Compliance Assessment Report

Report ID: CAR_NRW0034164

This form will report compliance with your permit as determined by an NRW officer					
Site	Woodmat Bridgend	Permit Ref	YB3097TR		
Operator/Permit holder	Woodmat Limited				
Regime	Waste Operations				
Date of assessment	18/10/2018	Time in	11:00	Out	12:00
Assessment type	Audit				
Parts of the permit assessed	A				
Lead officer's name	Wakeford, Sally				
Accompanied by	Thomas, Ffion				
Recipient's name/position	David Matton/ Director	Date issued	05/11/2018		

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
A1 - Specified by permit	C2	2.1.1
C2 - General Management - Management system and operating procedures	C3	3.4.1
D1 - Incident Management - Site security	A	
G4 - Monitoring and Records, Maintenance and Reporting - Reporting and notification to Natural Resources Wales	C4	4.2.2

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	3	Total compliance score (see section 5 for scoring scheme)	35.1

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

On 18/09/2018 the site was inspected as a routine site inspection, to introduce the new officer Sally Wakeford to the site. Sally Wakeford and Ffion Thomas attended and met with David Matton of Woodmat Limited on site.

A large single pile of wood chip was stored within the building, and wood chip was also covering the raised earth bank on the left of the entrance way. Some improvements of the storage of wood chip on site was noted from the photographs of the previous inspection.

We discussed that South Wales Wood Recycling have been using the site to store wood chip, and there was a contract agreement between yourselves and SWWR for the use of the property from the 5th October 2017 to 3rd April 2018. Waste transfer notes have been provided previously from SWWR to cover the transfers of the waste between the Woodmat site and SWWRs site in Heol Y Cyw. The current stockpile of wood chip is the property of SWWR. Woodmat ceased trading at the site in January/February 2017.

Although SWWR had permission to use the site, the Operator of the site is Woodmat Limited, and therefore any actions on this form will be the responsibility of Woodmat Limited to undertake or ensure are completed.

You are currently seeking a voluntary take back of the stockpile from SWWR.
Due to the non-operational status of the company and site, therefore there is no Technically Competent Manager for the site.

The quarantine area was confirmed to be the area of concrete to the side of the building, in front of the gates, and not the area of raised land to the left of the site, which is covered in a layer of woodchip.

A1 – Permitted Activities – Specified by Permit – CAT 2 – Permit Condition 2.1.1

You have been given a CAT 2 breach under the above condition as the waste on site appears to have been in situ for more than 3 months, as the permit allows.

2.1.1 The operator is only authorised to carry out the operations specified in table 2.1 below ("the activities") –
Table 2.1… No waste must be stored for more than 3 months.

The contract between SWWR and Woodmat expired on 3rd April 2018 and therefore It is NRW's understanding that the waste currently on site has been deposited more than three months ago, and therefore requires removal immediately.

ACTION – Remove all waste from the site by the date listed in Section 4 of this report or

unless otherwise agreed in writing by Natural Resources Wales.



C2 – General Management - Management system and operating procedures – CAT 3 – Permit Condition 3.4.1

You have been given a CAT 3 breach of the above permit condition as whilst on site the wood stack was measured and found that it is not stored in line with the current written Fire Prevention and Mitigation Plan, posing a potentially significant risk to the environment.

3.4.1 The operator shall manage and operate the activities in accordance with a written fire prevention plan using the current, relevant fire prevention plan guidance.

The Fire Prevention and Mitigation Plan for Woodmat Limited dated March 2018 has two scenarios for the storage of wood chip. Scenario 1 is for two stockpiles within the building and scenario 2 is for one stockpile within the building measuring 4 m high, 30m long and 20m wide. The measurements of the stockpile are as follows:

32m long x 21.70m wide x 6-7m high.

The height of the stockpile was measured with a pole which can be set to any metre in height up to 5m. The waste was stored above the 5m height of the first photograph below. Photographs were taken from a vantage point on top of the rise to the land to the left of the entrance, to attempt to accurately assess the height. This rise was not level with the top of the waste, however, the waste was visibly well above the height of the pole when set at both 5m and 4m.
The heights were discussed with you and you verbally agreed that the heights were in excess of 4m.

ACTION – Ensure all activities on site are undertaken in line with your current Fire Prevention and Mitigation Plan by the date listed in section 4 of this form.

Photograph with 4m pole (the height stated in the FPMP):



photograph with 5m pole:





G4 – Reporting and Notification to Natural Resources Wales – CAT 4 – Permit Condition 4.2.2.

You have been given a CAT 4 breach of the above permit condition as during a review of your waste returns it appears no returns have been submitted for Q2 or Q3 2018. (April to September)

4.2.2 Within one month of the end of each quarter, the operator shall submit to Natural Resources Wales using the form made available for the purpose, the information specified on the form relating to the site and the waste accepted and removed from it during the previous quarter.

Even if no activity is being undertaken on the site, and no waste transfers are made, nil returns should still be submitted.

ACTION – Ensure waste returns are submitted to NRW no less than one month following the end of the quarter and submit waste returns for Q2 and Q3 2018 by the date listed in Section 4 of this report.

Enforcement response to breaches identified:

It was discussed with you on site that NRW would consider withdrawing and re-issuing the notice which is already in place on your site. Following discussions, NRW has decided to withdraw the previous notice dated 20 July 2018 and another Regulation 36 Notice will be served on Woodmat Limited, as the permit holder. The notice will provide steps for Woodmat Limited to take to comply with your Environmental Permit. These will follow shortly.

Thank you for your time during the inspection. If you have any queries regarding anything in this report, please don't hesitate to contact me.

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.

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

Cyfoeth Naturiol Cymru Natural Resources Wales	**EPR Compliance Assessment Report**	**Report ID: CAR_NRW0034164**

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Site	Woodmat Bridgend	Permit Ref	YB3097TR
Operator/Permit holder	Woodmat Limited	Date	18/10/2018

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.

We will now consider what enforcement action is appropriate and notify you, referencing this form.

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			
G4	C4	Ensure waste returns are submitted to NRW no less than one month following the end of the quarter and submit waste returns for Q2 and Q3 2018 by the date listed in Section 4 of this report.	21/12/2018
C2	C3	Ensure all activities on site are undertaken in line with your current Fire Prevention and Mitigation Plan by the date listed in section 4 of this form.	28/02/2019
A1	C2	Remove all waste from the site by the date listed in Section 4 of this report or unless otherwise agreed in writing by Natural Resources Wales.	28/02/2019

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.