

Compliance Assessment Report CAR_NRW0037191

Permit being assessed: FP3095ET.

For: Locks Yard, held by South West Wood Products Ltd

At: Heol Llan, Coity, Bridgend, CF35 6BU.

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

On 20/11/2020 between 09:00 and 10:30.

Parts of permit assessed: 1. General Management 2. Incident Management 3. Infrastructure
4. Reporting

NRW Lead Officer: Elysia Lovelock, accompanied by David Morgan.

Report sent to: Martin Chubb, Site Manager on 04/12/2020.

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

Part of permitted activity assessed (criteria)	Assessment result	Permit condition
B3 - Infrastructure - Site drainage engineering (clean and foul)	Action only (X)	
C2 - General Management - Management system and operating procedures	Action only (X)	
C4 - General Management - Storage, handling labelling and Segregation	C2 Significant	2.3.1
D2 - Incident Management - Accidents, emergency and incident planning	C3 Minor	3.8.1
G4 - Monitoring and Records, Maintenance and Reporting - Reporting and notification to Natural Resources Wales	Action only (X)	

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

Total number of non-compliances recorded	Total non-compliance score
2	35

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
B3	Please provide details on the suitability of the sites sump (cattle grid), including maintenance records and evidence it is sealed, within 14 days.	18/12/2020
C2	Please provide a date/reasonable timeframe for a Dust Suppression Plan to be provided (to be provided at the same time as v2 of the FPMP). Date for submission to be agreed with NRW within 14 days.	18/12/2020

Criteria	Action needed	Complete by
C4	Please ensure wood waste on site is stored in a way that is compliant with the Fire Prevention and Mitigation Plan guidance. Failure to comply may result in a Regulation 36 Notice being served.	26/02/2021
D2	Please provide a date/reasonable timeframe for agreement with NRW within 14 days, for when you will provide an updated FPMP, taking account of the comments included in the FPMP review.	18/12/2020
G4	Please ensure that a comprehensive clean-up of this area is undertaken promptly, and Natural Resources Wales are notified accordingly.	18/12/2020

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.

You are non-compliant with your permit.

We are currently considering taking enforcement action against you for the non-compliance recorded above. We will contact you in due course.

4. Details of our assessment

A site inspection was undertaken on Friday 20th November 2020 at 9am at the regulated facility of South West Wood Products SWWP, Locks Yard, Heol Llan, Coity, Bridgend, CF35 6BU.

Waste Regulation Officer Elysia Lovelock and Senior Waste Regulation Officer David Morgan of Natural Resources Wales NRW were met on site by SWWP Site Manager Martin Chubb, John Boland of SWWP and Environmental Consultant, Lucy Binnie on behalf of SWWP and representatives of the South Wales Fire and Rescue Service SWFRS, Mathew Bradford and Stuart Brock.

As discussed with SWWP on the last site visit on Friday 18th September 2020, the purpose of this visit by Natural Resources Wales Officers would be to assess the sites compliance with the conditions of the environmental permit EPR/FP3095ET.

Ahead of the visit, SWWP provided NRW with a revised Fire Prevention and Mitigation Plan FPMP for review and an updated Environment Management System EMS as requested on Compliance Assessment Report CAR, reference NRW0036970. NRW will be reviewing the EMS provided on the 9th November 2020 in due course. The priority at present is with the sites Fire Prevention. Further to CAR reference NRW0036970, I wish to draw your attention to an **outstanding action** that is required, please see below:

- **Dust Management Plan**

Action required: As per the request in the last CAR, reference NRW0036970, please provide NRW with an updated Dust Management Plan. Please now submit this plan at the same time as a revised FPMP – *version 2* (considering the FPMP review

contained within this CAR). **A date/reasonable timeframe for submission is to be agreed with NRW by the date specified below.**

Due date: Friday 18th December 2020.

Fire Prevention

SWFRS provided comments on the FPMP plan and representatives of the SWFRS attended the site inspection to assist in the discussion of the requirements of the sites FPMP. The FPMP is a requirement of the permit, condition 3.8.1 refers and a full review of the FPMP by NRW has been included as part of this Compliance Assessment Report CAR, to address Fire Prevention and Mitigation and ***actions have been stipulated later on in this document*** in relation to providing a revised version of the FPMP, document reference 2157B/FPMP.

Information requested

In discussions on site, Natural Resources Wales made a request for various documents and information. These are listed below:

1. **TCM Continuing Competency:** Environmental Consultant Lucy Binnie provided updated details for the sites current TCM on 3rd December 2020. The WAMITAB certification is for Mr Christopher Davies, issued on 23/10/2019. Please be aware there is a minimum attendance requirement on site for the appointed TCM. Further guidance on this can be found in 'How to comply with your environmental permit'.
2. **Drainage:** Please provide details on the suitability of the sites sump (cattle grid), including maintenance records and evidence it is sealed. For further details, please refer to 'How to comply with your environmental permit'. This document states: *'Sumps (other than those within bunds- see below) must be:*
 - *Impermeable and resistant to stored materials*
 - *Looked at regularly and any contents removed after checking for contamination*
 - *Where not frequently inspected, fitted with a high-level probe and alarm*
 - *Regularly inspected for their condition (normally visual but extending to hydraulic testing where structural integrity is in doubt).*

Action Required: Please provide the requested documents listed above on 'drainage' by the date specified below.

