

## Compliance Assessment Report CAR\_NRW0037095

**Permit being assessed:** KP3095FE.

For: Woodstock Waste Transfer Stn, held by Gwilym Eirwyn Williams

At: Woodstock Waste Disposal, Unit 7B, Castle Way, Severn Bridge Industrial Estate, Portskewett, Caldicot, Monmouthshire, NP26 5PR.

**Type of assessment carried out:** Site Inspection, Reason: Routine.

On 21/10/2020 between 14:15 and 14:55.

Parts of permit assessed: Various

**NRW Lead Officer:** Jonathan Lee.

**Report sent to:** Gwilym Eirwyn Williams, Permit Holder on 02/11/2020.

### 1. Summary of our findings (full details in section 4)

Part of permitted activity assessed (criteria)	Assessment result	Permit condition
C2 - General Management - Management system and operating procedures	C3 Minor	1.1.1

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

Total number of non-compliances recorded	Total non-compliance score
1	4

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
C2	Improve operations and adhere to maximum storage capacity of 90 tonnes.	25/11/2020

Action 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.

**At this time, we do not intend to take any further action.**

This statement does not stop us from taking additional enforcement action if further relevant information comes to light or offences continue.

### 4. Details of our assessment

**Compliance Assessment Report – Woodstock Waste – EPR-KP3095FE**

This report considers visits made on the 21<sup>st</sup> September 2020 and 21<sup>st</sup> October 2020 to Woodstock Waste, permit reference number **EPR-KP3095FE**.

### **Site Visit – 21<sup>st</sup> September 2020**

Following concerns notified to Natural Resources Wales (NRW) regarding the quantity of waste present on site and the condition of a boundary wall at the site, Officers Jonathan LEE and Greg GARDNER attended the site between 14:10pm and 14:55pm. Weather dry and warm. Officers met with permit holder and site manager Mr Eirwyn Williams.

Boundary wall on the eastern edge of the site found to be in poor condition, however, repairs and construction of new boundary wall ongoing at time of inspection. Officers discussed that boundary needed to be improved to prevent litter being wind-blown from the site into adjacent properties, and to seal the drainage along the perimeter of the site.

Excessive quantity of general waste present on site, the main stockpile of general waste was approximately 5-6 metres high (as shown in Photo 1 below). Potential of fire risk during hot weather discussed, advised that volume and height of waste needed to be reduced as a matter of urgency. Agreed to revisit site within a month to assess progress and bring site into compliance with permit conditions.



**Photo One** - General waste stockpile (taken 21st Sept 2020)

**Site Visit – 21<sup>st</sup> October 2020**

Officer Jonathan LEE attended the site between 14:15pm and 14:55pm to complete follow up compliance inspection. Weather was cool and wet. Met with Mr Eirwyn Williams on site.

Boundary wall repairs ongoing at time of inspection. Repairs to this boundary must be completed as soon as possible in order to prevent escape of wind blown litter.

Quantity of general waste present on site had been reduced since previous inspection, however some improvement required to comply with permit condition 1.1.1 and to create sufficient delimitation between stockpile of inert material on adjacent side of yard covered by an S2 exemption.

**Compliance Breaches**

Following the observations made on the two separate visits detailed above, the following permit breach has been scored.

**C3 Materials acceptance – Category 3 breach – Permit Condition 1.1.1**

Permit condition 1.1. Specified Waste Management Operations Table 1.1 i) Maximum storage capacity to be 90 tonnes and include, quarantined waste of total volume 3m<sup>3</sup> and, no more than 30 m<sup>3</sup> to be stored on sorting slab prior to sorting.

During the first inspection on the 21<sup>st</sup> September it was clear that the maximum storage capacity of 90 tonnes was being exceeded. Indeed, the quantity of general waste present was also a concern in respect of potential fire risk.

Whilst efforts were made to reduce the quantity of waste between the first and second inspection, a compliance breach is to be scored. You have been scored a category 3 breach of permit condition 1.1.1.

**Action** – Improve operations and adhere to maximum storage capacity of 90 tonnes by **25<sup>th</sup> November 2020**.

**Summary**

If you have any queries regarding this Compliance Assessment Report please contact regulatory officer Jonathan Lee on 0300 065 3908, or via email at [jonathan.lee@naturalresourceswales.gov.uk](mailto:jonathan.lee@naturalresourceswales.gov.uk)

*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.*

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.

### **What are suspended scores?**

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 Industry and Waste action criteria (used in section 1 and 2):**

#### **A: Permitted activities**

- A1 Specified by permit

#### **B: Infrastructure**

- B1 Infrastructure – Engineering for prevention and control of emissions
- B2 Infrastructure – Closure and decommissioning
- B3 Infrastructure – Site drainage engineering (clean and foul)
- B4 Infrastructure – Containment of stored materials
- B5 Infrastructure – Plant and equipment

#### **C: General management**

- C1 General management – Staff competency/training
- C2 General management – Management system and operating procedures
- C3 General management – Materials acceptance
- C4 General management – Storage, handling, labelling and segregation

#### **D: Incident management**

- D1 Incident management – Site security
- D2 Incident management – Accidents, emergency and incident planning

#### **E: Emissions**

- E1 Emissions – Air
- E2 Emissions – Land and groundwater
- E3 Emissions – Surface water
- E4 Emissions – Sewer
- E5 Emissions – Waste

#### **F: Amenity**

- F1 Amenity – Odour
- F2 Amenity – Noise
- F3 Amenity – Dust/fibres/particulates and litter
- F4 Amenity – Pests/birds and scavengers
- F5 Amenity – Deposits on road

#### **G: Monitoring and records, maintenance and reporting**

- G1 Monitoring and records, maintenance and reporting – Monitoring of emissions and environment
- G2 Monitoring and records, maintenance and reporting – Records of activity, site diary/journal/events
- G3 Monitoring and records, maintenance and reporting – Maintenance records
- G4 Monitoring and records, maintenance and reporting – Reporting and notification to Natural Resources Wales

#### **H: Resources efficiency**

- H1 Resource efficiency – Efficient use of raw materials
- H2 Resource efficiency – Energy efficiency

### **Enforcement response**

Any permit condition non-compliance 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 20 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 – 18:00), or email [enquiries@naturalresourceswales.gov.uk](mailto: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](mailto: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.