Compliance Assessment Report

Report ID:
CAR_NRW0032977

This form will report compliance with your permit as determined by an NRW officer					
Site	Woodmat Bridgend	Permit Ref	YB3097TR		
Operator/Permit holder	Woodmat Limited				
Regime	Waste Operations				
Date of assessment	01/03/2018	Time in	N/A	Out	N/A
Assessment type	Report/Data Review				
Parts of the permit assessed	Condition 3.4.1				
Lead officer's name	Davies, Gareth				
Accompanied by					
Recipient's name/position	David Matton/ Director	Date issued	01/03/2018		

Section 1 – Compliance Assessment Summary

This is based on the requirements of the permit under the Environmental Permitting Regulations or the licence under the Water Resources Act 1991 as amended by the Water Act 2003. A detailed explanation is captured in "Compliance Assessment Report Detail" (Section 2) and any actions you may need to take are given in the "Action(s)" (section 4). This summary details where we believe any non-compliance with the permit has occurred, the relevant condition and how the non-compliance has been categorised using our Compliance Classification Scheme (CCS). CCS Scores can be consolidated or suspended where appropriate, to reflect the impact of some non-compliances more accurately. For more details of our CCS scheme, contact your local office.

Permit conditions and compliance summary	CCS Category	Condition(s) breached
C2 - General Management - Management system and operating procedures	C2 - Suspended	3.4.1

KEY: See Section 5 for breach categories, suspended scores will be indicated as such.
A = Assessed or assessed in part (no evidence of non-compliance), **X** = Action only,
O = Ongoing non-compliance, not scored.

Number of breaches recorded	1	Total compliance score (see section 5 for scoring scheme)	0

If the Number of breaches recorded is greater than zero, please see Section 3 for our proposed enforcement response

Section 2 – Compliance Assessment Report Detail

This section contains a report of our findings and will usually include information on:

- The part(s) of the permit that were assessed (eg. Maintenance, training, combustion plant, etc)
- Where the type of assessment was 'Data Review' details of the report/results triggering the assessment
- Any non-compliances identified
- Any non-compliances with directly applicable legislation
- Details of any multiple non-compliances
- Information on the compliance score accrued inc.
- Details of advice given
- Any other areas of concern
- Any actions requested
- Any examples of good practice
- A reference to photos taken

Please find below comments on the Fire Risk Assessment submitted on 9 February 2018. These include comments provided by South Wales Fire & Rescue Service.

It is not clear from the Fire Risk Assessment (FRA) which guidance document has been used to inform / produce this FRA. Within Section 7 it states that "Stock will be held in accordance with and the spirit of the current guidelines" and states that " additional measures / detail: Fire Prevention Guidance from Guidance Note issued by Natural Resources Wales in November 2017.

Natural Resources Wales' (NRW) current guidance was published in August 2017 and no further Fire Prevention Guidance or Guidance Notes have been published since this date.

ACTION: Please clearly state within the FRA which guidance document has been used to produce the FRA. Please explain what is meant by the term "spirit of the current guidelines." The documents should also be titled as a Fire Prevention and Mitigation Plan. A FRA is required under separate legislation, dealt with by the Fire & Rescue Service. The Fire & Rescue Service will be able to provide further details on this.

<u>Section 1 Premises Particulars</u>

ACTION: Please include the permit number and standard rules details within this section.

Sections on The General Statement of Policy and Management Systems have not been included in the FRA.

ACTION: Please include the above sections and amend the numbering of Sections 2 – 4 accordingly.

<u>Section 5 Fire Safety Systems within the Premises</u>

Section on Fire Warning System:

ACTION: Please identify the location of the smoke and/or fire detection detectors within buildings, in particular the storage sheds used for the storage of waste wood. Please include these on the site plan.

ACTION: Please provide details on the standard that the smoke and/or fire detection systems have been installed to.

ACTION: Please confirm the frequency and times of checks undertaken by site personnel during operational hours. This is especially important given that the site is unattended and locked most the time. Please confirm where the checks are recorded during operational hours.

