

Compliance Assessment Report CAR_NRW0037483

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 02/02/2021 between 10:05 and 10:20.

Parts of permit assessed: Waste Storage, Waste Returns

NRW Lead Officer: Jonathan Lee.

Report sent to: Eirwyn Williams, Permit Holder on 04/02/2021.

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

Part of permitted activity assessed (criteria)	Assessment result	Permit condition
C3 - General Management - Materials acceptance	C3 Minor	1.1.1
G4 - Monitoring and Records, Maintenance and Reporting - Reporting and notification to Natural Resources Wales	C4 No impact	7.2.2

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

Total number of non-compliances recorded	Total non-compliance score
2	4.1

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
C3	Improve operations and adhere to maximum storage capacity of 90 tonnes.	17/03/2021
G4	Submit outstanding waste returns.	01/03/2021

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.

At this time, we are issuing you with a warning for the non-compliance recorded above. Warnings may influence future enforcement response for continued or further non-compliance.

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

This report considers a site inspection conducted on the 2nd February 2021 and is also a desk-based audit of the 2020 Waste Return submissions for Gwilym Eirwyn Williams, Woodstock Waste Disposal, Caldicot permit number EPR-KP3095FE conducted by Officer Jonathan LEE.

Weather wet and cool during physical site inspection.

To remind the operator, following each assessment Natural Resources Wales will produce a Compliance Assessment Report (CAR) detailing our comments from the audit. If we substantiate reasonably foreseeable risks or actual impact to the environment, we can breach the business against your permit conditions. This can affect your site banding and annual subsistence fees; scored on a Category 1 - 4 basis:

- 1 - Major, serious persistent and/or extensive impact on the environment/people/property
- 2 - Significant impact on effect on the environment/people/property
- 3 - Minor impact or effect on the environment/people/property
- 4 - A non-compliance which has no potential environmental effect

Permit Compliance

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 3m³ and, no more than 30 m³ to be stored on sorting slab prior to sorting.

During the site inspection on the 2nd February 2021 it was clear that the maximum storage capacity of 90 tonnes was being exceeded (as shown in Photo 1 below). There was a large stockpile of construction/soil-based wastes present in the centre of the site. Whilst efforts have been made to reduce this stockpile and remove general waste since the previous inspection on the 21st October 2020, the site remains non-compliant with permit condition 1.1.1.

You have been scored a further category 3 breach of permit condition 1.1.1.

Action – Improve operations and adhere to maximum storage capacity of 90 tonnes by 17th March 2021.



Photo One – Waste stockpile in centre of yard

G4 – Reporting and notification to Natural Resources Wales – Category 4 Breach – Permit condition 7.2.2

Permit condition 7.2.2 states that *‘a summary record of the waste types and quantities accepted and removed from the site shall be made for each quarter of the financial year and shall be submitted to the Agency within 1 month following the end of that quarter. The summary record shall be in a format specified by the Agency.’*

The operator has failed to submit its Waste Return documents for all quarters in 2020. It is essential to submit your Returns data to NRW on-time to allow us to assess your waste inputs and outputs, even if for a null-return. Operators have a one-month grace period to submit quarterly returns:

QUARTER	PERIOD	DEADLINE
1	1 January to 31 March	30 April
2	1 April to 30 June	31 July
3	1 July to 30 September	31 October

	4	1 October to 31 December	31 January	
Action Please submit your all outstanding 2020 Waste Returns documents to NRW for review by 1 March 2021. More information on Waste Returns can be found on our website: https://naturalresources.wales/guidance-and-advice/environmental-topics/waste-management/new-wales-operator-waste-return-and-deadlines-for-returns/?lang=en Site management need to put in place measures to ensure that the Return data is submitted diligently every quarter. This can be done by setting calendar reminders or getting a consultant to submit the business' data. We can escalate breaches if this is a continuing non-compliance. If you have any issues with this report, please contact Officer Jonathan LEE on 0300 065 3908 or via email at jonathan.lee@naturalresourceswales.gov.uk We look forward to working with the site in 2021. <i>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</i>				

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.