

Compliance Assessment Report CAR_NRW0046247

Permit being assessed: CB3797FY.

For: Unit 8, **held by:** RDR Woodchip Ltd

At: 31 Sambucus Ave, Llandow Trading Estate, Cowbridge, Vale of Glamorgan, CF71 7PB.

Type of assessment: Site Inspection,

Reason: Routine.

On: 07/02/2025 between 13:15 and 14:10.

Parts of permit assessed: All.

NRW Lead Officer: Amy Bailey, accompanied by Daniel Hopkin, David Ellar.

Report sent to: Rhodri Davies , Site Operator , on 12/02/2025.

1. Summary of our findings (full details in section 4)

Part of permitted activity assessed (compliance criteria)	Assessment result	Permit condition
W1A - Waste - Management - General management	C3 Minor	1.1.1A
W3G - Waste - Emissions and monitoring - Fire	C3 Minor	3.4.1
W2F - Waste - Operations - Technical requirements	Action only (X)	
W2D - Waste - Operations - The site	Action only (X)	
W1A - Waste - Management - General management	Action only (X)	

Result types are explained in more detail in the 'Important Information' section below.

Total non-compliances recorded	Total non-compliance score
2	8

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?

Criteria	Action needed	Complete by
W1A	Please provide a comprehensive written Environmental	06/04/2025

Criteria	Action needed	Complete by
	Management System (EMS) in line with the above permit condition, and how to comply guidance, provided to you via email. Please provide this information by 6th April 2025.	
W3G	Please provide recent photos of material that is currently on site as well as waste transfer notes detailing. All waste needs to be managed fully in line with FPMP guidance which includes stack sizes and separation distances.	26/02/2025
W2F	Please provide the most recent WAMITAB certification and evidence that the TCM is booked onto the continuing competence course by the 27th February 2025.	27/02/2025
W2D	ensure the site has the appropriate drainage system to adhere to the permit condition and that the management of it is detailed in your EMS.	12/02/2025
W1A	Submit a dust management plan in addition to your EMS by 6th April 2025.	06/04/2025

Compliance criteria codes are listed in the 'Important information' section below.

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

Introduction

Industry and Waste Regulation Officer Amy Bailey, Senior Waste Regulation Officer David Ellar and apprentice Daniel Hopkin attended the permitted facility of RDR Woodchip, 31 Sambucus Ave, Llandow Trading Estate, Cowbridge, on the 9th January 2024 to undertake a unannounced inspection, arriving at approximately 13:15 Throughout the duration of the inspection the weather was fine and dry.

RDR hold a Standard Rule permit SR2011 No4 Treatment of waste wood for recovery, Environmental permit reference EPR/CB3797FY.

We were met and accompanied around site by the site operator and site manager.

General Management Permit breaches

W1A Category 3 breach. Permit condition 1.1.1 (a)

You have been given this breach because the site does not have an Environmental Management System in accordance with condition 1.1.1 (a) of your permit, which states:

1.1 General management

1.1.1 The operator shall manage and operate the activities:

- (a) in accordance with a written management system that identifies and minimises risks of pollution, including those arising from operations, maintenance, accidents, incidents, non-conformances, closure and those drawn to the attention of the operator as a result of complaints; and
- (b) using sufficient competent persons and resources.

This condition requires you to have a written management system, run your activities according to it, and improve it if you are not compliant. The management system must be in place once your site is operational and available to us when we ask to see it. It must identify the risks to the environment from your activities and explain in detail the measures you will take to prevent or minimise those risks. An effective management system will enable you to manage compliance with your permit and any other legal requirements to protect the environment.

Action- Please provide a comprehensive written Environmental Management System (EMS) in line with the above permit condition, and how to comply guidance, provided to you via email. Please provide this information by 6th April 2025.

More information on EMS can be see here:

<https://naturalresources.wales/permits-and-permissions/environmental-permits/environment-management-system/?lang=en>

<https://naturalresources.wales/media/680335/how-to-comply-with-your-environmental-permit.pdf>

Furthermore, you have been given this breach because the sites Technically Competent Manager's (TCM) WAMITAB certification has recently expired.

Action- Please provide the most recent WAMITAB certification and evidence that the TCM is booked onto the continuing competence course by the 27th February 2025.

W3G Category 3 breach, Permit condition 3.4.1

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

You have been given this breach under the above condition because the site is not operating in accordance with the sites fire prevention plan (dated October 2022) or fire prevention and mitigation guidance.

