

Compliance Assessment Report

Report ID:
CAR_NRW0034001

This form will report compliance with your permit as determined by an NRW officer

Site	The Recycling Building		Permit Ref	KP3790VF		
Operator/Permit holder	South Wales Wood Recycling Ltd					
Regime	Waste Operations					
Date of assessment	20/09/2018	Time in	10:00	Out	11:30	
Assessment type	Audit					
Parts of the permit assessed	Permitted Operations					
Lead officer's name	Davies, Gareth					
Accompanied by	Matthew Bradford - South Wales FRS					
Recipient's name/position	Kevin Burke/ Technically Competent Person		Date issued	09/10/2018		

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
D2 - Incident Management - Accidents, emergency and incident planning	C3 - Suspended	3.8.1

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	1	Total compliance score (see section 5 for scoring scheme)	0
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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

Present

George Harvey (GH) – South Wales Wood Recycling Limited (SWWR)

Gareth Davies (GD) – Natural Resources Wales (NRW)

Matthew Bradford (MB) – South Wales Fire and Rescue Service (SWFRS) Initial Meeting and Site Walk around Only

Purpose of Site Visit

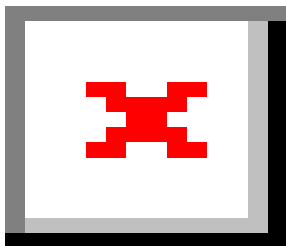
An initial meeting was held within the offices of SWWR between GH, GD and MB. The purpose of the site visit was outlined as per below.

GD explained that the purpose of the site visit was to assess compliance with the environmental permit held by SWWR (EPR/KP3790VF) while also reviewing the steps taken in accordance with the suspension notice that was served on 13 September 2018. The meeting also took place following a request from SWWR via e-mail on 13 September 2018 where photographs were provided showing the steps taken on site.

Site walk around

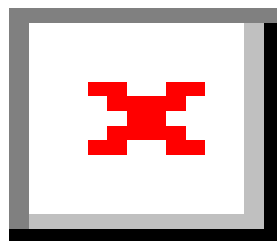
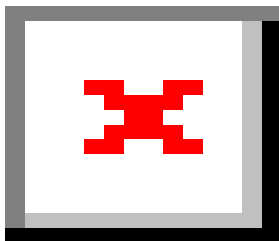
During the site visit a number of photographs were taken. The photographs below along with the written description show the steps that have been taken by SWWR.

The photograph below show the quarantine area which is designated for this permitted operation as well as SWWR other permitted site that is adjacent to this one.



It is evident that the material that was previously in this area on 18 July 2018 has been removed. Having a quarantine area available at all times during operational times ensures that the site can manage a fire incident effectively should one occur.

The two photographs below show fire breaks that had been created. There is one on the outside of the building and a further fire break extending further in to the lean to area of the building. Two further fire breaks had been placed within the main stockpile of material within the building. None of the fire breaks were measured during the site visit.



Fire Prevention and Mitigation Plan Meeting

A discussion was held between GH and GD to discuss the Compliance Assessment Report NRW 00339451 that was sent on 19 September 2018 with comments on the Fire Prevention and Mitigation Plan that was submitted on 13 September 2018 by SWWR and subsequently reviewed by NRW.

GD provided any clarification on the points raised within Compliance Assessment Report NRW 0033951.

As highlighted during Compliance Assessment Report NRW 00339451, the current FPMP has not been produced in line with the current guidance as required under condition 3.8.1 that states: The operator shall manage and operate the activities in accordance with a written fire prevention plan using the current, relevant fire prevention plan guidance.

It was evident on site that the operations on site were not being carried out in accordance with a written fire prevention plan using the current, relevant fire prevention plan guidance for the reasons highlighted in Compliance Assessment Report NRW 00339451.

This has been scored a Category 3 breach of condition 3.8.1 under D2 – Accidents, emergency and incident planning and the score has been suspended as the suspension notice remains in place.

Suspension Notice

NRW has communicated with SWWR separately regarding the suspension notice in place on this permit.

Any compliance criteria not highlighted in the above summary should be considered as not assessed.

In this document 'Natural Resources Wales' means the Natural Resource Body for Wales established by Article 3 of the Natural Resource Body for Wales (Establishment) Order 2012.

END

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EPR Compliance Assessment Report

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Site	The Recycling Building	Permit Ref	KP3790VF
Operator/Permit holder	South Wales Wood Recycling Ltd	Date	20/09/2018

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.

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.

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			
D2	C3	The operator shall submit a Fire Prevention and Mitigation Plan that meets the current guidance. A timescale will be agreed with the operator in separate correspondence to this Compliance Assessment Report. The due date has been included for completion of this report and shall not be taken as the date required for submission. Further correspondence will be provided.	26/10/2018

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.