Due Date: Friday 18th December 2020

I refer to permit condition 4.1.2 which states, *'Any records required to be made by this license shall be supplied to the Agency within 14 days, where the records have been requested in writing by the Agency'*.

Reported Incident

Natural Resources Wales received notification on the 23rd September 2020 that a lorry had

over-turned whilst exiting the site and turning onto the B4280, heading towards Bryncethin. Natural Resources Wales contacted the site following the incident to gather information, ensuring that no fuel spill had occurred and requested we be updated on the clean-up undertaken by SWWP following the incident. Officers observed on the 20th November 2020 that some woodchip remained on the common.

Action required: Please ensure that a comprehensive clean-up of this area is undertaken promptly, and Natural Resources Wales are notified accordingly.

Due Date: Friday 18th December 2020

Waste Storage

Since the transfer of the permit on the 31st July 2020 to South West Wood Products, the subsequent site visit on the 18th September 2020 to now, officers wish to acknowledge the improvements the operator has made on site. Additional firebreaks have been created, there has been a visible reduction to the volume of wood waste on site, the sites drainage is being considered by SWWP, the operator has proposed 'live testing', water provisions are being addressed, more plant and equipment on site and communication with NRW has improved greatly in that time. However, as discussed on site, officers assess current volumes of wood waste on site as non-compliant with the Fire Prevention Plan guidance. Photographs taken during the inspection can be seen below.





Officers observed heights and depths to be well in excess of the guidance and minimum separation distances that do not conform to the calculation that is required. The guidance states a pile should be a maximum height of 4m and a depth of 10m, accessible from all 4 sides and the lengths of the piles determine the required separation distances.

Natural Resources Wales appreciates the difficulties with the site-specific on-site logistics at Locks Yard. Whilst on site we discussed with yourselves and the FRS, the possibility of site-specific storage requirements (dimensions of stacks), outside parameters of the guidance.

NRW would consider such proposal, however, evidence must be provided that there will be no increase in risk and that there are additional mitigation measures to justify any variation from the guidance. Please refer to the relevant information provided before the FPMP review in this document under 'Summary'.

However, SWFRS advised during the site visit that at present, with current storage practices and control measures, if an incident were to occur on site, there are areas of the site that would be deemed inaccessible. Therefore, as current storage practices would impede SWFRS firefighting capabilities in the event of an incident, this non-compliance has been scored as follows:

Significant Non-Compliance Score:

Breach of condition 2.3.1 (a) states *"The activities shall, subject to the conditions of this permit, be operated using the techniques and in the manner described in the documentation specified in schedule 2, table S2.3, unless otherwise agreed in writing by Natural Resources Wales."*

The current waste storage practices by the "operator" do not meet the requirement set out in the current, relevant fire prevention plan guidance. This non-compliance has been scored a CCS2 under C4 – Storage, handling, labelling and Segregation.

Action required: Please ensure wood waste on site is stored in a way that is compliant with the Fire Prevention and Mitigation Plan guidance.

Due date: 26th February 2021

Failure to comply may result in a Regulation 36 Notice being served.

In relation to waste storage practices, as this is also covered in the FPMP review, as mentioned above, I wish to refer you to relevant information provided before the FPMP

review in this document under 'Summary'.

Green Waste

Whilst the green waste on site does not form part of your permit, it has been noted in the CAR as tonnages have been included on the sites waste returns. Therefore, as the EWC code for green waste does not currently form part of your permit, please do not include these tonnages on your waste returns.

As advised on site, the T6 exemption registered to Locks Yard refers to the 'associated storage' (500t) pertaining to the on-site treatment of green waste with a 7-day storage limit. Therefore, please ensure that the green waste is either treated on site or is removed, or as advised previously, include the EWC code '200201' as part of a permit variation.

Information for site

During the visit, SWWP were advised of the following: NRW require date stamped photographs when/if requested, the importance of providing information when it is requested and/or keeping NRW informed, unannounced visits will resume and for information purposes, information pertaining to the location of a gas line adjacent to the site was shared with SWWP.

