

Compliance Assessment Report CAR_NRW0041709

Permit being assessed: FP3095ET.

For: Locks Yard, held by South West Wood Products Ltd

At: Heol Llan, Coity, Bridgend, CF35 6BU.

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

On 24/02/2023 between 11:00 and 11:40.

Parts of permit assessed: A1, B2, B3, C4, D1

NRW Lead Officer: Elysia Lovelock, accompanied by Amy Bailey.

Report sent to: Tom Dunn , Company Secretary on 24/04/2023.

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)	
B2 - Infrastructure - Closure and decommissioning	Assessed (A)	
B3 - Infrastructure - Site drainage engineering (clean and foul)	Assessed (A)	
C4 - General Management - Storage, handling labelling and Segregation	Assessed (A)	
D1 - Incident Management - Site security	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.

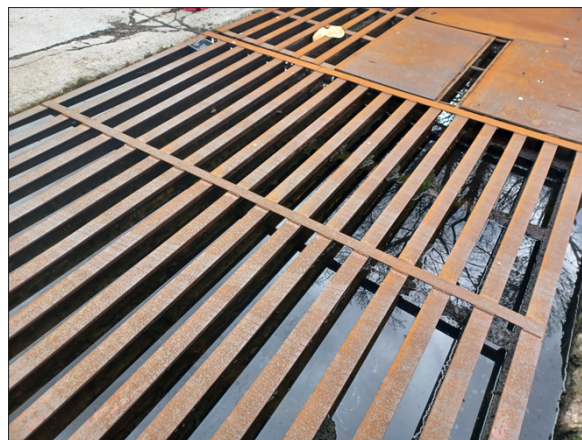
4. Details of our assessment

I, Senior Industry and Waste Regulation Officer Elysia Lovelock and Industry and Waste Regulation Officer Amy Bailey attended South West Wood Products Limited permitted facility of Locks Yard, Heol Llan, Coity, Bridgend, CF35 6BU on Friday 24th February 2023.

The purpose of the site visit was to assess the condition of the site, in respect of the full surrender permit application, reference PAN-020747 received by Natural Resources Wales on 8th February 2023, for environmental permit reference EPR/FP3095ET. The operator holds a bespoke permit for a waste transfer station with treatment for non-hazardous wood wastes only, allowing the operator to store and treat waste wood for recovery at the above location. Operators of permitted sites have a responsibility to ensure that land and groundwater is protected, throughout the lifetime of a permitted operation.

On arrival at approximately 1100 hours, we were met by the Operators Environmental Consultant Lucy Binnie and the landowner was also in attendance. The weather remained dry but overcast during the visit. At the time of the visit, the site was not in use.

During the visit we initially discussed the sites sump situated underneath the cattlegrid at the site entrance. I noted that at the time of the visit, the sump was full, appearing to contain predominantly clean surface water run-off, with a very slightly oily sheen, as would be expected within an open sump underneath a cattlegrid with vehicles driving over it. It was established during discussion on site that the sump was emptied, and site run-off that had collected within the sump during operations were disposed of correctly post operations. To confirm this, I requested that Environmental Consultant Lucy Binnie provide proof of disposal for our records. Since that time, with the site having been vacant since Autumn 2022, naturally surface water run-off has accumulated during the wetter months.



Due to the construction of the sump, as it is not sealed, the sump has the potential to overflow, causing site run-off to discharge off site. The mitigation measures that were put in place to prevent this, including a pump and water tanks either side of the site entrance have now been removed, as part of concluding operations on site. I did however emphasise that until the permit is surrendered, this remains the responsibility of the operator in order to prevent illegal discharge.

Following the visit, as requested, Environmental Consultant Lucy Binnie provided Natural Resources Wales with a copy of a Duty of Care – Controlled Waste Transfer Note from GD Environmental, Waste Carrier CBDU2618 dated 16/03/2023 for Street Cleaning Residues (Drain/Gully Waste) under waste code 20 03 03 for Locks Yard, to demonstrate that the sites sump was drained and disposed of correctly post operations, upon clearance of the wood waste stored on site. Therefore, any surface water run-off going forward within the sump is unlikely to be impacted by the storage of wood waste

activities previously undertaken on site.