Officers inspected the current stockpiles of waste wood stored on site, the height of the stockpiles were measured using a 5m measuring stick, they were found to be approximately 5m. Stacks were also in close proximity to each other, and are therefore not stored in line with FPMP requirements.

Due to inappropriate fire breaks, this would be considered as one large stockpile, should there be a fire this would easily spread. The guidance and the FPMP stipulates that a 1 metre free board be left between the top of stockpiles and the top of bay walls, which was not being adhered to.

Photograph of stack exceeding bay walls:



Photograph showing lack of separation of stacks:



Photograph showing height of stockpiles being measured using a 5m pole:



The site operator explained that more material was being stored on site than usual due to a breakdown at Margam Biomass facility. The site operator explained that if Margam was not operational again with seven days they would send the material to a different facility.

Action-Please provide recent photos of material that is currently on site as well as

waste transfer notes detailing.

All waste needs to be managed fully in line with FPMP guidance which includes stack sizes and separation distances.

General observations

Drainage

Permit condition 2.4.1 specifies that 'the activities shall be operated using the techniques and in the manner described in Table 2.4 below'

Table 2.4 Operating techniques

1. When located within Groundwater Source Protection Zone 1 or 2 the waste shall be stored and treated on an impermeable surface with sealed drainage system.
2. When located outside Groundwater Source Protection Zones 1 or 2 waste shall be stored and treated on hard-standing or on an impermeable surface with sealed drainage system.

The site does not operate within a Groundwater Source Protection Zone and therefore point two applies.

The site operator was not able to explain what drainage system the site uses or how it functions.

Action- ensure the site has the appropriate drainage system to adhere to the permit condition and that the management of it is detailed in your EMS.

Site boundary

Permit condition 2.2.1 states ' The activities shall not extend beyond the site, being the land shown edged in green on the site plan'



The site operator informed us that they had obtained a portion of land to the rear of the site and had begun extending the yard. No waste activities were taking place on this area during the inspection. Please be aware that you must submit a variation to permit application to increase the site area.

More information on varying the permit can be seen here:

<https://naturalresources.wales/permits-and-permissions/waste-permitting/apply-to-change-to-or-vary-a-standard-rules-waste-permit/?lang=en>

Officers also noted that the extended area did not have appropriate fencing and therefore could allow unauthorised access to the site.

Action- You must not conduct any waste activities on the new area of land until a permit variation application has been made an approved.

Please also ensure that the site is secure.

Dust

Officers asked the site operator how they mitigate and manage dust on site. The Site operator was able to explain the systems in place including that during the summer months a chipper with dust suppression is used, that a water storage tank was accessible on site for dampening down and potential fire suppression and that they usually have a wind sock on site. However, these processes should all be detailed within the sites EMS. Due to the processing on site, there is potential for dust to be generated. NRW have also received complaints regarding dust leaving the site.

Action- Submit a dust management plan in addition to your EMS by 6th April 2025. The permit breaches noted in this CAR are not an offence; however, we have the power to serve an enforcement notice for this breach. Failure to comply with the notice is an offence. A regulation 36 Notice will be served in due course.

Many thanks for your time during the inspection.

If you have any queries regarding this Compliance Assessment Report please contact Daniel Hopkin on daniel.hopkin@cyfoethnaturiolcymru.gov.uk.

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

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.

If your assessment result in Section 1 is suspended, what does this mean?

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 Waste compliance criteria (used in section 1 and 2):

1. Management

- W1A – General management
- W1B – Energy Efficiency (MCP/SG facilities only)
- W1C – Avoidance, recovery and disposal of wastes produced by the activities

2. Operations

- W2A – Permitted activities
- W2B – Waste recovery plan
- W2C – Operating techniques
- W2D – The site
- W2E – Waste acceptance
- W2F – Technical requirements
- W2G – Improvement programme
- W2H – Pre-operational conditions

3. Emission and Monitoring

- W3A – Emissions to water, air or land
- W3B – Emissions of substances not controlled by emission limits
- W3C – Odour
- W3D – Noise and vibration
- W3E – Monitoring
- W3F – Pests
- W3G – Fire

4. Information

- W4A – Records
- W4B – Reporting
- W4C – Notification

Enforcement response

Any non-compliance with a permit condition 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 twenty 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 to 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.