

Compliance Assessment Report

Report ID:
CAR_NRW0036698

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	11/06/2020	Time in	10:00	Out	12:00	
Assessment type	Audit					
Parts of the permit assessed	A, C, G					
Lead officer's name	Morgan, David					
Accompanied by	Lovelock, Elysia					
Recipient's name/position	Kevin Burke/ Director	Date issued	28/07/2020			

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
C4 - General Management - Storage, handling labelling and Segregation	C2	3.8.1
G4 - Monitoring and Records, Maintenance and Reporting - Reporting and notification to Natural Resources Wales	C4	4.2.2

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	2	Total compliance score (see section 5 for scoring scheme)	31.1
-----------------------------	---	--	------

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 inspection report was amended on 28th July 2020 to reflect submission of outstanding information and points raised in appeal of original report (29/06/2020)*****

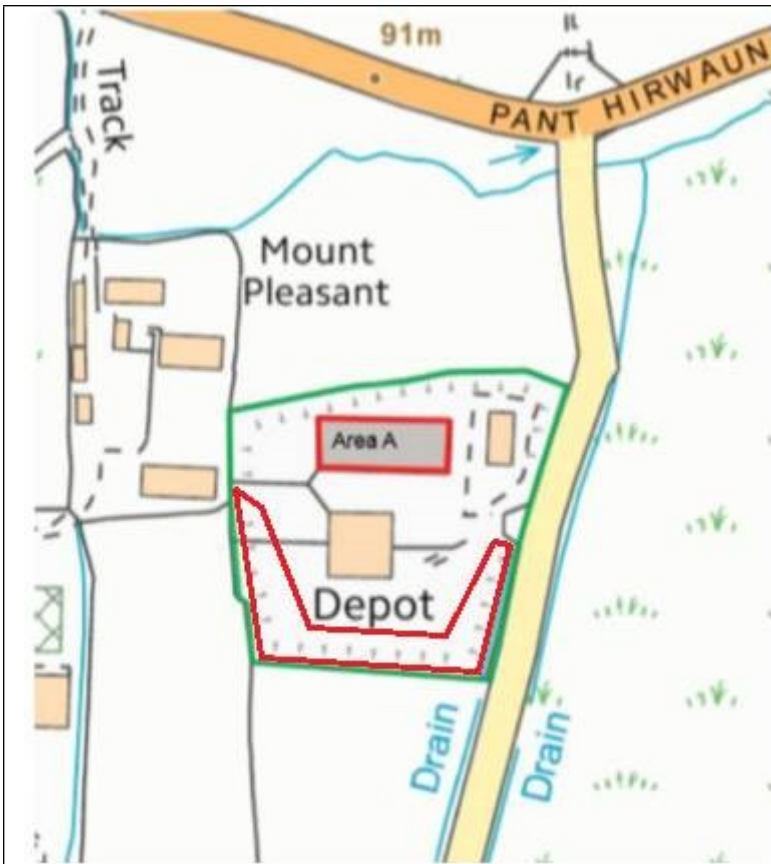
A site inspection was undertaken on Thursday 11th June 2020. The purpose of the inspection was to assess wood waste storage practices following concerns raised around the storage of wood on site, in addition to the concerns raised by SWFRS.

Natural Resources Wales officers, David Morgan and Elysia Lovelock, were met on site by Matthew Bradford (FRS), Bill Griffiths (Stobarts), and Lucy Binnie (South West Wood Products).

Please note, all future communications will now be confirmed via email.

Waste Storage

On arriving at site officers noted that there was a very large volume of wood waste on site. Wood waste was in one large stack that ran the entire length of the boundary on the left side of the site (this is the left side upon entering through main access). This stack was the full length of the site and ran continuously around the rear of the site up to the rear access point of the yard. A diagram below gives indication of the shape and size of the stack (within red boundary) and photographs to reflect the storage of waste found on site.





Officers took measurements of the stacks and found that the stack dimensions significantly exceed those in the Fire Prevention and Mitigation Plan Guidance. Officers recorded that the waste stack was well in exceedance of 4 meters in height in some parts. Stack width, at its widest, was well above 20 meters. Stack length was over double the 30-meter limit in the Fire Prevention and Mitigation Plan guidance. There were no firebreaks in this stack. This is a single stack covering most of the operational area of the site.

The following observations were also made: there was an 8-meter perimeter gap between the stack and the nearby workshop building. Also, apart from a small amount of very recently processed wood, the majority of wood in the stack appeared to be in raw form, thus reducing the risk of self-combustion.

Storage of wood waste in this manner, which exceeds limits set out in the Fire Prevention and Mitigation Plan Guidance, is a significant breach of the Environmental Permit. In its current state, should a fire incident occur, there is potential for this to be declared a major incident. A major incident at this location would require a large commitment of resources from emergency services. Following advice from Mathew Bradford (FRS), it is likely that a major incident at this site would last a sustained period of time. A major incident would have a serious detrimental impact on nearby residents and land.