Summary

We wish to thank you for your time during the inspection, a constructive discussion was had by all on how to improve operations and the sites fire prevention and mitigation measures moving forward. In summary, **please ensure the following actions are completed by the dates specified:**

	Action required:	Date/by:
Dust Management Plan	Agree submission date	18 th December 2020
Fire Prevention Plan v2	Agree submission date	18 th December 2020
Information Requested	Submit information on the sites drainage to NRW.	18 th December 2020
Reported incident	Clean up required & update NRW	18 th December 2020
Waste Storage	Ensure wood waste stored in a way this is compliant with the Fire Prevention Plan guidance.	26 th February 2021
Green Waste	Advice & guidance provided.	-

For your information, it is likely on the next inspection; we will be assessing (but not limited to):

Site drainage, dust suppression (upon review of the documents requested in this CAR form); condition of the impermeable surface with sealed drainage; the physical aspects of site security (incl. fencing, site access etc.); waste stock rotation system/records and TCM attendance.

I now refer you to the **FPMP review below**, aspects that were discussed on site, as well as comments from the SWFRS on the plan, have been included in the review.

Upon reviewing the comments below, **if you as the operator do not follow the minimum standards in the guidance, you must be able to justify why in the Fire Prevention and Mitigation Plan**. The measures you take instead must be equivalent or better. You must include detailed assessments to satisfy NRW that the:

- Likelihood of fire
- Impact from emissions during or after a fire on local people, critical infrastructure and the environment
- Resources required by the Natural Resources Wales and other emergency responders during an incident
- Post incident clean-up and remediation costs

Are equivalent or less than would be incurred if this site followed the minimum standards in the Fire Prevention Plan guidance.

SWWP may consider this of particular relevance to '*Section 8 – Managing waste material stacks and separation distances*'.

Fire Prevention and Mitigation Plan FPMP Review

On 9th November 2020, you provided Natural Resources Wales with your updated Fire Prevention and Mitigation Plan (FPMP) titled "Locks Yard, Heol Llan, Coity, Bridgend, CF35 6BU, Document Reference: 2157B/FPMP, in accordance with Section 3.8 Fire. Permit condition 3.8.1 which states that: "The operator shall manage and operate the activities in accordance with a written fire prevention plan using the current, relevant fire prevention plan guidance." Following review of your FPMP in accordance with Fire Prevention and Mitigation Plan Guidance – Waste Management Version 2nd August 2017, as the regulatory officer for the site, I have the following comments and associated updates that are required to the FPMP.

The FPMP guidance sets out what must be in your FPMP, and what should be in your FPMP and what may need to be considered. The comments have been divided into these sections. For the "must" requirements you are required to include these in your FPMP. For the "should" or 'may' requirements, please consider these, give alternatives or explain why they may not apply to your operations.

Section 5 - Fire Prevention and Mitigation Plan Contents

Following review of your FPMP, it does not contain the following requirements as set out as '**musts**' in the above section of the guidance.

- A site plan – A site plan 'Drawing LMM/039/03' has been provided but this does not meet the requirements of the guidance (this will be addressed later in this document).

- The maximum time **each** type of waste will be stored on site and how it will be managed – The FPMP does not specify how long processed waste will be stored on site, the storage of this material is referred to page 8, which states: '*storage of processed wood very limited*'. Also, 'Figure 5: Storage Recording' states '*Maximum Storage Duration = 3 months*' for unprocessed storage piles (please clarify if this should be 6 months).
- The maximum size of **any** waste pile (in m³), stipulating the maximum length, width and depth/height - The storage of processed wood mentioned in 'Storage Pile Sizes', 2.24 does not specify the pile size in m³ and the maximum size for a quarantine waste pile has not been provided in m³.

Furthermore, please clarify and/or review maximum tonnages provided in the FPMP, as the information on page 8 regarding 'maximum tonnages', contradicts the information provided on page 10. Page 8 states maximum tonnage for pile 1 as 1159.2, whilst page 10 shows a snapshot of storage recording states maximum tonnage for pile 1 is 937.5.

- The minimum separation (fire break) distance between waste piles or storage areas - Details have been provided under 'Separation Distances', however the minimum separation distance of 6m without regard for the stack length is not in line with the guidance. To comply with the guidance, a calculation is required based on the length of the stack. Guidance on this can be found on page 23 of the Fire Prevention Plan NRW guidance. Fire prevention plans are site specific, therefore basing a Fire Prevention Plan on other approved plans is not a suitable justification or rationale.

If you do not follow the minimum standards in the guidance, you must be able to justify why. The measures you take instead must be equivalent or better. They must include detailed assessments to satisfy NRW that the:

- likelihood of fire
- impact from emissions during or after a fire on local people, critical infrastructure and the environment
- resources required by the Natural Resources Wales and other emergency responders during an incident
- post incident clean-up and remediation costs

are equivalent or less than would be incurred if the site followed the minimum standards in this regulatory guidance.

- A clear area must be established around the perimeter of site; this can vary depending on the layout of your site and permitted stack sizes in accordance with the separation distances as illustrated in Table 2 (this must be available at all times and identified on your site plan – This has not been established and as such, has not been identified on your site plan).
- The fire prevention techniques used, including management of hotspots (sign of

potential self-combustion), monitoring, reporting, recording and actions – The FPMP provides details on the fire prevention techniques used however, please ensure details on ‘reporting’ are included here.

