Compliance Assessment Report

Report ID: CAR_NRW0034815

This form will report compliance with your permit as determined by an NRW officer					
Site	I Wood Renewables Ltd	Permit Ref	FP3095ET		
Operator/Permit holder	I Wood Renewables Ltd				
Regime	Waste Operations				
Date of assessment	15/02/2019	Time in	13:00	Out	14:30
Assessment type	Audit				
Parts of the permit assessed	Permitted Area and Fire Prevention and Mitigation Plan				
Lead officer's name	Davies, Gareth				
Accompanied by					
Recipient's name/position	Kevin Burke/ Director	Date issued	13/03/2019		

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	A	
D2 - Incident Management - Accidents, emergency and incident planning	C3	3.8.1
F1 - Amenity - Odour	A	

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)	4

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

Kevin Burke (KB) – I Wood Renewables Limited (IWR)
Gareth Davies (GD) – Natural Resources Wales (GD)
Matthew Bradford (MB) – South Wales Fire and Rescue Service (SWFRS)

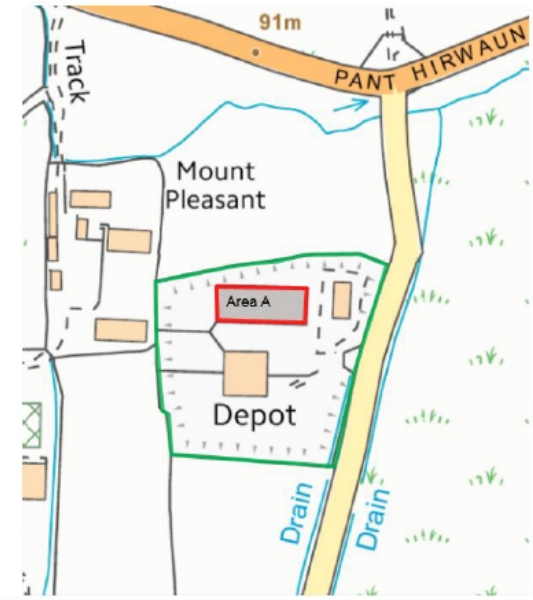
The purpose of the visit was to assess compliance with the environmental permit held by IWR, permit reference EPR/FP3095ET.

Site Update

Environmental permit EPR/FP3095ET was transferred to IWR on 13 February 2019. The permitted area of permit reference EPR/FP3095ET excludes a single area as outlined in Schedule 4 as Area A, see plan below. Area A is for an area that a previous operator held a permit on, permit reference KP3790VF. Reference was made to this area during the site inspection and throughout this Compliance Assessment Report. During the site inspection and this report, it is referred to as the 'Recycling Building'.

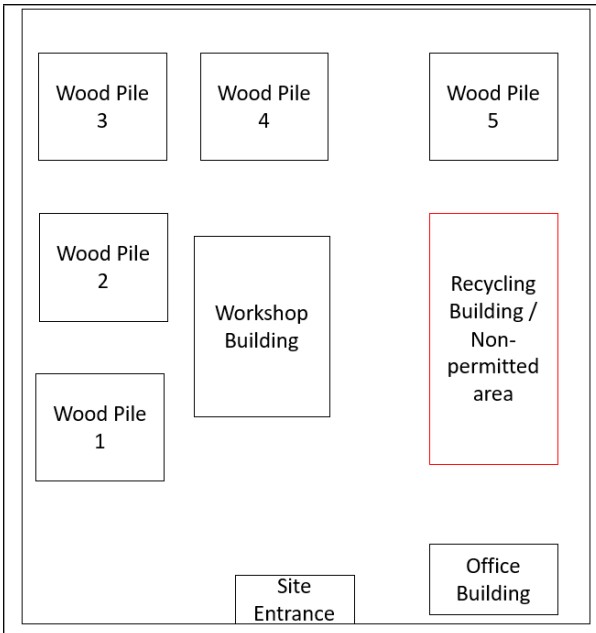
Schedule 4 – amended plan

Amended plan attached



© Crown Copyright and database right 2016. Ordnance Survey licence number 100019741.

