

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

Site	Former J R Steelworks	Permit Ref	NP3699VX		
Operator/Permit holder	South West Wood Products Limited				
Regime	Waste Operations				
Date of assessment	28/01/2020	Time in	11:50	Out	12:45
Assessment type	Audit				
Parts of the permit assessed	FPMP				
Lead officer's name	Wakeford, Sally				
Accompanied by	Morgan, David				
Recipient's name/position	Tom Dunn/ Regional Manager	Date issued	03/02/2020		

### 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	C3	2.1.1
C1 - General Management - Staff competency/training	C3	1.1.1(a)
C2 - General Management - Management system and operating procedures	C3	3.5.1
C3 - General Management - Materials acceptance	A	
D1 - Incident Management - Site security	A	
F5 - Amenity - Deposits on road	A	
G3 - Monitoring and Records, Maintenance and Reporting - Maintenance records	A	
G4 - Monitoring and Records, Maintenance and Reporting - Reporting and notification to Natural Resources Wales	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.

<b>Number of breaches recorded</b>	<b>3</b>	<b>Total compliance score</b> (see section 5 for scoring scheme)	12
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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

On 28 January 2019 an unannounced site inspection was conducted at South West Wood Products in Llangefelach by Sally Wakeford and David Morgan.

We were accompanied on site by Cameron, and discussions held with Craig at the weighbridge.

We were informed that the shredder had been brought back to the site in December to start processing the wood. It is understood from discussions that approximately 12 loads a day are going from the Llangefelach site to Margam, with a couple of loads a day incoming to enable the specification of the loads to hit acceptance criteria for Margam. No local authority wood is currently being brought onto site.

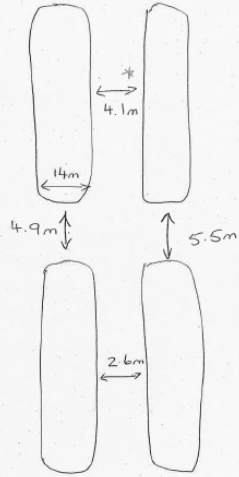
### **C2 – General Management – Management systems and operating procedures – Permit Condition 3.5.1 & 2.1 – CAT 3.**

You have been given a CAT 3 non-compliance of the above permit condition as during the inspection it was noted that the written procedures on site are not being properly implemented – stack sizes and separations were measured and found to be larger and closer together than that written in the Fire Prevention and Mitigation Plan (FPMP). Measurements taken are shown below. The way the site is otherwise managed has been taken into account and as such this non-compliance has been scored as a CAT 3 breach.

*Permit Condition 3.5.1 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 following diagram shows the measured distances.

Entrance



\* 4-5 inches of waste underfoot.

2.6m fire break (woodchip underfoot):



4.1m fire break (4-5 inches wood chip underfoot):



14m wide stack:



According to the FPMP Unprocessed stacks should be 10m x 50m x 5m high and 6m apart. Length was not measured, but width was found to be too large at 14m, and separated by distances of 2.6m, 4.1m, 4.9m and 5.5m.

Photographs were taken of the height of the stacks as can be seen in the photographs below.





Part of the fire fighting strategy in the FPMP is to spread burning material over cleared ground to allow for more rapid cooling and reduce the duration of the fire incident. At present, there is no cleared ground which would enable this. The photograph below shows what was indicated as the quarantine area marked on the site plan in the FPMP:



**ACTION: Ensure the site is in compliance with the Fire Prevention Mitigation Plan.**

### **A1 - Specified by Permit - Permit condition 2.1.1 - CAT 3**

You have been given a category 3 breach of the above permit condition as there was a large quantity of woodchip underfoot throughout the whole site. In some areas this was minimal, and the concrete could be seen a few inches underfoot. However, it is noted that in some areas of the site that the deposit of wood chip on the floor was around a metre in depth. In the event of a fire, in effect the site is currently one large stack of wood waste, it would be able to spread quickly and easily between stacks due to the amount of waste on the ground. As previously, the way the site is otherwise managed has been taken into account and as such this non-compliance has been scored as a CAT 3 breach.

*Permit condition 2.1.1 states: the operator is only authorised to carry out the activities specified in schedule 1 table S1.1 (the "activities")*

*Table S1.1: All areas of the site will be surfaced with clean hard core which shall be kept clear of waste at all times except for the permitted waste stockpiles which shall be stored in clearly defined areas.*

Minimal area of wood chip:



Next to minimal depth area it steps up to area of woodchip approx. 1m deep:



As stated in your Environment Management System the surface of the site should be surfaced with a hardcore layer >150mm over the Terram layer and would therefore be expected to be free draining.

**ACTION: Ensure the site is free and clear of waste except in designated stockpiles.**

**C1 - General Management – Staff Competency/Training – Permit condition 1.1.1(a) – CAT 3**

You have been given a CAT 3 breach of the above permit condition as when on site we requested to see copies of the Permit and Fire Prevention and Mitigation Plan. Only the front cover of the permit was available and no copy of the FPMP could be provided. Craig showed a copy what he thought was the FPMP, it was not the document that NRW hold as the Fire Prevention Plan. It is worth noting that a copy of the FPMP was visible on the wall of the weighbridge office.