- Techniques used to minimise the risk of fire spreading within the site or from the site – Section 4 on ‘Firefighting’ provides details of the techniques used, the main strategy being separation of unburnt material to reduce ‘fuel’ and minimise ‘burn time’, however, please consider the logistics of this strategy in relation to working parameters of the site.
- The steps and procedures to be followed if a fire occurs on your site – the steps have been detailed in the FPMP, however, it would be beneficial to make arrangements as suggested on point 4.12 of your FPMP and as discussed on site, to undertake the following: *“The South Wales Fire and Rescue Service will be invited to train at the Locks Yard site to become familiar with the site layout.”*
- All combustion products and emissions (to air, land and water) from the fire and the emergency response (including the impact on people, critical infrastructure and the environment) and how they will be minimised. Operator needs to recognise the pollution impact of smoke and fire water and impact on environment and people. – Mitigation for pollution impact of fire water has been addressed under ‘Containment of Firewater’, 4.25 states: *“site waters drain to a low point at the site access into a cattle grid tank which has a pump to extract water into an adjacent tank (40,000 litre capacity) enabling it to be recirculated for reuse on site”*. However, as discussed on site with the Fire Service, this water would not be recirculated in the event of a fire, therefore please amend accordingly. Furthermore, in the event of the adjacent tank reaching capacity of 40,000 litres, please provide further detail of the secondary containment strategy. A tractor and tanker are mentioned in the event of pump failure to the 40,000-litre tank, however, please provide further detail including capacity for the secondary tanker. 4.26 states: *“There is a raised lip approximately 10cm high around the site and with a site area of 0.8ha this represents a minimum storage capacity of 800,000 litres. To ensure that no waters escapes, at the site entrance sandbags or a boom will be deployed here as necessary.”* In the event of deploying booms and sandbags at the main entrance, please detail alternative access in and out of site to maintain containment of run-off.

Details are also required to recognise the pollution impact of smoke and impact on the environment and people.

- Contact details of sensitive receptors within 1km of your site. To protect sensitive receptors, does the plan include measures that will be used to raise the alarm and to inform residents, e.g. local school, nursing home etc. These measures will be site specific. Operator may need to check emergency planning procedures with Local Authority. - Contact Details included on page 4 of the FPMP refers to ‘Appendix B – Contact Information’. Details do not include emergency contact details of sensitive receptors within 1km of your site, therefore please review accordingly.

I refer to ‘Firefighting’ on page 20 and/or ‘Communication’ on page 25. Please review to include measures that will be used to raise the alarm and inform residents etc. in the event of a fire.

- How safe access to the site for fire and rescue services and other emergency responders is achieved - Details are required, this was discussed on site with the Fire and Rescue Service on the 20th November 2020. Aspects to consider include allocation of a safe area for fire and rescue equipment and the logistics regarding safe access to the sites water supply/tanks and all piles. Typical FRS vehicle access requirements can be found on page 9 of Fire Prevention Plan guidance.

You must include these requirements in your FPMP.

Action: The above requirements of the guidance must be included in a revised FPMP.

The guidance requires that you '**should**' also include the following actions to be taken should a fire occur.

- Recycling firewater if it's not hazardous and it's possible to reuse – The possibility of recycling firewater collected in the 40,000-capacity tank from the cattle grid, as detailed in the FPMP, was discussed on the 20th November 2020 with the fire service. It was deemed an unlikely option by the Fire Service due to the presence of contaminants, therefore, please review the details provided in the FPMP showing this option has been explored with the Fire Service.
- Applying water to cool unburned material and other hazards, taking care to prevent this water causing or adding to water pollution and/or increasing air pollution –The FPMP under 'Firefighting' 4.6 states, separation of unburnt material would occur to reduce 'fuel' and minimise 'burn time' (it may be useful to include this under a separate heading of 'management of unburnt material and other hazards'). 4.7 states, either using the quarantine area or using separation distances between piles (which are currently insufficient for the size of the piles). Therefore, if either cannot be achieved due to space limitations etc., please determine if water could be applied in this instance to cool unburned material and other hazards, taking care to prevent this water causing or adding to water pollution and/or increasing air pollution. If not, please show this has been considered in the FPMP.
- Separating burning material from the fire to quench it with hoses or in pools or tanks of water (this will reduce the amount of firewater produced) - The FPMP refers to shovels on site that are adapted and able to be operated in heated conditions to push away unaffected parts of the pile. However, please consider if separating burning material would be appropriate should a fire occur. If not, please show this has been considered in the FPMP.
- Using soil, sand, crushed brick and/or gravel (if smoke is threatening local communities) to help suppress the fire, although you can only do this when:
 - groundwater vulnerability is low
 - agreed as a part of a firefighting strategy by the FRS and supported by NRW
 - contaminated material is removed and legally disposed of as soon as it is safe to do so – Please consider if the use of this action would be appropriate should a fire occur, if not please show this has been considered in the FPMP.

