

Compliance Assessment Report

Report ID:
CAR_NRW0036100

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

Site	J M Envirofuels (Barry) Limited	Permit Ref	AB3690CP		
Operator/Permit holder	JM ENVIROFUELS (BARRY) LIMITED				
Regime	Waste Operations				
Date of assessment	16/12/2019	Time in	09:30	Out	10:00
Assessment type	Site Inspection				
Parts of the permit assessed	Part of permit assessed				
Lead officer's name	Coleman, Craig				
Accompanied by					
Recipient's name/position	Alan Webb/ Director	Date issued	18/12/2019		

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
C3 - General Management - Materials acceptance	A	
C4 - General Management - Storage, handling labelling and Segregation	A	
D1 - Incident Management - Site security	A	
F3 - Amenity - Dust/fibres/particulates and litter	A	
F5 - Amenity - Deposits on road	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	0	Total compliance score (see section 5 for scoring scheme)	0
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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

Barry Docks Site Visit – JM Envirofuels (Barry) Ltd (EPR/AB3690CP) – 16/12/2019

Environment officer Craig Coleman undertook a routine inspection of the JM Envirofuels facility located at Associated British Ports, Barry Docks, Vale of Glamorgan on 16/12/2019. The weather was cold, but dry at the time of the site visit. The site visit was attended by the Alan Webb, a Director of JM Envirofuels (Barry) Ltd.

(C3) Materials acceptance

Table 2.3 of the Standard Rules (SR2011 No4 Treatment of waste wood for recovery) Permit under which JM Envirofuels (Barry) Ltd operates lists the European Waste Codes (EWC) that the facility is authorised to legally accept and store. During the visit the waste stored on site was within the EWC codes outlined within the permit.

The site was within the tonnage limit outlined by table 2.1 of the Environmental Permit. Dependant on the condition and form of the wood waste the site can potentially hold up to 2,800t of waste wood at any one time. On the day of the inspection the site held approximately 1,500t of unprocessed wood waste, and 700t of chipped wood waste. JM Envirofuels' permit specifies that if stored correctly in line with NRW regulations the site can store up to 10,000t at any given time. The bays in which the wood waste is stored were inspected during the visit. All 8 bays which comprise the two "Maltese Cross" configuration in the centre of the site were not full to capacity.

The site was storing two different wood waste streams. The first was wood waste in its whole form that would be categorised as *municipal waste, housing waste and similar commercial, industrial and institutional wastes, including separately collected fractions* (EWC 20 01 38); *wooden packaging* (15 01 03) , or *wastes from waste management facilities, off site waste water treatment plants and preparation of water intended for human consumption/industrial waste* (EWC 19 12 07), which is currently being held in preparation for transport to another facility for disposal or treatment. The second waste stream being stored on site was wood waste that had been treated off site to a standard and specification agreed to by JM Envirofuels (Barry) Ltd and their client. This material is intended to be exported off site to be utilised as fuel. This would be categorised under EWC 19 12 07, *wastes from waste management facilities, off site waste water treatment plants and preparation of water intended for human consumption/industrial waste*.

(C4) Storage, handling, labelling and segregation

The wood waste stored on site is contained within two “Maltese Cross” configurations, as well as three additional bays at the East side of the permitted area. The wood waste is sorted by type as mentioned in *(C3) Materials acceptance*. None of the wood waste on site during the visit exceeded the 4m height limit as outlined within JM Envirofuels’ Fire Prevention and Mitigation Plan (FPMP). The wood waste at the base of the stockpiles was well spaced at the bases of each cross with a clear delineation as per the FPMP guidance. The site maintains a quarantine area at the West side of the permitted boundary for any material that is delivered which does not fall within the EWC codes that the site can accept. This material is held within the quarantine area until it can be removed from site to an authorised treatment facility.

(D1) Site security

The site has surveillance equipment that is monitored offsite 24 hours a day. The site is surrounded by fencing and a body of water. Access to the facility is via a gate that is locked when the site is non-operational. Associated British Ports also maintain a security team that monitor and patrol the ABP area on a 24-hour basis.

(F3) Dust/fibres/particulates and litter

The overall condition of the site was clean, there was no litter on the floor and the boundary surrounding the site was also clear of litter and debris from site activity.

(F5) Amenity – Deposits on the road

As I drove to and from the site the public highway that acts as access to the site appeared to be clear of any signs of wood waste that might be deposited as a result of site activity

Craig Coleman

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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.

EPR Compliance Assessment Report

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CAR_NRW0036100**

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Site	J M Envirofuels (Barry) Limited	Permit Ref	AB3690CP
Operator/Permit holder	JM ENVIROFUELS (BARRY) LIMITED	Date	16/12/2019

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.

Other than the provision of advice and guidance, at present we do not intend to take further enforcement action in respect of the non-compliance identified above. This does not preclude us from taking enforcement action if further relevant information comes to light or advice isn't followed.

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			

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.