Section on Other:

ACTION: Please provide details of the competent supplier.

ACTION: Please provide details of the location of the fire extinguishers on the Site Plan.

No details have been provided on the type of sprinkler system and whether it complies with British Standard BS9251 or similar. No details have been provided on the distance between sprinkler heads and the distance between the sprinkler heads and the wood stack. No details have been provided on how the sprinkler systems are activated, whether it is manually or automatic. The above information is vital given that the site is unattended and locked most of the time. No detail has been provided on the efficacy of the sprinklers in dealing with a deep seated fire.

ACTION: Please provide updated information on the sprinkler system as highlighted above. Please confirm whether the sprinkler systems is fully operational at present and if so please provide evidence with a maintenance schedule or inspection carried out by a competent person.

The information provided on water usage of 1,250 litres per hour equates to 20 litres a minute.

ACTION: Please provide details on the efficacy of this in dealing with a deep seated fire.

The location of the fire hydrants have not been provided on the attached plan either the 4 outside of the site or the fire hydrants on the estate. No details have been provided on any agreed arrangements for the supply of water tankers.

ACTION: Please confirm whether Welsh Water have agreed to supply tankers in the event of a fire, how many they are able to provide, what is their response time inside and outside of normal operational hours, where they will be supplied from and whether they will be supplied full or empty.

ACTION: Please provide details of the on site equipment that is available by the operator to utilise water

supplied by any tankers.

The consideration of using water from the adjoining River Ogmore has not been included in the FRA.

It is stated that if significant amounts of water are needed, a bund would be placed around the quarantine area and the shed between the weighbridge and the office building and the upper end of the shed. No information has been provided on what material will be used to install the bund, where it is stored and how this will in turn produce a large amount of water sufficient to tackle a fire on site. Once the bund is in place, it is not clear how any material will either be removed from the building, placed in the quarantine area and/or removed from the quarantine area.

ACTION: Please provide further details on the bund considering the points raised above.

6 Plan Drawing

The Site Plan does not contain all necessary information. There are a number of statements throughout the FRA that state that they are included in the site plan, but do not appear. If necessary a number of site plans should be included to ensure all relevant information is contained at the appropriate level of detail.

The site plan does not include the following:

- A detailed layout of the buildings including the location of utilities.
- Areas where hazardous materials are stored, namely those identified in the source of fuel section.
- As wood is combustible material, Scenarios 1 and 2 should be highlighted within the site plan and the appropriate fire breaks and distances from the building annotated on to the site plan.
- Location of hydrants, water supplies have not been included.
- The location of fire extinguishers have not been included in the site plan.
- The location of any watercourses have not been included in the site plan.
- Foul and surface water drains, including their direction of travel have not been included.
- The location of sensitive receptors within 1 km of the site have not been included on the site plan.
- Compass rose showing north and the prevailing wind direction have not been included.

ACTION: Please update the site plan and include further site plans where relevant to include the information highlighted above.

7 Identify Fire Hazards

Sources of Ignition:

ACTION: Please provide details of the Security contract in place and their contact details in the event that

they need to be contact by the FRS or NRW.

Hot works (e.g. welding or cutting) should be included in the section.

Sources of Fuel:

This section identifies that there are limited flammable liquids stored/used outside of steel approved storage cabinets. Please provide further details on the location of these liquids.

ACTION: Update the site plan to include the location of these flammable liquids stored both inside and outside of the metal cabinets.

The section identifies that waste materials are stored in line with permit conditions and removed regularly. The information provided has identified that the FRA does not contain all of the information as required as part of condition 3.4.1 and NRW current Fire Prevention and Mitigation Plan Guidance and as such the condition has not been complied with.

Work Processes:

ACTION: As highlighted above, please provide clarity on what is meant by "Stock will be held in accordance with and the spirit of the current guidelines". Please provide further details of the current guidelines that have been used to produce this FRA.

Where within the EMS is it recorded which scenario that you will be operating under and how long does it take to transfer from one scenario to the other and how is this managed.

