

## Compliance Assessment Report CAR\_NRW0041252

**Permit being assessed:** NP3699VX.

For: Former J R Steelworks, held by South West Wood Products Limited

At: Bryntywod, Llangyfellach, Swansea, West Galmorgan, SA5 7LE.

**Type of assessment carried out:** Site Inspection, Reason: Routine.

On 16/02/2023 between 10:00 and 11:15.

Parts of permit assessed: A, B, C, D, F

**NRW Lead Officer:** David Morgan.

**Report sent to:** Rita Vassallo, Technical Competent Manager on 17/02/2023.

### 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)      |                  |
| B3 - Infrastructure - Site drainage engineering (clean and foul)      | Assessed (A)      |                  |
| C3 - General Management - Materials acceptance                        | Assessed (A)      |                  |
| C4 - General Management - Storage, handling labelling and Segregation | Assessed (A)      |                  |
| D1 - Incident Management - Site security                              | Assessed (A)      |                  |
| D2 - Incident Management - Accidents, emergency and incident planning | Assessed (A)      |                  |
| F3 - Amenity - Dust/fibres/particulates and litter                    | 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

A routine site inspection was undertaken on Thursday 16th February 2023. Present during the inspection were David Morgan (Natural Resources Wales), Rita Vassallo (TCM - South West Wood Products) and Martin Chubb (South West Wood Products).

This was the first inspection of the site since 9th August 2021. During the inspection on Thursday 16th February 2023, no non-compliances with the Environmental Permit were recorded. The following observations were made:

### **Waste Storage (Volumes & Stack Dimensions)**

It was noted that the volume of waste held on site has been dramatically reduced in recent years. It has been suggested that waste volumes are being reduced which will provide an opportunity for the landowner/operator to reassess infrastructure and possibly carry out improvement works.

The area in the centre of the yard has now been completely cleared of all historical waste. A number of unprocessed stacks remain and it is understood this material is soon to be processed.

One observation made was that wood waste in stacks was largely free from dust debris which suggests it has not been on site for a prolonged period of time. This indicates that rotation of stock and processing raw wood is efficient and well organised.

### **Compliance with the Fire Prevention and Mitigation Plan**

All stacks have reduced in size since previous inspections. Firebreaks were well maintained, free from any debris, and were well within the required separation distances from other stacks.

It was deemed unnecessary to measure stack sizes and firebreaks as all appeared well within the parameters of the site's Fire Prevention & Mitigation Plan.

### **Infrastructure & Drainage**

Due to the reduction in waste on site, all areas of the site are now easily accessible. In the event of an emergency, vehicles, plant and equipment could be deployed with ease.

In a previous inspection (03/07/2020), site surface waters were escaping site. This issue was reassessed on 16th February 2023 and has been rectified.

It was noted that the landowner/operator are in discussion over potentially undertaking improvement works on site surfacing. The site surface is uneven although appears to benefit from a hardstanding surface with terram liner.

### **Summary**

The site appeared to be very well organised and maintained with an efficient stock rotation system in place. Historical waste has been processed and waste currently on site doesn't appear to have been in-situ for a prolonged period of time.

Waste stack dimensions (heights, firebreaks etc.) were not measured as they appeared well within the parameters of the Fire Prevention and Mitigation Plan.

It is noted that improvements to infrastructure (namely site surfacing) may take place. Please notify Natural Resources Wales if/when this takes place and if there is any impact to operations.

Thank you for your time during the inspection.

#### END OF REPORT

***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 1 st April 2013 and has, generally, taken over the responsibilities of the Countryside Council for Wales, the Forestry Commissioners and the Environment Agency for Wales.***

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](mailto: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](mailto: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.