Action: You shall include these requirements/actions in your FPMP. Where any of these

requirement/actions have not been included, a justification shall be provided.

Section 5 - Site Plan

Following review of your site plan, it does not contain the following requirements as set out as '**musts**' in the above section of the guidance.

- Any areas where hazardous materials are stored on site (location of gas cylinders, process areas, chemicals, piles of combustible materials, oil and fuel tanks) – This information is included in the FPMP as the workshop building therefore, please indicate this on the site plan.
- Main access routes for fire engines and any alternative access – You have provided 'Figure 4: Emergency Access Routes' on page 4 of the FPMP however this information is required on the site plan.
- Access points around the site perimeter to assist firefighting – see table in guidance for typical FRS vehicle access requirements.
- Hydrants and water supplies – Whilst the water tanks which are your main water supply in the event of a fire are visible on the plan, the location/or indication of the nearest fire hydrant (detailed in point 4.23 on page 23) and other alternative water supplies (if any available) are required.
- Any watercourse, borehole or well located within or near the site - 4.21 on page 22 of the FPMP refers to the site's borehole, however the location is required on the site plan. Please also indicate the location of the nearby tributary that feeds into the Nant Crymlyn watercourse. The flow rate of the borehole is also required within the FPMP.
- Areas of natural and unmade ground
- The location of plant, protective clothing and pollution control equipment and materials
- Drainage systems, foul and surface water drains, and their direction of flow and outfall points
- The location of drain covers, and any pollution control features such as drain closure valves and firewater containment systems
- Location of "off- site" emergency information pack with site plan (as specified above)
- Location of key receptors such as critical infrastructure, schools, hospitals, residential areas, workplaces, protected habitats and rivers within 1km of the site
- Location of the quarantine area – This has been provided however, please review the dimensions provided on the plan. The length and width have been provided however the shape of the area has not been accounted for and as such, there are measurements missing.

- Compass rose showing north and the prevailing wind direction - please include the prevailing wind direction 'South West' on the plan, as shown in figure 3 on page 3 of the FPMP.

You **must** include these requirements in your site plan.

Given the amount of information required, this could consist of location plan, site plan and drainage plans on one or more plan.

Action: The above requirements of the guidance must be included in a revised FPMP.

Section 6 – Common causes of fires and preventative measures

Following review of your FPMP it does not contain information on the following causes of fire and the preventative measures you can take to reduce the risk at your site.

- Visitors & contractors - Consider the management of visitors & contractors at the site entrance. Show how you ensure all visitors follow the correct safety and fire prevention procedures i.e. safety briefing etc. Fire prevention messages can be reinforced around the site using suitable signage.
- Discarded smoking materials – This has been considered however, point 3.7 on page 12 of the FPMP states there is a designated smoking area and Table 3 on page 18 states 'no fires allowed on site'. Please be clearer on this i.e. identify if there is a clear staff & visitor policy on this. Suitable signage, a designated area a safe distance from waste to prevent accidental ignition etc. Please provide additional information on this.
- Build up loose combustible waste, dust and fluff - Point 3.9 of the FPMP suggests this has been considered on page 12, however, please detail what procedure ensures no build-up of loose combustible waste on plant machinery for example, i.e. prevention measures could be regular checks/cleaning etc., and include on Table 3: Summary of Ignition Sources and their Management, page 18.
- "Tramp" metal – This has been considered as 'incompatible materials', point 3.22 refers, but does not explain how the waste is screened before processing. The list of machinery on site includes eddy current separator and screener, therefore, please include on Table 3: Summary of Ignition Sources and their Management, page 18.
- Cylinders stored at site – This has been considered, 'Gas Bottles and Flammable Substances' points 3.11 and 3.12 refer, however please include on Table 3: Summary of Ignition Sources and their Management, page 18.
- Leaks and spillages of oils and fuels - This has been considered point 3.43 refers, however, please include on Table 3: Summary of Ignition Sources and their Management, page 18. Please also indicate measures taken during refuelling of plant to prevent leaks/spills (point 3.12 refers).

Action -You shall include information on the causes of fire and the preventative measures you can take to reduce the risk at your site in your FPMP. Where any of these measures have not been included, a justification shall be provided as to why it has not been considered or included.

Section 7 – Storage times and self-combustion factors

Following review of your FPMP, it does not contain the following requirements as set out as **musts** in the above section of the guidance.