1.1.1(a) states:

The operator shall manage and operate the activities:

(a) In accordance with a written management system that identifies and minimises risks of pollution...

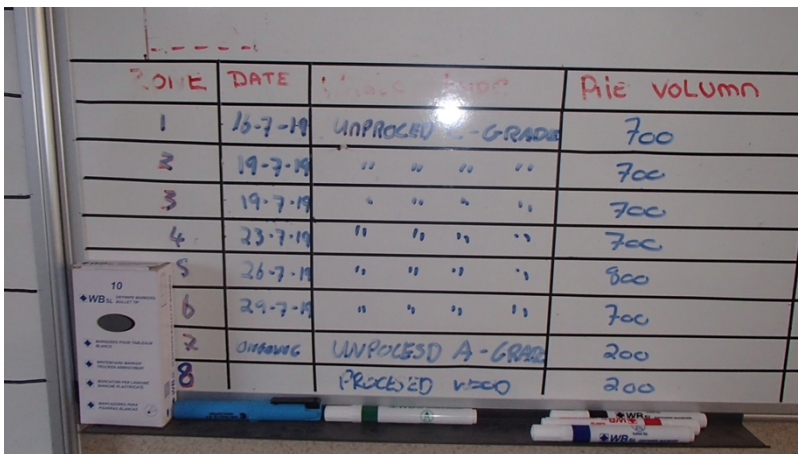
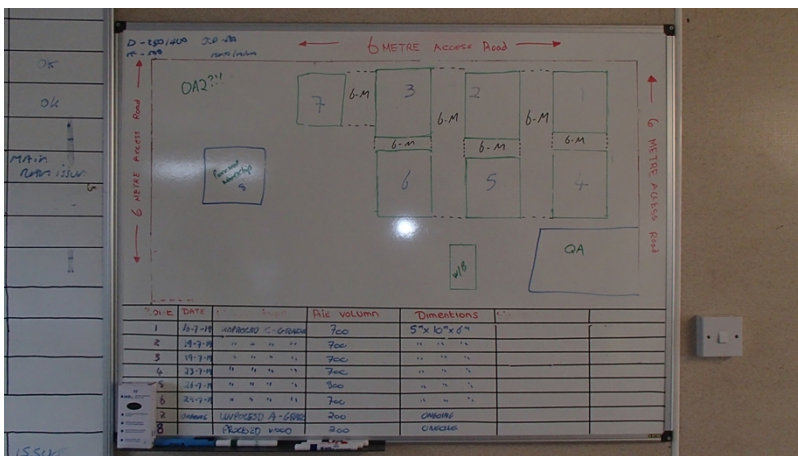
The written management system states:

6.1: a full and up-to-date copy of the management system, Environmental Permit and Fire Prevention Plan will be kept at the site offices and made available at all times.

**ACTION:** ensure all staff are aware of and able to produce copies of the Permit, Management System and FPMP.

**Storage Times:**

The whiteboard on the wall which contains stockpiles and timescales of waste on site indicated that the current stockpiles on site, it is unclear whether the dates in July 2019 were the date that storage commenced or the 'out by' date, as seen in the photograph below.



If this whiteboard is up to date, the waste has been in situ longer than the FPMP will allow and needs to be removed as soon as possible. If it is not up to date, this would be non-compliant with the FPMP for the site.

**ACTION:** Ensure unprocessed stockpiles are not held on site for longer than the 3 months stated in the FPMP.

There was a pile of dark, processed wood, which we were informed had been returned from Margam as it didn't meet specification.

**ACTION:** Ensure processed wood is not stored for longer than 1 month as specified in your FPMP.

**AOB:**

Staff were asked about the routines for cleaning down equipment to ensure removal of debris and ensuring no leaks. We were informed that there is a daily and weekly schedule and photographs etc are taken and shown to management to ensure these are undertaken.

Strategically placed fire extinguishers were noted on site.

Thank you to Cameron and Craig for taking the time to accompany officers around the site and assistance in answering questions asked.

**Any compliance criteria not highlighted in the above summary should 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 Resource 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 for Wales.**

## EPR Compliance Assessment Report

**Report ID:  
CAR\_NRW0036262**

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

Site	Former J R Steelworks	Permit Ref	NP3699VX
Operator/Permit holder	South West Wood Products Limited	Date	28/01/2020

### 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			
C1	C3	ensure all staff are aware of and able to produce copies of the Permit, Management System and FPMP.	28/02/2020
C2	C3	Ensure the site is in compliance with the Fire Prevention Mitigation Plan	28/08/2020
A1	C3	Ensure areas of site not used to store defined stockpiles is clear of waste.	28/08/2020

## 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](mailto: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.