At the time of the inspection, the site was cleared down to the concrete slab and the warehouse in the centre of the site which forms part of the permitted area of the site was empty. We discussed the condition of the impermeable surface and the landowner advised that the concrete slab is 12 inches thick and provided officers with a useful insight into the history of the site.

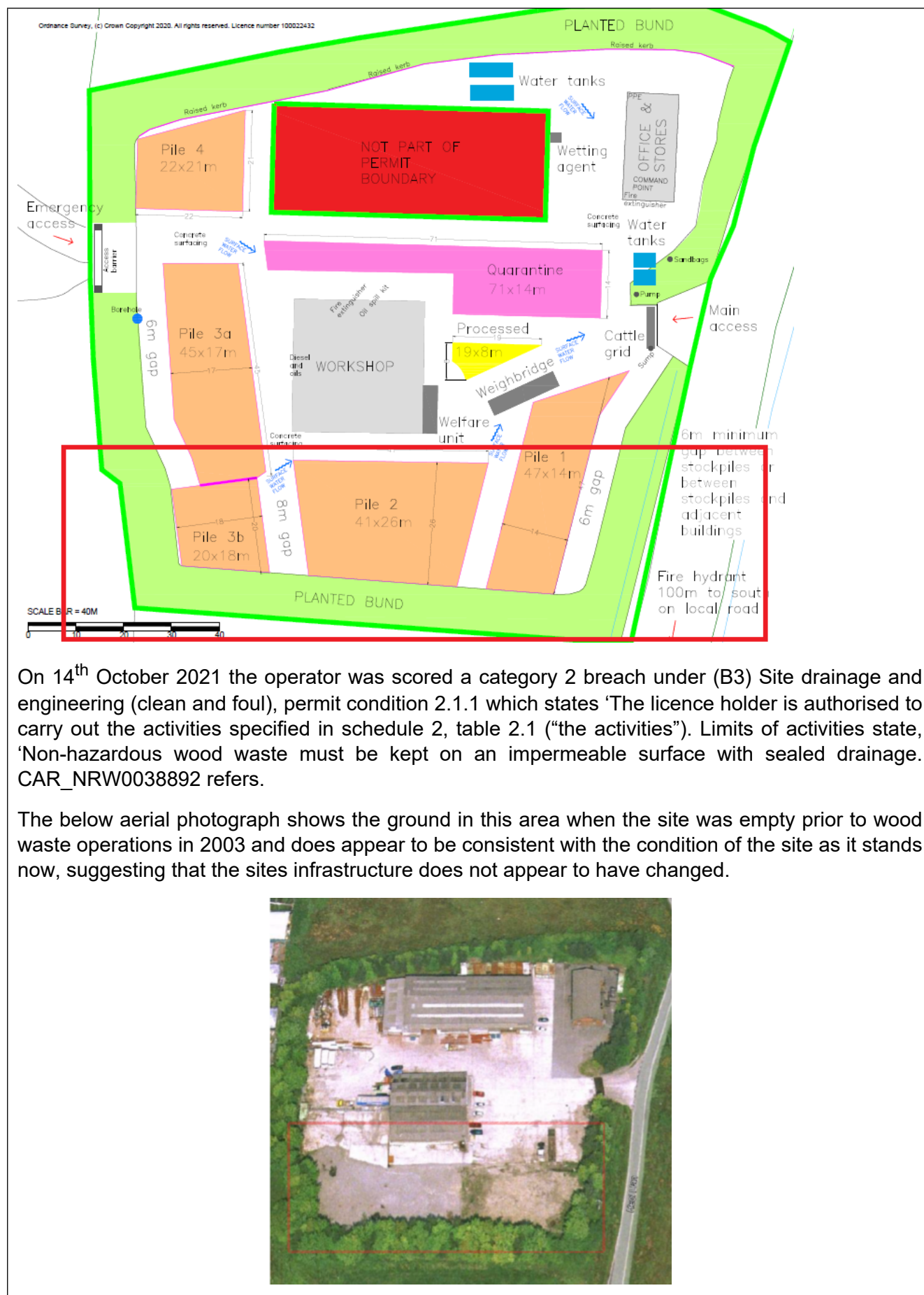


Through discussion with the Environmental Consultant and observations made on site, officers established that actions required to decommission the site have been completed by the Operator and confirm that the site, has now been cleared of wood waste and swept clean, removing debris, as shown below. Plant machinery, firefighting equipment, diesel tanks, water tanks, chemicals and oil stores have all been removed. Ceasing all operations associated with the storage and treatment of wood waste permitted under environmental permit EPR/FP3095ET and conclude that the site has been returned to a satisfactory state.

With the site now completely clear of wood waste, I could see that the surface of the entire southern area of the site appeared to consist of crushed concrete and stone. I note Site Condition Report No. LAM060/LOC119/SCR/001 also confirms this.



Of note, wood waste was stored in this area as per the site plan, found within the Operators Environmental Management System. The area has also been photographed on several site inspections throughout the lifetime of the permit and can be seen in previous CAR forms, being used to store unprocessed wood waste. I highlight the area on the site plan, which has been confirmed in the Site Condition Report as consisting of stone and rubble, in red below.



On 14th October 2021 the operator was scored a category 2 breach under (B3) Site drainage and engineering (clean and foul), permit condition 2.1.1 which states 'The licence holder is authorised to carry out the activities specified in schedule 2, table 2.1 ("the activities"). Limits of activities state, 'Non-hazardous wood waste must be kept on an impermeable surface with sealed drainage. CAR_NRW0038892 refers.

The below aerial photograph shows the ground in this area when the site was empty prior to wood waste operations in 2003 and does appear to be consistent with the condition of the site as it stands now, suggesting that the sites infrastructure does not appear to have changed.



