

Compliance Assessment Report

Report ID:
CAR_NRW0034247

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

Site	Alexandra Docks	Permit Ref	QB3093HE			
Operator/Permit holder	South West Wood Products Limited					
Regime	Waste Operations					
Date of assessment	10/10/2019	Time in	11:00	Out	11:50	
Assessment type	Site Inspection					
Parts of the permit assessed	F3, D2					
Lead officer's name	James, Ian					
Accompanied by	Sharp, Emma					
Recipient's name/position	Tom Dunn/ TCM	Date issued	18/10/2019			

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	O - Suspended	The operator shall manage and operate the activities in accordance with a written fire prevention plan using the current, relevant fire prevention plan guidance.
F3 - Amenity - Dust/fibres/particulates and litter	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

Compliance Assessment Report – South West Wood Products – EPR-QB3093HE

Introduction

At 1100 on 10th October 2019 your site was inspected to check actions arising from visits in August 2019 and linked to CAR form **CAR_NRW0035604**. Officers Ian JAMES and Emma SHARP were present and were met by Site Supervisor, Chris DAVIES, Ops Manager – Martin CHUBB and Lucy BINNIE of Land and Mineral. The weather was showery with little wind.

Your operation consists of Waste Wood Recycling.

Areas of the permit assessed, finding and actions

Compliance

F3 – Amenity – Dust/fibres/ particulates/litter

- 3.1.2 Emissions of substances not controlled by emission limits (excluding odour) shall not cause pollution. The operator shall not be taken to have breached this condition if appropriate measures, including, but not limited to, those specified in any approved emissions management plan, have been taken to prevent or where that is not practicable, to minimise, those emissions.**

Finding/Observation

An additional water cannon with high throughput had been installed and located alongside the large building, opposite side of site to the perimeter road. This was explained by the Ops Manager as being used during the transfer of materials to maximise dust suppression.

The high output tanker was demonstrated to show its ability to suppress dust near the weighbridge.

It was explained that piles were rotated with material transfer occurring near the large building, No3 transit shed, and shielded by existing piles on site to minimise the potential for dust moving off-site at the northern boundary.

A clear separation distance of unprocessed wood from the 'shipping container boundary', that runs from the east to the south of the site, was described as allowing a route for vehicles to follow around the permitted facility to the water cannon.

A previous suggestion that there might be a need for further netting around the perimeter was not discussed.

Action

- 1. Ensure processes are managed to prevent materials polluting outside the site boundary. This may require infrastructure improvements (netting etc) but may well be controlled by ensuring control of materials on site to allow loading away from the site boundary. This should be completed as soon as possible.**

Date due: n/a

D2 - Accident, Emergency and Incident Planning – Breach C3 (suspended)

- 3.5.1** The operator shall manage and operate the activities in accordance with a written fire prevention plan using the current, relevant fire prevention plan guidance.

Finding/Observation

There were adequate separation distances between piles of processed wood on site but the height of the piles appeared to be over the height specified in the FPMP and associated NRW guidance.

It was mentioned, by LB, that SWWP wish to ask for NRW to consider an amendment to the FPMP/Permit driven by the demands of the site and throughput, in particular. It was also mentioned that one outlet was off-line for 2 weeks preventative maintenance and was due to come back on-line the following week. This was explained as causing temporary challenges some of which were mitigated by moving output to a different outlet.

NRW would consider a variation to the FPMP/Permit and as such will suspend the score for this breach for 3 months to allow submission of the amendment. SWWP should continue to manage their operations within permitted conditions with a focus on fire risks whilst this variation is considered.

Action

- 1. Ensure a duly made variation is submitted to NRW permitting section.**

Date due: 18th January 2020

Other comments

It was highlighted by site management that boundary fencing along the north to west was damaged/missing and was due to be repaired by the landowner. This needs to be completed as soon as possible and may be considered as a breach at the next inspection.

If you have any questions regarding this Compliance Assessment Report (CAR) form, please contact Ian

James on 03000 654203 or via email on ian.james@naturalresourceswales.gov.uk

In this document 'Natural Resources Wales' means the Natural Resource Body for Wales established by Article 3 of the Natural Resources Body for Wales (Establishment) Order 2012.

EPR Compliance Assessment Report

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Operator/Permit holder	South West Wood Products Limited	Date	10/10/2019

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			
D2	O	Ensure a duly made variation is submitted to NRW permitting section	18/01/2020

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. 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.