

Compliance Assessment Report CAR_NRW0039214

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 18/01/2022 between 12:20 and 12:45.

Parts of permit assessed: Various

NRW Lead Officer: Jonathan Lee, accompanied by Anna Wilmshurst.

Report sent to: Eirwyn Williams, Permit Holder on 25/01/2022.

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

Part of permitted activity assessed (criteria)	Assessment result	Permit condition
A1 - Specified by permit	Action only (X)	
B3 - Infrastructure - Site drainage engineering (clean and foul)	Assessed (A)	
B4 - Infrastructure - Containment of stored materials	Assessed (A)	
C1 - General Management - Staff competency/training	Action only (X)	
C2 - General Management - Management system and operating procedures	Assessed (A)	
C3 - General Management - Materials acceptance	C3 Minor	1.1.1
D1 - Incident Management - Site security	Assessed (A)	
D2 - Incident Management - Accidents, emergency and incident planning	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
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
A1	Adhere to current permit boundary, ensure activities of the permitted site (Unit 7B) and under the S2 Waste Exemption (Unit 7) are clearly separate.	25/03/2022
C1	Submit evidence of technical competency for review.	25/03/2022

Criteria	Action needed	Complete by
C3	Improve operations and adhere to maximum storage capacity of 90 tonnes. Ensure suitable repairs to fencing at rear of site are completed.	25/03/2022
D2	Confirmation of the most recent FPMP in place for site activities is required. Please supply via email or hard copy your FPMP for desk based review by NRW.	25/03/2022

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 of the environmental permit **EPR-KP3095FE** held by Gwilyn Eirwyn Williams on the 18th January 2022 by officers Jonathan LEE and Anna WILMSHURST. Officers met with Mr Williams during the inspection.

Weather cold and dry during inspection.

Compliance Breaches

The following permit breaches and actions were identified during the inspection.

A1 – Permitted activities – Action only – Schedule 1 Specified Land

Schedule 1 of the permit lists the specified land to which the environmental permit EPR-KP3095FE applies. The permitted site boundary covers Unit 7B only. Activities including the storage and processing of waste were being conducted in Unit 7 (which is directly adjacent to Unit 7B) at the time of the inspection. These activities were clearly associated with Unit 7B as there was no delineation and demarcation of the permitted site boundary. Storage of waste in the Unit 7 area has previously been undertaken under the authorisation of a S2 Waste Exemption.

Following the inspection the operator registered an S2 Waste Exemption reference NRW-WME070427 for storage of waste at Unit 7. An exemption can be registered within or directly adjacent to a permit boundary for a waste operation. However, NRW expect these activities to be clearly separate with documentation to demonstrate this. You must be able to demonstrate to NRW whether an activity is being carried out under a waste exemption or an environmental permit.

Action – Adhere to current permit boundary, ensure activities of the permitted site (Unit 7B) and under the

S2 Waste Exemption (Unit 7) are clearly separate.

A deadline of the **25th March 2022** has been specified for this action to be completed.

NRW advise that if the operator is unable to distinguish separation between the permitted and exempt areas of the site, then a suitable permit variation application should be submitted.

C1 – General Management – Staff Competency/Training – Action only – Permit Condition 1.5.1

Permit condition 1.5.1 (in brief) requires the operator to submit evidence that personnel have the required technical competence to manage site activities.

Evidence of technical competency is required to assess compliance with permit condition 1.5.1. This can be in the form of electronic copies of any continuing competency certificates held by the site manager.

Action – Submit evidence of technical competency for review.

A deadline of **25th March 2022** has been specified for this action to be completed.

C3 – General Management - 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 30m3 to be stored on sorting slab prior to sorting.

At the time of the inspection, it was evident that the maximum storage capacity of 90 tonnes was being exceeded. There was a large stockpile of construction & demolition/soil-based wastes present across areas Unit 7 and Unit 7B. Whilst it is understood that there is intention to treat and remove these waste streams from the site over the coming months, at the time of the inspection non-compliance was identified with permit condition 1.1.1.

To the rear boundary of the site is a public footpath. Prior to the site inspection, officers walked along this footpath. It was evident that the fencing in this area is in a poor condition, with the fencing being pushed over by waste being stored at the site.

The root cause of the poor condition of the boundary fencing has been assessed as the storage of large volumes of waste on site. The stockpiling of waste on the site has caused waste to be pushed down and damage the existing fencing.

A root cause **Category 3 breach** of permit condition 1.1.1 has been scored.

Actions – Improve operations and adhere to maximum storage capacity of 90 tonnes. Ensure suitable repairs to fencing at rear of site are completed.

A deadline of the **25th March 2022** has been specified for these actions to be completed.

D2 – Incident Management - Fire Prevention & Mitigation Plan (FPMP) – Action only

On 19th June 2018 the permit underwent an NRW-led variation to include permit condition 4.3. This condition requires the operator to manage and operate the activities in accordance with a written fire prevention plan using the current, relevant fire prevention plan guidance.

Action – Confirmation of the most recent FPMP in place for site activities is required. Please supply via email or hard copy your FPMP for desk based review by NRW.

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

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 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.