

## Compliance Assessment Report

**Report ID:**  
**CAR\_NRW0000008**

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

|                              |                                   |             |            |     |       |  |
|------------------------------|-----------------------------------|-------------|------------|-----|-------|--|
| Site                         | South Wales Wood Recycling Ltd    | Permit Ref  | FP3095ET   |     |       |  |
| Operator/Permit holder       | South Wales Wood Recycling Ltd    |             |            |     |       |  |
| Regime                       | Waste Operations                  |             |            |     |       |  |
| Date of assessment           | 15/03/2016                        | Time in     | 13:00      | Out | 15:00 |  |
| Assessment type              | Audit                             |             |            |     |       |  |
| Parts of the permit assessed | storage                           |             |            |     |       |  |
| Lead officer's name          | Chris Thomas                      |             |            |     |       |  |
| Accompanied by               | Morgan, David,Mathew Bradford FRS |             |            |     |       |  |
| Recipient's name/position    | George Harvey/ Manager            | Date issued | 22/03/2016 |     |       |  |

### Section 1 – Compliance Assessment Summary

This is based on the requirements of the permit under the Environmental Permitting Regulations. 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 | C3           | 1.1.1                 |

**KEY:** See Section 4 for breach categories, suspended scores will be indicated as such.

**A** = Assessed or assessed in part (no evidence of non-compliance), **N** = Not Assessed, **X** = Action only

|                                    |          |                                                                     |          |
|------------------------------------|----------|---------------------------------------------------------------------|----------|
| <b>Number of breaches recorded</b> | <b>1</b> | <b>Total compliance score</b><br>(see section 5 for scoring scheme) | <b>4</b> |
|------------------------------------|----------|---------------------------------------------------------------------|----------|

**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

Chris Thomas and David Morgan of NRW, met George Harvey, Kevin Burke of SWWR and Mathew Bradford of SWFRS.

The purpose of the meeting was to discuss the situation on the Llynfi site and to address concerns that both NRW and the SWFRS have over the quantity and storage of woodchip on site at Heol y Cyw. The fire is now out at the Llynfi. The site is subject to a section 59 notice requiring the full and complete removal of all woodchip by the 29<sup>th</sup> April 2016.

As you are aware we have received several noise complaints from local residents. It may be the case that further works are required to investigate the cause and look at possible solutions. Initially I shall carry out a desktop study with our noise specialist to try and ascertain where and what may be causing the nuisance. In light of this could you provide me with the technical specification of the two shredders that you have on site. **The operating manual will have details of decibel emissions. Could this information be forwarded on to me by the 15<sup>th</sup> April 2016.**

NRW and the FRS also have concerns over the quantities and storage of the woodchip on site. There is a large single pile of woodchip stored on site of several thousand tonnes. The SWWR EMS and guidance states that several firebreaks will be present with a 6 metre gap. In light of this I have scored the site a CAT 3 breach condition 1.1.1. for this failing. **Both myself and Mathew Bradford will arrange a follow up meeting later on in April to discuss the requirements for the fire breaks.**

I am aware that concerns have been raised over the stack heights of the woodchip. Your EMS states that the stack heights should only be 3 metres in height although I'm aware that a condition of the LA planning allows up to 5 metres. In the interests of consistency I am content to allow the stack heights up to 5 metres. **However they should not exceed this. Please amend your EMS to reflect this.**

Previously and more recently in a CAR form dated the 11<sup>th</sup> June 2015 NRW agreed to temporarily allow the storage of woodchip outside your permitted area. This was agreed on the understanding that a permit application was made to increase the size of the area. This application has not been forthcoming. **This agreement is due to cease on the 1<sup>st</sup> April 2016, and will not be extended further. Therefore please remove all woodchip of the unpermitted area before this date or start the permitting process to extend the permit footprint of the site ASAP.**

As explained during the site visit South East officers are investigating the deposit of inappropriate woodchip on farms across the south east. **To aid their investigation please can you provide details of these farms, and Duty of Care notes, that SWWR have delivered to in the last 6 months.**

There is a currently a Regulation 36 notice in place on the site at Heol y Cyw aimed at addressing the drainage shortcomings. I understand that SWWR does not intend to make drainage infrastructural improvements as such but intends to block the pipe up and either tanker the run off away or recirculate the run off to use as dust suppression.

To avoid misunderstandings and ensure clarity in the future any permit breaches that are evident after the site meeting in late April 2016 will be addressed using a Regulation 36 notice. This will give SWWR clear instructions of what is required and a compliance date.

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## EPR Compliance Assessment Report

**Report ID:  
CAR\_NRW0000008**

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|                        |                                |            |            |
|------------------------|--------------------------------|------------|------------|
| Site                   | South Wales Wood Recycling Ltd | Permit Ref | FP3095ET   |
| Operator/Permit holder | South Wales Wood Recycling Ltd | Date       | 15/03/2016 |

### 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.

Other than the provision of advice and guidance, at present we do not intend to take further enforcement action in respect of the non-compliance identified above. This does not preclude us from taking enforcement action if further relevant information comes to light or advice isn't followed.

### 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                  | C3           | As per your EMS please ensure that you have at least 2 Firebreaks in place | 15/04/2016 |

## 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 reports should not be released to the public register(s) on the grounds of commercial confidentiality, you must write to your local area office within twenty 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](mailto: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.