During the site visit the following simplified layout of the site was used to discuss current and future phased activities on site.



KB confirmed that the current activities on site were shredding and screening of material currently being stored within Wood Piles 4 & 5. This is known to have been on the site for the longest time. During the visit this material was being shredded and screened using new machinery (slow speed shredder & star screen) that has been bought by IWR. This was being undertaken between Woodpile 4 & 5. This material was also being blended with material taken from the 'Recycling Building'. IWR hoped that with the contracts currently in place and high demand for waste wood at present that Wood Piles 4 & 5 as well as the wood within the 'Recycling Building' will have been removed from site. It should be noted that IWR are not responsible for the removal of the material from the 'Recycling Building'. Due to the material within the 'Recycling Building' being dry this will aid the removal of wood being processed on site from Wood Piles 4 & 5.

Once Wood Piles 4 & 5 have been processed, the shredding and screening operation will be moved to the current location of Wood Pile 4. The storage of shredded and screened material awaiting removal from site will be stored in the location of Wood Pile 5.

Once wood starts to be accepted for processing, Wood Piles 1, 2 and 3 will also be processed and blended with the imported material to further reduce the volume of the oldest wood on site. KB stated that it is hoped that Wood Piles 1, 2 and 3 will have been processed and removed by Easter. This again is based on there being an increased demand for waste wood at present.

The current shredding and screening operations can be seen in the photograph below.



During the inspection there was no visible dust being produced by the shredding and screening activity.

Attempts were made to view the borehole that is on site that form part of the water supply to tackle a fire incident on site. This was not possible during the visit as it was currently covered by wood material on site. This will need to be identified and assessed if it is to form part of IWR's Fire Prevention and Mitigation Plan.

There was a large volume of material awaiting removal having been processed. This was currently being stored between the Workshop Building and the Recycling Building and at the entrance to the site. KB confirmed that this was awaiting collection and

could be removed at short notice should an incident occur on site.

The fire breaks between Wood Piles 1 and 2, 2 and 3 and 3 and 4 remained visibly the same as when observed and recorded in Compliance Assessment Report NRW003400. These were not assessed using a measuring device.

Joint Regulators Meeting

KB agreed to the proposal of a joint regulators meeting with Natural Resources Wales, South Wales Fire and Rescue Service, Bridgend County Borough Council and The Health & Safety Executive. The purpose of the meeting would be to clearly set out each organisations remit in relation to specific operations at Locks Yard.

Fire Prevention and Mitigation Plan Comments

On 25 February 2019 KB provided NRW with an up to date Fire Prevention and Mitigation Plan (FPMP) in accordance with condition 3.8.1 of the permit.

Following a review of the FPMP in accordance with Fire Prevention and Mitigation Plan Guidance – Waste Management Version 2 August 2017 (guidance), I have the following comments and associated updates that are required to the FPMP.

The guidance sets out what must be in your FPMP and what should be in you FPMP. The comments have been divided in to these sections. For the "must" requirements you are required to include these in your FPMP. For the "should" requirements, please consider these, give alternatives or explain why they may not apply to your operations.

It is noted that the classification 'Confidential' has been added to this document. IWR should provide a justification as to why it believes this document is commercially confidential.

Section 5 - Fire Prevention and Mitigation Plan Contents

Following review of your FPMP it does not contain the following requirements as set as musts out in the above section of the guidance.