Both Scenario 1 and Scenario 2 do not meet the requirements set out in NRW's Fire Prevention & Mitigation Plan Guidance – Waste Management (FPMP Guidance). The 5 metre gaps are insufficient fire breaks based on Graph 1 of the FPMP Guidance.

ACTION: Waste storage shall be calculated and undertaken based on the FPMP Guidance to ensure compliance with the permit condition.

The interim measure storage arrangements do not comply with the FPMP Guidance. No details have been provided on how long this interim measure would be in place for. Material should be moved off site rather than placed in the external area.

ACTION: Please review the interim storage arrangements in line with the comments above.

Please provide further details on what are considered exceptional circumstances for waste to be stored for longer than 3 months. This should be clearly identified on the Site Plan with appropriate distances from the buildings in place in accordance with the FPMP Guidance.

Please provide further details on the decision to use a temperature value of 65 degrees as the point at which the material must be rotated and allowed to cool. Please confirm that you have the temperature monitoring equipment available on site.

While your permit and FRA state that waste will not be on site for longer than 3 months. This is also in accordance with Table 1 of the FPMP Guidance. The FPMP Guidance also states that for some wastes these storage times may be too long and you should consider your waste type carefully for self-combustion. Given that the greatest risk is that of self-combustion it would be expected that the temperature of the material is monitored from the point that it is deposited to ensure any build up in temperature can be managed proactively rather than reacted to if waste is stored for longer than 3 months and then monitored.

Please provide details on where the monitoring and inspection records will be held in relation to checks on site.

Storage Methods

Please provide further details on where and how the storage times will be monitored to ensure that material does not remain on site for longer than 3 months. Where will records be kept of storage times.

Preventative Action

Please explain what is 'unusual behaviour' in relation to the stacks.

Fire Prevention / Response Plan

Advice on the appropriate provision of fire extinguishing devices should be provided by a competent risk assessor in conjunction with the findings of your risk assessment.

What arrangements are in place for the provision of firewater to be tanked off site, do you have an appropriate contract in place for the provision of tankers and a suitable permitted site identified capable of accepting the fire water. Similarly, please provide confirmation that contracts are in place for the provision of plant and machinery, these details should be included in the FRA and the expected time taken for machinery to be on site. Details of the permitted site that can accept unaffected material and any contracts that are in place should also be included in the FRA.

The emergency response contact sheet should be included within the FRA.

It is stated that following the fire risk assessment an emergency response plan has been prepared. This should be included in the FRA.

Please provide further details on the assessment that has been undertaken in the development of a traffic light system for dealing with fires. Has this been undertaken and developed by a competent person.

Given that the site is unoccupied for majority of the time, how can any of the initial responses be instigated given it is unlikely that there will be any staff on site.

Please provide clarity on who is "the third party" that may realize that there is a fire on site. All contact details for all site management and technically competent person linked to the operation of this site and the associated management plans shall be included in the FRA.

8 Identify People at Risk

While it is anticipated that there will be no impact on the River Ogmore due to bunding, water tankering and re-use of fire water, impact should be considered as part of the FRA. Surface water drainage on Brynmenyn Industrial Estate discharges to the River Ogmore and as such should be considered as part of this FRA.

Conclusion

The information provided within the Fire Risk Assessment dated February 2018 does not fulfil the requirements set out in NRW's FPMP Guidance V2, dated August 2017 as required under condition 3.4.1 of your permit. This has been scored a Category 2 breach under condition 3.4.1 of the permit.

Any compliance criteria not included within the summary above, shall be considered as not assessed.

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.

END

Cyfoeth Naturiol Cymru Natural Resources Wales	**EPR Compliance Assessment Report**	**Report ID: CAR_NRW0032977**

This form will report compliance with your permit as determined by an NRW officer

Site	Woodmat Bridgend	Permit Ref	YB3097TR
Operator/Permit holder	Woodmat Limited	Date	01/03/2018

Section 3 – Enforcement Response

You must take immediate action to rectify any non-compliance and prevent repetition.
Non-compliance with your permit conditions constitutes an offence and can result in criminal prosecutions and/or suspension or revocation of a permit. Please read the detailed assessment in Section 2 and the steps you need to take in Section 4 below.