Condition 3.8.1 of the permit has been breached (Category 2 – Significant) (Ref:C4)

You must reduce the volume of wood waste on site to a level that is compliant with Fire Prevention and Mitigation Plan Guidance by **Friday 18th September 2020**. Waste wood stacks must be compliant with dimensions set out in the Fire Prevention and Mitigation Plan Guidance, unless otherwise agreed in writing by Natural Resources Wales.

Natural Resources Wales is now considering enforcement action against I Wood Renewables. Natural Resources Wales is also considering issuing an enforcement notice to require compliance

with the Environmental Permit on site.

COVID-19

On 3rd April 2020 Natural Resources Wales contacted all permit holders in the area requesting that all operators, whose businesses may be affected by Covid-19, contact Natural Resources Wales. I-wood was contacted as part of this process but have failed to raise any such issues with Natural Resources Wales until yesterday when officers attended site. It is understood that you wish to make some representations regarding this matter, and these were received on Friday 12th June 2020. We will now assess this information but may require further information/evidence regarding the current situation.

It was the opinion of both Matthew Bradford (FRS), and Natural Resources Wales, that regardless of the impact of Covid-19, the current storage practices would not have been authorised.

It is understood that the current pandemic situation has the potential to impact businesses as outlets, supply, and demand varies. However, the risk currently posed by these waste storage practices is not acceptable.

Waste Returns

*****The following comments are related to the failure to submit waste returns information. This information was provided promptly following issue of the Compliance Assessment Report. Following the issue of the initial report, and subsequent appeal by the operator, Natural Resources Wales has agreed to downgrade the categorisation of this non-compliance to Category 4 - No Impact.*****

Following the inspection of the site on Thursday 11th June 2020, officers found that Waste Returns data for the site is missing. Natural Resources Wales records indicate that Waste Returns for the following periods have not been submitted:

- Quarter 4 (October – December) – 2019
- Quarter 1 (January – March) – 2020

Failure to submit waste returns information, within 1 month of the end of the quarter is a breach of the Environmental Permit. As a result, a non-compliance of the Environmental Permit has been recorded.

Condition 4.2.2 of the permit was breached (Category 4 – No Impact) (Ref: G4)

Fire Prevention and Mitigation Plan

In discussions with officers following this inspection, it has been agreed that a revised Fire Prevention and Mitigation Plan will be submitted to Natural Resources Wales by Friday 18th September 2020.

Please find below feedback regarding your Fire Prevention and Mitigation Plan in accordance with condition 1.1.1 of your Environmental Permit.

Following a telephone conversation between Elysia Lovelock and Director/Site Manager Kevin Burke on 5th June 2020, I refer to CAR_NRW0035929 issued 7th November 2019 following a

previous site meeting held on the 23rd October 2019 with my colleague, Senior NRW Regulatory Officer Ffion Thomas.

The Compliance Assessment Report CAR explained that the Fire and Rescue Service FRS would be consulted on version 3 of the Fire Prevention Management Plan which we received on the 30th October 2019 and would consider the comments received on 22nd October 2019.

On the 3rd June 2020, NRW were provided with comments from Mathew Bradford of South Wales Fire and Rescue Service SWFRS concerning the Fire Prevention Management Plan 2019 v3, which are as follows:

- * The Fire Prevention Management plan mirrors that of NRW guidance however, a site-specific approach to applying the guidance is required.
- * The details provided concerning stack dimensions are required to be consistent throughout the FPMP and in line with NRW guidance and a site plan is required in addition, in order to assess if proposed stack sizes are appropriate.
- * The sites water supply is reliant on bore holes, therefore details concerning the tank on site are required including the water level that is maintained/held in the tank, evidence of the tanks flow rate which has been specified in the plan. As the tank on site is primarily for storage purposes, clarification is required regarding access points to enable the fire service to extract water. The section pertaining to the provision of water may need to be considered through conducting a visit to site.
- * The FPMP will require details concerning the hydrant, as no details have been provided, such as the flow rate; as this is not a high-pressure hydrant and the FRS have experienced previous issues with water supplies during operational incidents at the site previously.
- * Clarification regarding the installation of the suppression system to the shredder and information as to the what the suppression system is designed to suppress i.e. dust, fire etc.
- * Information to be included regarding the land to the front of the site detailing any pertinent information i.e. SSSI.
- * The firefighting strategy requires a defined list of equipment/machinery to support the sites strategy.

You are required to ensure that the FPMP currently in place by I Wood Renewables is suitable in order to mitigate against any immediate or foreseeable risk at Locks Yard.

We appreciate your co-operation and assistance and trust that the issues identified, and actions stipulated as per this Compliance Assessment Report will be promptly addressed and actioned accordingly and as the Natural Resources Body for Wales, Natural Resources Wales look forward to continuing working with I Wood Renewables. If you wish to discuss this matter further, please get in touch.

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

**Report ID:
CAR_NRW0036698**

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	11/06/2020

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.

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			
G4	C4	Submit Waste Returns information for Q4 (Oct - Dec) 2019 and Q1 2020 (Jan - Mar)	10/07/2020
C4	C2	Ensure waste is stored in compliance with Fire Prevention and Mitigation Plan Guidance	18/09/2020

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.