• the amount and type of waste received daily and how it is managed
• the total amount of waste and the types and forms (e.g. unprocessed, shredded and chipped) that are stored on site at any one time
• the maximum time each type of waste will be stored on site and how it will be managed. There are different storage times provided within the FPMP submitted (30 days, 60 days and 3 months). The storage times don't appear to account for potential seasonal variations.
• the location within the site where each type of waste will be stored
• all combustion products and emissions (to air, land and water) from the fire and the emergency response (including the impact on people, critical infrastructure and the environment) and how they will be minimised. Operator needs to recognise the pollution impact of smoke and fire water and impact on environment and people.
• Contact details of sensitive receptors within 1km of your site. To protect sensitive receptors, does the plan include measures that will be used to raise the alarm and to inform local residents, e.g. local school, nursing home etc. These measures will be site specific. Operator may need to check emergency planning procedures with Local Authority.

Action: The above requirements of the guidance must be included in a revised FPMP.

Section 5 - Site Plan

Following review of your site plan it does not contain the follow requirements as set out as musts in the above section of the guidance.

• the location of plant, protective clothing and pollution control equipment and materials
• the location of drain covers and any pollution control features such as drain closure valves and firewater containment systems.
• location of "off- site" emergency information pack with site plan (as specified above)

You must include these requirements in your site plan.

Action: The above requirements of the guidance must be included in a revised FPMP.

Section 6 – Common causes of fires and preventative measures

Following review of your FPMP it does not contain information on the following causes of fire and the preventative measures you can take to reduce the risk at your site set out as should in the above section of the guidance.

• arson or vandalism. While I understand that the Fire Services' investigation in to the cause of the fire in 2016 did not establish a specific cause, the previous operator stated that they believed it to be arson. Further information shall be provided on the security arrangements on site and their reporting of incidents on site.
• self-combustion (e.g. due to chemical oxidation)
• plant or equipment failure
• Plant & hot exhausts
• hot loads deposited at the site
• Build up loose combustible waste, dust and fluff
• Leaks and spillages of oils and fuels

Action - You shall include information on the following causes of fire and the preventative measures you can take to reduce the risk at your site in your FPMP. Where any of these measures not been included a justification shall be provided as to why it has not been considered or included.

Section 8 – Managing waste material stacks and separation distances

Following a review of your FPMP it is not possible to fully assess the FPMP against this section of the guidance, in particular Figure 1 on page 20 of the Guidance. It is not possible to assess the dimensions of each pile highlighted on the Storage Plan ie. what is the length of each side of each stockpile. This is needed to ensure that the separation distances meet the requirements set out in Figure 1 as referred to above.

Action – You must demonstrate how you intend to comply with this section of the guidance. You must provide detail on where each waste type is stored on any associated plans so that an assessment can be made. Please clearly mark the dimensions of each pile.

Action: The above requirements of the guidance must be included in a revised FPMP.

Section 15 Seasonality and Waste Stack Management

Following review of your FPMP it does not contain sufficient information in relation to the above section of the guidance set out as should.

• If the materials on your site are subject to seasonal variation in demand and/or supply you should demonstrate how you intend to manage these variations. NRW is aware that there may be a requirement to store material over the summer period in preparation for the increased demand during the winter period. The FPMP does not address this scenario.
• demonstrate how you will follow the principle of “first in, first out” so that wastes are stored for no longer periods than indicated in your FPMP.

Action: You shall include information on seasonality and waste stack management. Where any of these measures have not been included a justification shall be provided as to why it has not been considered or included.

Section 16 Monitoring and Turning of Stacks

Following review of your FPMP it does not contain sufficient information in relation to the above section of the guidance set out as should.

• Your staff must be trained to manage hotspots. While reference is made to toolbox talks this is isn’t sufficient to demonstrate that they have been suitably trained. Please provide further details on the type of training and how this will be recorded in order to demonstrate compliance with the FPMP. Who will the training be delivered by and what qualifications do they have to deliver the training.
• The equipment you use to detect temperature and moisture content must be capable of operating at any depth throughout the pile. Therefore, if you are proposing to have a stack 4m deep, their probe must be capable of operating the depth of the proposed stack and will only really give an indication of surface temperature. Thermal imaging cameras and infra-red sensors are not capable of penetrating to the centre of a waste pile. You should demonstrate how you intend to record the temperature of the centre of a stockpile.
• Reference has been made to industry guidance on the temperatures, please provide details of the guidance in order to explain the indicator of 50 degrees Celsius used to trigger actions on site.