- Minimise stacks sizes (small stacks with appropriate separation are safer than one larger one) - The FPMP currently states that stack sizes do not increase the risk of self-combustion and acknowledges that pile size practices on site currently contravene the Fire Prevention Plan guidance. Please review this content.
- Store material in its largest form prior to processing e.g. do not undertake preparatory treatments such as size reduction of green waste unless you are intending on submitting the waste to the treatment process immediately – This has been considered for wood waste, however please bear this in mind in terms of the material stored under the sites registered exemption and for the possibility of a permit variation to include green waste.
- monitor and control sub-surface temperature and moisture content with a suitable thermal device (thermal probe/thermal camera) and ensure that this is capable of reaching all parts of a stack (if materials are stored in plastic wrapping you must demonstrate a sampling and testing protocol to ensure a representative number of bales (minimum 10%) are assessed during monitoring - This has been considered however, given the current pile sizes, please demonstrate that consideration has been given as to whether this device is capable of reaching all parts of the piles, given the current depths of 20m and are only accessible from one side.

You **must** include these requirements in your sites Fire Prevention Plan.

Action: The above requirements of the guidance must be included in a revised FPMP.

Section 8 – Managing waste material stacks and separation distances

Following review of your FPMP, it does not meet the following requirements as set out as **‘musts’** in the above section of the guidance.

- Stack lengths and separation distances are in line with Graph 1 for general wastes such as RDF, SRF (Refuse derived fuel/solid recovered fuel – various types of fuel derived from wastes using various treatment processes), wood, paper etc. - As discussed with the Fire Service during the site visit on the 20th November 2020, the stack lengths and separation distances are not in line with the Fire Prevention Plan Guidance. The FPMP currently stipulates the use of a minimum separation distance of 6m, without regard for the length of the stack. A calculation is required to determine separation distances in order to comply with the guidance. For further details please refer to page 13 and Figure 1 on page 20 of the guidance. Please bear in mind, Figure 1 assumes a stack height of 4m, only when stack sizes are significantly lower, bespoke separation distances can be used, therefore in this

instance, that does not apply as the stack height of 7m contravenes the Fire Prevention Plan Guidance. If this were to apply, a competent fire engineer must be used to calculate any bespoke separation distances.

Action – You **must** demonstrate how you intend to comply with this section of the guidance. As discussed on site with yourselves and the FRS, NRW would consider bespoke sizes of piles however the FPMP must include evidence as to how the risk is not increased and what control measures are in place. **At present, NRW cannot approve the sizes detailed in the FPMP as justification and evidence is required in order for NRW to consider suitability.**

Sections 9 - 13 are not applicable

Section 14 Layout of Waste Stacks on your site

Following review of your FPMP, please review the following factors which '**may**' need to be considered.

- Location of potential ignition sources on your site – Whilst potential ignition sources are detailed in the summary found on page 18 of your FPMP, please consider their location. As discussed during the visit on the 20th November 2020, the fire service commented that the pile sizes and separation distances from each stack and buildings are not appropriate and the workshop building contains 'fuel' etc.
- Location/s of occupied buildings and high-asset value equipment and plant
- Location of flammable and/or hazardous substances kept on site, such as gas cylinder cages, diesel tanks, quarantine areas which may contain non-conforming wastes etc. – this has been requested to be included as a requirement of the site plan.
- Locations of on or off-site fire hydrants, other water supplies and fire-fighting equipment – you do not want to block access to these with your stack layout – Please consider the location of the water tanks behind the large shed for example, access to these were raised by the Fire Service on the 20th November 2020.
- Proximity and location/s of any infrastructure which may be affected by a fire, such as overhead power lines, major roads, rail lines etc. – During the visit on the 20th November 2020, the Fire Service raised the location of an electrical transformer located outside of the site near the entrance which may be affected by fire or could be a potential ignition source/fire risk.
- Location of a quarantine area, as appropriate to site specifics – The Fire Service raised the suitability of its location during the visit on the 20th November 2020 and NRW have requested further clarification on the specifics of the proposed quarantine area further on in this document.

- Operational practicalities such as movement of vehicles & designated routes – Given the logistics of the site, as discussed during the visit on the 20th November 2020, this may need to be considered in the FPMP.

Action: You may need to include information on the factors as detailed above, on the layout of waste stacks on your site.

Section 15 Seasonality and Waste Stack Management

Following review of your FPMP, it does not meet the following requirements as set out as '**should**' in the above section of the guidance.

- provide a technical assessment that shows you have confidence that your proposal will be viable in foreseeable market conditions, this should prove the suitability of materials, the resilience of the supply chain and end user outlets – The FPMP demonstrates a viable system to manage waste stacks and explains the nature of the seasonality involved with the management of wood waste however, this should include a technical assessment as explained above.

Action: You shall include information on seasonality and waste stack management.

Where any of these measures have not been included a justification shall be provided as to why it has not been considered or included.

Section 16 Monitoring and Turning of Stacks

Following review of your FPMP, it does not meet the following requirements as set out as '**should**' in the above section of the guidance.