We will now consider what enforcement action is appropriate and notify you, referencing this form.

Section 4 – Action(s)

This section summarises the actions identified during the assessment along with the timescales for when they will need to be completed.

Criteria Ref.	**CCS Category**	**Action required/advised**	**Due Date**
See Section 1 above			
C2	C2	A revised Fire Prevention and Mitigation Plan (FPMP) shall be submitted to NRW that meets the requirements of the current, relevant fire prevention plan guidance. Please provide a date for agreement with NRW for when the revised FPMP will be submitted to NRW by 16 March 2018.	16/03/2018

Section 5 – Compliance notes for the Operator

To ensure you correct actual or potential non-compliance we may

- Advise on corrective actions verbally or in writing
- Require you to take specific actions verbally or in writing
- Issue a notice
- Require you to review your procedures or management system
- Change some of the conditions of your permit
- Decide to undertake a full review of your permit

Any breach of a permit condition is an offence and we may take legal action against you

- We will normally provide advice and guidance to assist you to come back into compliance either after an offence is committed or where we consider that an offence is likely to be committed. This is without prejudice to any other enforcement response that we consider may be required.
- Enforcement action can include the issue of a formal caution, prosecution, the service of a notice and/or suspension or revocation of the permit.

See our Enforcement and Civil Sanctions guidance for further information

This report does not relieve the site operator of the responsibility to

- Ensure you comply with the conditions of the permit at all times and prevent pollution of the environment
- Ensure you comply with other legislative provisions which may apply

Non-compliance scores and categories

CCS category	Description	Score
C1	A non-compliance that could have a major environmental effect	60
C2	A non-compliance which could have a significant environmental effect	31
C3	A non-compliance which could have a minor environmental effect	4
C4	A non-compliance which has no potential environmental effect	0.1

Operational Risk Appraisal (Opra) - Compliance assessment findings may affect your Opra score and/or your charges. This score influences the resource we use to assess permit compliance.

Section 6 – General information

Data protection notice

The information on this form will be processed by the Natural Resources Wales (NRW) to fulfil its regulatory and monitoring functions and to maintain the relevant public register(s). The NRW may also use and/or disclose it in connection with:

- Offering/providing you with its literature/services relating to environmental matters
- Consulting with the public, public bodies and other organisations (eg. Health and Safety Executive, local authorities) on environmental issues
- Carrying out statistical analysis, research and development on environmental issues
- Providing public register information to enquirers
- Investigating possible breaches of environmental law
- Assessing customer service satisfaction and improving its service
- Freedom of Information Act/Environmental Regulations request

The NRW may pass it on to its agents/representatives to do these things on its behalf. You should ensure that any persons named on this form are informed of the contents of this data protection notice.

Disclosure of information

The NRW will provide a copy of this report to the public register(s). However, if you consider that any information contained in this report should not be released to the public register(s) on the grounds of commercial confidentiality, you must write to your local area office within fifteen working days of receipt of this form indicating which information it concerns and why it should not be released, giving your reasons in full.

Customer charter

What can I do if I disagree with this compliance assessment report?

If you are unable to resolve the issue with your site officer, you should firstly discuss the matter with officer's line managers using the informal appeals procedure. If you wish to raise your dispute further through our official Complaints and Commendations procedure, phone our general enquiry number 0300 065 3000 (Mon to Fri 08.00 – 18.00) and ask for the Customer Contact team or send an email to enquiries@naturalresourceswales.gov.uk. If you are still dissatisfied you can make a complaint to the Public Services Ombudsman for Wales. For advice on how to complain to the Ombudsman phone their helpline on 0845 607 0987.

Welsh Language
If you would like this form in Welsh please contact your Regulatory Officer.