Action: You shall include information on monitoring and turning of stacks. Where any of these measures have not been included a justification shall be provided as to why it has not been considered or included.

Section 17 – Fire Detection

Comments to be provided by South Wales Fire & Rescue Service.

Section 18 – Fire Suppression Systems

Comments to be provided by South Wales Fire & Rescue Service.

Section 19 – Firefighting Strategy

Comments to be provided by South Wales Fire & Rescue Service.

Section 20 – Water Supplies

Comments to be provided by South Wales Fire & Rescue Service.

NRW – No information has been provided on the supply rate of the hydrant that has been referred to in the FPMP. During the previous prolonged incident on site in 2016, Dwr Cymru Welsh Water prevented South Wales Fire & Rescue Service from utilising the hydrant.

Evidence will need to be provided on the ability for the FRS and their equipment to access the water tanks that are proposed, such as appropriate couplings etc. You should contact the appropriate FRS contact to confirm the appropriate equipment that is required.

Section 21 – Managing Water Run-off

Comments to be provided by South Wales Fire & Rescue Service

NRW - No information has been provided on the capacity of the drainage system and sump to collect firewater run-off in the event of an incident on site and the appropriate infrastructure to allow the Fire & Rescue Service to recirculate firewater from the sump should it be deemed appropriate.

Section 22 – Designated Quarantine Area

Following review of your FPMP it does not contain the following requirements as set out as should in the above section of the guidance.

• If material is to be stored temporarily in the quarantine area, are procedures in place to move the material as soon as is practicable. These procedures should be included in the FPMP.

Action - You shall include the above information on the designated quarantine area. Where any of these measures have not been included a justification shall be provided as to why it has not been considered or included.

23 – During and After an Incident

Following review of your FPMP it does not contain the following requirements as set out as must in the above section of the guidance.

• having a plan for how you will notify those who may be affected by a fire, such as nearby residents and businesses
• contractors that might be used to assist with additional plant for firefighting techniques, removal of waste material, containment and removal of excess water run-off.

Action: The above requirements of the guidance must be included in a revised FPMP.

Non-Compliance Score

Condition 3.8.1 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." The current FPMP submitted by IWR does not meet the requirement set out in the current, relevant fire prevention plan guidance.

Further to the above points raised regarding the FPMP, the operations on site were not being carried out in accordance with the Guidance, including storage times and water supply.

These non-compliances have been scored a CCS3 under D2 - Incident Management - Accidents, emergency and incident planning.

Please provide a date for agreement with NRW, for when you will provide an updated FPMP taking account of the points highlighted above by 22 March 2019.

Failure to provide a date for agreement and submission of a revised FPMP, may result in a Regulation 36 Notice being served.

Any criteria not noted in Section 1 - Compliance Assessment Summary, shall be considered as not assessed.

Consultation with South Wales Fire and Rescue Service (SWFRS)

NRW will be consulting with SWFRS once the above actions have been completed. Any comments from SWFRS will be provided under separate cover, but shall be considered linked to this Compliance Assessment Report. You may be required to update your FPMP following comments from SWFRS.

In this document 'Natural Resources Wales' means the Natural Resources Body for Wales established by Article 3 of the Natural Resources 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.

END

Cyfoeth Naturiol Cymru Natural Resources Wales	**EPR Compliance Assessment Report**	**Report ID: CAR_NRW0034815**

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

Site	I Wood Renewables Ltd	Permit Ref	FP3095ET
Operator/Permit holder	I Wood Renewables Ltd	Date	15/02/2019

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	Please provide a date for agreement with NRW, for when you will provide an updated FPMP taking account of the points highlighted in this Compliance Assessment Report.	27/03/2019

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.