Compliance Assessment Report

Report ID: CAR_NRW0035560

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	05/06/2019	Time in	10:30	Out	12:00
Assessment type	Audit				
Parts of the permit assessed	3.8.1, 1.1.1				
Lead officer's name	Thomas, Ffion				
Accompanied by					
Recipient's name/position	Kevin Burke/ Director and site manager	Date issued	09/08/2019		

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
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

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

This compliance Assessment report form has been completed following the announced site inspection of the I Wood Renewables (IWR) waste permitted facility EPR/FP3095ET, undertaken on 5th June 2019.

Present

Kevin Burke – I Wood Renewables Limited (IWR)

Gareth Davies – Natural Resources Wales (NRW)

Ffion Thomas – Natural Resources Wales (NRW)

Jodie Medcraft – Natural Resources Wales (NRW)

Matthew Bradford – South Wales Fire and Rescue Service (SWFRS)

The purpose of the meeting was to assess compliance with the environmental permit and a discussion was also had following the comments in the previous Compliance Assessment Report, NRW0034921 and the outstanding action items in CAR NRW0034815 regarding the Fire Prevention and Mitigation Plan.

FIRE PREVENTION AND MITIGATION PLAN

A general discussion was had around the current operations on site, future operations on site and information contained within the FPMP.

KB confirmed that there was one water tank on site with a capacity of approximately 20,000 litres and a further tank that was being welded. These would then be filled with water from the onsite groundwater borehole for use in the event of an incident on site. This is in addition to what was contained within the IWR's on site fire engine.

Matthew Bradford of the FRS appeared pleased with the progress on site and explained that from a fire fighting point of view, should an arson attack take place, there would be a low risk of the fire reaching an extent where there would be cause for concern.

IWR have submitted a FPMP, however following review by NRW and FRS there are items still needing to be clarified/confirmed before the FPMP can accepted. These have been detailed in CAR form ref NRW0034815.

Action:

IWR to complete the actions detailed in CAR form ref NRW0034815 and resubmit the FPMP for NRW review by 30 September 2019.

The actions outstanding from CAR NRW0034815 form include but are not limited to:

- information on daily tonnage of waste inputs and outputs,
- stacks dimensions, and stack separation calculations.
- information on proposed temperature monitoring of stacks.
- Inclusion of water availability and onsite capacity/storage including available equipment to enable SWFRS access to water supplies.
- Updated site plan showing storage areas, plant/working areas and quarantines areas.

SITE PROGRESS AND SITE TOUR

Removal of material on site is going well. It was evident that significant progress had been made. IWR are continuing to process the in-processed wood waste that has been on site in excess of the time (6 months) specified in the FPMP Guidance.

When work on processing the wood to the right-hand side of the site (next to the Recycling Building) is complete, the plan is to move the shredding and screening operations to the other side of the yard. This will enable them to benefit from the additional space available should a back log occur.

KB explained that it is within his gift under contract to stop any further wood coming on site should there be a backlog.

The photographs below show the progress that has been made in removing wood material from site. This has greatly reduced the risk of a self-heating fire within the wood from occurring on site.





There has also been significant progress in the removal of wood from the recycling Building as can be seen from the photos below.





Joint Regulators Meeting

KB again 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.

NON-COMPLIANCE

The current FPMP submitted by IWR does not meet the requirement set out in the current,

relevant fire prevention plan guidance. The current FPMP, waste storage times and infrastructure, namely water supply on site and those items listed in CAR NRW0034815 do not comply with the requirements of NRW's current guidance as required under condition 3.8.1.

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".

This non-compliance has been scored a CCS 3 breach under D2 – Incident Management – Accidents, emergency and incident planning.

This score has been suspended as IWR have made significant steps in reducing the volume of wood waste on site. IWR are continuing to remove wood material from site and are in the process of removing further material, making the necessary improvements to the site infrastructure and updating the FPMP.

However, failure to provide a submission of a revised FPMP, may result in a Regulation 36 Notice being served.

Action:

IWR to complete the actions detailed in CAR form ref NRW0034815 and resubmit the FPMP for NRW review by 30 September 2019.

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

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 Commission and the Environment Agency in Wales.

END

Cyfoeth Naturiol Cymru Natural Resources Wales	**EPR Compliance Assessment Report**	**Report ID: CAR_NRW0035560**

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	05/06/2019

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.

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			
D2	C3	IWR to complete the actions detailed in CAR form ref NRW0034815 and resubmit the FPMP for NRW review by 30 September 2019.	30/09/2019

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.