recycling Ltd EMS, Process Description, Management and Controls, Section 2.4.1, "*The maximum storage capacity of stockpiled recovered chipped wood in area B4 and B5 pending collection is 7500 tonnes*".

This has been identified as the root cause breach for the incident - score suspended pending compliance of R36 Notice.

C 4 - Storage Handling Labelling and Segregation - CAT 1 Permit Condition 1.1.1. The fire at the site was a direct result of inappropriate storage; in excess of 20,000 tonnes of recovered waste wood chip in one single waste mass. The material was not stored or managed in line with the written management system as stated in C 2.

Emissions; emissions of substances not controlled by emission limits (excluding odour) shall not cause pollution.

E 1 - Emissions - Air - CAT 1 - Permit Condition 3.1.1 - smoke emitting from the site is impacting local community. NRW in receipt of multiple complaints, residents complaining about impact on air quality and health. Due to the significant scale of the recovered waste wood chip fire and ongoing control and clearance, large plumes of persistent smoke have been drifting off site and impacting on the local areas. Incident is now in the 5th week and in accordance NRW CICS Guidance the incident has been categorised as a major incident.

F 3 - Dust / Fibres / Particulates - Permit Condition 3.1.1 - evidence of dust emissions detected off site. Emissions of substances not controlled by emission limits (excluding odour) shall not cause pollution.

NRW conducted monitoring surveys to substantiate reports in areas affected by the smoke emitting from the fire at the South Wales Wood Recycling site; all residential and industrial identified in complaints have been visited and reports have been substantiated.

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Section 3- Enforcement Response	Only one of the boxes below should be ticked
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.	
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.	
We will now consider what enforcement action is appropriate and notify you, referencing this form.	X

Section 4- Action(s)			
Where non-compliance has been detected and an enforcement response has been selected above, this section summarises the steps you need to take to return to compliance and also provides timescales for this to be done.			
Criteria Ref.	CCS Category	Action Required/Advised	Due Date
See Section 1 above			
C2	C2	No action specified	N/A
C4	C1	No action specified	N/A
E1	C1	No action specified	N/A
F3	C3	No action specified	N/A

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 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 which 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 fulfill 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 (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 and taking any resulting action
- preventing breaches of environmental law
- assessing customer service satisfaction and improving its service
- Freedom of Information Act/Environmental Information 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 twenty 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 the officer's line managers. 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.