

Compliance Assessment Report CAR_NRW0049182

Permit being assessed: CB3495FF.

For: Kings Dock, **held by:** South West Wood Products Limited

At: Swansea, Swansea, Swansea, SA1 8QT.

Type of assessment: Site Inspection,

Reason: Routine.

On: 12/08/2025 between 12:20 and 13:50.

Parts of permit assessed: Permitted operations, waste storage and compliance with FPMP..

NRW Lead Officer: David Ellar.

Report sent to: Tom Dunn, Regional Manager, on 24/11/2025.

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 | C2 Significant | 1.1.1 |
| W3G - Waste - Emissions and monitoring - Fire | C2 Significant | 3.5.1 |
| W2A - Waste - Operations - Permitted activities | Assessed (A) | |
| W2C - Waste - Operations - Operating techniques | Assessed (A) | |
| W2D - Waste - Operations - The site | Assessed (A) | |

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

| Total non-compliances recorded | Total non-compliance score |
|--------------------------------|----------------------------|
| 2 | 62 |

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 | Improve current EMS to provide contingency procedures that | 28/11/2025 |

| Criteria | Action needed | Complete by |
|----------|--------------------------------------------------------------------------------------------------------|-------------|
| | ensure that wastes are stored appropriately in line with the approved FPMP. | |
| W3G | SWWP must ensure that the waste is stored within the manner described under the current approved FPMP. | 28/11/2025 |

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.

You are non-compliant with your permit.

We are currently considering taking enforcement action against you for the non-compliance recorded above. We will contact you in due course.

4. Details of our assessment

This was an unannounced, routine site visit made by David Ellar of Natural Resources Wales (NRW). The purpose of the inspection was to assess compliance against the tier 3 bespoke Environmental Permit, permit number: EPR/CB3495FF. NRW officer was met onsite by Rita Vassallo (SWWP Compliance and Projects Manger) who also accompanied NRW officer around the site.

The weather was fine and dry with little wind.

Previous inspection:

No permit breaches were identified during the previous inspection on the 24/04/25. Please refer Compliance Assessment Report CAR_NRW0048322 for further detail.

General Observations:

Operations were suspended temporarily whilst the inspection took place. Good segregation of waste types was observed with green waste, untreated waste, unprocessed and processed waste being clearly segregated. The site appeared to be over capacity and the majority of the firebreaks observed in previous inspections had been lost. Stockpile height was observed to be approximately 6m across the site. There was green waste stockpiled in the designated quarantine area as had been observed in previous inspections. No wood dust was observed leaving the site at time of inspection.

Permit Breaches:

General Management (W1A) Under condition 1.1.1 (a) – C2

The site is required to be operated 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. At the time of the inspection, the site was found to be at a capacity where stockpile limits detailed in current agreed Fire Prevention and Mitigation Plan Ver. 1.5. (FPMP) had been

breached.

SWWP attributed the recent increase in stockpiling, loss of firebreaks, reduced separation distances and elevated stockpile heights to unplanned downtime at the Margam Biomass site and missed Transfrontier Shipment (TFS) opportunities—both of which have resulted in significant lost tonnage output.

Waste operators must ensure that they have robust and fit for purpose contingency arrangements built into their management systems for supply chain fluctuations, including but not limited to, seasonality and critical plant routine and emergency shutdown etc. These should be supported by appropriate measures that should be taken to prevent and mitigate the impacts. Section 5.6 of the current EMS (LJB/v1.1 28/08/2024) ‘Alternative Storage’ states:

‘The operator has his own alternative wood recycling sites at Newport and Barry Docks with a further site in England which can be used to divert wood waste to in circumstances that Kings Dock cannot accept wood waste either due to site closure during a fire incident or when the Kings Dock, Swansea Wood Recovery Operation site has reached its storage limits. Notwithstanding this the operator has sister companies to which wood can be diverted to if required.’

This contingency has not been followed or is not sufficient to minimise risks of pollution arising from operations at the Kings Dock site. **As a result, this has been scored as a Category 2 breach of permit condition 1.1.1**

Action - SWWP must follow the existing contingency plans noted in the EMS and if necessary, amend and improve current EMS to provide contingency procedures that ensure that all wastes are stored appropriately in line with the approved FPMP.

Fire Prevention and Mitigation Plan (W3G) - Permit Condition 3.5.1 - C2 .

The height of the waste stockpiles were measured to be approximately 6m across the site and were found to be in exceedance of the approved FPMP which is a maximum of 4m. There was only one fire break identified in the unprocessed waste wood area, and this was measured to be approximately 6m, which is well below the requirement of the FPMP which is 12m. The rest of the stockpile was unseparated and firebreaks observed in previous inspections had been lost.

There was a significant volume of green waste stored in the designated quarantine area, which would have a negative impact on the practicality of fighting a fire on site should one occur.

The site appears to be over capacity. Over half of the designated quarantine area has also been given to the storage of waste wood. Should an incident occur, it will have a significant impact on the surrounding receptors. **As a result, this has been scored as a Category 2 breach of permit condition 3.5.1.**

SWWP explained the main reasons for the and increase in stockpiling, loss of firebreaks and increase stockpile heights were: lost tonnage output due to unplanned downtime at Margam Biomass site and lost TFS shipping opportunities. SWWP were prioritising addressing the stockpile concerns and hoped the loss of firebreaks and increased stockpile height would only be temporary, and would return to agreed, permitted limits in the very near future.

Photograph of waste wood stockpiles showing absence of firebreaks:



Action – SWWP must ensure that the waste is stored within the manner described under the current approved FPMP.

As discussed on site, the severity of the permit breaches are significant and Natural Resources Wales must consider its enforcement action, you will be written to separately regarding this.

Waste Operations (W2A, W2C, W2D & W2E):

Whilst on site the waste activities during the inspection were found to be in line with the condition 2.1.1 and table S1.1 of the permit. All wastes were stored within the boundary of the permit as required under condition 2.2.1. With no non-compliant wastes identified during the inspection as required under condition 2.3.2.

Emissions and Monitoring (W3B):

During the inspection dust was not observed leaving the site, however processing had temporarily stopped to allow the inspection to take place and the weather was favourable. Officer discussed the ongoing complaints received by NRW regarding dust leaving the site and how it was affecting a neighbouring business. Further reports will be forwarded to SWWP to investigate.

Improvements have been made to site operations to minimise the risk of dust leaving the site such as new plant, the installation of new processing and loading areas etc.. but further work is still required. The existing DEMS will need updating to ensure it is reflective of the current dust mitigation measures.

Photograph showing newly constructed processed wood loading area:



ACTION ONLY – Ensure current site practices are reflected in current DEMP.

Many thanks for your time during the inspection.

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.