- The staff must be trained to detect and manage hotspots - Please review content of this section and consider including details regarding the training staff receive to be able to detect and manage hotspots or refer to a related document.
- Piles are monitored regularly, and temperature increases and changes in moisture content are minimised - We recognise that the site monitors the piles for temperature increases and changes in moisture content and is well documented in the FPMP. However, please consider reviewing the content of the 'Monitoring' section, point 3.28, as the guidance does require monitoring (please refer to page 31 of the fire prevention plan guidance).
- The equipment they use to detect temperature and moisture content must be capable of operating at any depth throughout the pile. Therefore, if they are proposing to have a stack 4m deep, their probe must be capable of operating the depth of the proposed stack - Please consider reviewing the content of the 'Monitoring'

section, point 3.29, guidance states you should include the capability of the equipment you use to detect temperature and moisture content, ensuring that it is capable of operating at any depth throughout the pile. Dependent on stack depth, your probe must be capable of operating at the depth of the proposed stack.

- Explain what indicators they will use in relation to temperature and moisture content and the escalation of actions in relation to these indicators – The FPMP explains the 'Hot Spot Actions' and the escalation of actions on identifying a hot spot. However, please explain what indicators you will use.

Action: You shall include information set out above on monitoring and turning of stacks.

Where any of these measures have not been included, a justification shall be provided as to why it has not been considered or included.

Section 17 – Fire Detection & Section 18 Fire Suppression Systems

Following review of your FPMP, it does not meet the following requirements as set out as '**should**' in the above section of the guidance.

The following comments have been provided by South Wales Fire & Rescue Service:

- As the wood is stored externally, it would be ideal to include the element of human and visual awareness of staff.

Action: You shall include information set out above on fire detection and fire suppression systems.

Where any of these measures have not been included, a justification shall be provided as to why it has not been considered or included.

Section 19 – Firefighting Strategy

The following comments have been provided by South Wales Fire & Rescue Service:

- Please evidence that the site's fire appliance is in use. This is mentioned in the plan but from previous visits and incidents, this appliance has not been maintained or operational.
- Ensure that all staff are aware of the fire strategy and procedures to be adopted, please refer to any related documents in the FPMP.
- Please consider the available water supply and that there is currently no facility to refill the water tanks.

Section 20 – Water Supplies

Following review of your FPMP, it does meet the following requirements as set out as

‘musts’ in the above section of the guidance.

- Sufficient water supplies available on site to manage a worst-case scenario incident – Please review the FPMP’s content on ‘Water Supply’ found on page 22 to include: the flowrate of the borehole, and the potential for contaminants in the 40,000 litre capacity tank at the sites entrance (deemed not suitable for recirculation by the Fire Service) and determine whether the available water supply would be capable of extinguishing a fire in the largest pile, accounting for the 100 litres of wetting agent that is now available on site in relation to the supply required. To calculate the volume of water needed, use the estimate found on page 34 of the Fire Prevention Plan guidance as a rough guide to calculate the volume of water you will need.

Consider how the Fire and Rescue Service would access the water supply behind the large sheds, as this water supply at present is deemed inaccessible, therefore cannot currently be considered as an available water supply.

- **Reference alternative water supplies such as near-by-river, canal, lake, lagoon etc., considered within the plan to supplement tanked or mains supplies however these alternative supplies need to be capable of being accessed promptly. – Please demonstrate consideration for the availability of alternative water supplies, whether this has been discounted. If viable, ensure you have permission to use any water supplies stated and the necessary evidence for this solution.**

The following comments have been provided by South Wales Fire & Rescue Service:

- The Fire and Rescue Service would be able to use hydrants during an emergency, however, please identify the location of the nearest hydrant as the FPMP has not identified any hydrants.
- Water supplies have been mentioned however, there is no justification that the amount of water available on site would extinguish a fire in the proposed largest stack.
- Please consider how the availability of rainwater can be quarantined during the summer months.
- Please include the recharge rate for the sites borehole.
- Please consider the availability of the additional tank of 40,000 litres at the entrance of the site. As it is used as part of the water containment strategy, this means it would not be deemed suitable to recirculate for firefighting water due to contaminants within it.

Action – You **must** demonstrate how you intend to comply with this section of the guidance.

Section 21 – Managing Water Run-off

Following review of your FPMP, it does meet the following requirements as set out as **‘musts’** in the above section of the guidance.

- The local groundwater and surface water bodies – Please ensure the location of the tributaries that feed into the Nant Crymlyn watercourse are considered and ensure the

FPMP sets out how you will prevent fire water affecting receptors.

Considering the comments by the Fire and Rescue Service (please see below), please review the content of 'Containment of Firewater'. If the area of the site has a capacity of 800,000 litres, please ensure that the water supply, capable of extinguishing a fire in the largest pile, has been calculated and ensure there is capacity to contain the volume of water required, elaborating on point 4.28 on page 23, which states how the containment capacity is considered adequate for the site.

- Any well, spring or borehole within 50m used for the supply of water for human consumption, including private water supplies – You must establish if this is applicable, and either way, include this assessment in the FPMP.

The following comments have been provided by South Wales Fire & Rescue Service:

- There is a containment strategy for the site, however in the event of a fire in the largest stack, the run-off generated could easily over run the container at the sites entrance, as recirculation due to contaminants would not be appropriate.