Furthermore, Site Condition Report No. LAM060/LOC119/SCR/001 states that the materials found in the crushed concrete and stone, suggests that this area, when it was originally constructed, was laid using these materials, which would again suggest that the site condition, specifically the infrastructure of the yard has not changed since its construction as a yard and has been used for a variety of activities over the years.

As a requirement of a full surrender application, a detailed report is required, using monitoring data. Intrusive investigations were undertaken by the Operator as part of the surrender application and findings were outlined in the Site Condition Report, Issue 2 January 2023, Report No. LAM060/LOC119/SCR/001, Revision 1, Date: December 2022, produced by Forge Environmental Management Ltd. I highlight the following information contained within the report for health and safety purposes. Ground investigations outlined in the Site Condition Report did identify a layer of made ground, found to contain localised Chrysotile asbestos, in the unsurfaced southern area. The human health risk assessment and recommendations contained within the report concluded that provided the made ground is not disturbed, it is not deemed to pose a risk to future occupiers and the report does make recommendations going forward concerning this area to note.

The presence of asbestos is considered to have been in the material when it was originally placed to create the yard. As it is contained within cement or asphalt bonded material, the fibres are not readily available and for that reason it is deemed not to pose a risk to human health.

The Site Condition Report specifically refers to the presence of asbestos within cement or asphalt bonded material. However, we would also note that at no time during any inspections has any waste asbestos been noted on site, nor does it appear in the operator's waste returns.

The above report also contains information regarding the land use history of the site dating back to 1878, including records demonstrating its use as a yard since 1963, prior to the site being used as a wood waste facility. Further information contained within the report can be accessed via the public register.

The site visit concluded at approximately 1140 hours. We wish to thank the Operator's Environmental Consultant Lucy Binnie and the landowner who was also in attendance, for their time during the visit.

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.