You must include these requirements in your FPMP.

Action: The above requirements of the guidance must be included in a revised FPMP.

Following review of your FPMP, it does not meet the following requirements as set out as '**should**' in the above section of the guidance.

- Explain how you will contain fire water, specifying any secondary or tertiary containment. – Please consider amendment of point 4.25, as it has been established with the Fire and Rescue Service, that recirculation would not take place due to contaminants and acknowledge how this affects the sites capacity to store run-off. The FPMP states in the event of failure of the pump from the cattle grid, a tractor and tanker are also available on site to extract water from the cattle grid. Please specify the tankers capacity and location on site (the site plan only shows three tankers including two behind the shed and one next to the entrance, which have already been accounted for.

Action: You shall include information set out above on fire detection and fire suppression systems.

Where any of these measures have not been included, a justification shall be provided as to why it has not been considered or included.

Section 22 – Designated Quarantine Area

Following review of your FPMP it does not contain the following requirements as set out as '**should**' in the above section of the guidance.

- The location of the quarantine area – The Fire and Rescue Service have commented that the position of the current designated area would not allow for any fire service intervention, as the yard would not be accessible or operational.

Natural Resources Wales advise if the proposed quarantine area was in use at the location specified, please ensure that a suitable holding area for emergency vehicles, site access to piles and water supply is considered.

- The quarantine area should hold at least 50% of the volume of the largest stack. - The Fire and Rescue Service have commented that the designated quarantine area does not comply with NRW guidance. The quarantine area should be within the permitted boundary of the site and should be large enough to both:
- Hold at least 50% of the volume of the largest stack;
- Have a separation distance of at least 6 metres around the quarantined waste (this can be decreased if concrete bunkers/walls will be used).

The FPMP mentions the footprint of quarantine area and not 50% of the volume.

Natural Resources Wales advise that clarification on the size of the quarantine area is required. The FPMP states “the quarantine area has a footprint of 994m²”, however this is based on measurements of 71x14m (as shown on the site plan). This calculation is based on the area being a rectangle, however, your site plan does not reflect this. Therefore, please recalculate the size accordingly. The FPMP does not provide the proposed height of the quarantine area. Therefore, please include the proposed height, as without this, volume cannot be established. This information is required to be able to determine if the quarantine area would be capable of holding 50% the largest pile, pile 3 – 9100m³ (found in Appendix C).

Action - You shall include information on a designated quarantine area. Where any of these measures have not been included, a justification shall be provided as to why it has not been considered or included.

23 – During and After an Incident

Following review of your FPMP it does not contain the following requirements as set out as ‘**must**’ in the above section of the guidance.

- Have a plan for how you will notify those who may be affected by a fire, such as nearby residents and businesses – Contact details are mentioned on page 4, however, they do not include that of nearby residents, and please ensure the FPMP includes a plan for how you will notify those who may be affected.
- Contractors that might be used to assist with additional plant for firefighting techniques, removal of waste material, containment and removal of excess water run-off – Please include contact details in the FPMP.
- The steps you must take before the site can become operational again – You have included how you will clear and decontaminate the site, however, please include steps such as any review of procedures/incident management/relevant training/plan

inspections etc as required.

You must include these requirements in your FPMP.

Action: The above requirements of the guidance must be included in a revised FPMP.

24 – Reviewing and Monitoring your Fire Prevention & Mitigation Plan

Following review of your FPMP it does not contain the following requirements as set out as ‘**should**’ in the above section of the guidance.

- Describe the areas of the FPMP that would need updating because of said circumstances (see the guidance for examples) – Under the ‘Review’ section, in the event that a review is required, this should include a description of the areas that would need updating.

The FPMP should be treated as a live document.

Action - You shall include the information above on reviewing and monitoring your Fire Prevention and Mitigation Plan. Where any of these measures have not been included, a justification shall be provided as to why it has not been considered or included.

Non-Compliance Score

Condition 3.8.1. 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 current FPMP submitted by “operator” does not meet the requirement set out in the current, relevant fire prevention plan guidance. This non-compliance has been scored a CCS3 under D2 - Incident Management - Accidents, emergency and incident planning.

Action Required: Please provide a date/reasonable timeframe for agreement with NRW, for when you will provide an updated FPMP taking account the points highlighted above.

Due date: 18th December 2020.

Failure to provide a date for agreement and submission of a revised FPMP by the date agreed, may result in a Regulation 36 Notice being served.

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Consultation with the South Wales Fire and Rescue Service (SWFRS)

As part of the completion of this review, NRW have consulted with the SWFRS. Comments from SWFRS provided on site and in response to the submitted FPMP, have been included as part the Compliance Assessment Report.

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 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 in Wales.

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. As the Natural Resources Body for Wales, Natural Resources Wales, we look forward to continuing working with South West Wood Products. If you wish to discuss any of the matters raised within the report, please get in touch.

END

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 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

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.