

Compliance Assessment Report

Report ID:
CAR_NRW0033629

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	16/07/2018	Time in	14:00	Out	16:00	
Assessment type	Audit					
Parts of the permit assessed	A, B, C, D					
Lead officer's name	Morgan, David					
Accompanied by	Matthew Bradford (SWFRS)					
Recipient's name/position	George Harvey/ Commercial Manager	Date issued	18/07/2018			

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
A1 - Specified by permit	C2	1.1.1 (a)
C2 - General Management - Management system and operating procedures	C2	3.8.1

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	2	Total compliance score (see section 5 for scoring scheme)	62
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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

An inspection was undertaken on Monday 16th July 2018, in relation to an incident that occurred on site on Saturday 14th July 2018. The visit was undertaken in conjunction with South Wales Fire & Rescue Service. The following observations were made:

Fire Incident

On Saturday 14th July 2018, plant on site (chipper) was involved in a fire that spread to a nearby building, that suffered minor damage. Some waste wood was also involved in the fire. The Fire Service attended site and dealt with the incident. The incident, which started at approximately 07:00 came to an end at approximately 13:00 that day.

At the time of our inspection the cause of the fire/ignition source had not yet been identified.

The Fire Service have agreed to provide Natural Resources Wales with information (photographs/statements) that reflect operations at the time they entered the site. On receipt of this information we may wish to discuss this matter further (I.e. storage location of plant in relation to waste/water supplies etc.).

Waste Storage

The permitted sites, and adjacent areas (exempt area and Old Nursery) appeared to be at capacity for waste storage. At the time of the inspection there was a very large amount of waste on site. Measurements of waste stacks were recorded and are referenced below.

Storage practices, at the time of the inspection on 16th July 2018, were grossly non-compliant with the Fire Prevention and Mitigation Plan for the site, and current Fire Prevention guidance.

Natural Resources Wales and South Wales Fire & Rescue Service shared serious concern over the large volume of waste, lack of remaining workable areas (specifically in relation to quarantine area) and lack of suitable water supply. Due to the increase in severity of non-compliance with the Environmental Permit for the site, a Category 2 breach was recorded.

Condition 3.8.1 of the permit was breached (Category 2 – Significant) (Ref: C2)

To become compliant with this condition you must manage operations in line with the Fire Prevention and Mitigation Plan, based on current guidance.

Waste stacks on site were measured and the following dimensions were recorded:

Main Stack (On left upon entering yard)

Width – 50 metres at widest point (22m at narrowest)

Length – 55m metres

Height – 5 metres or marginally less

This stack was more than 6 metres from the Workshop.

Rear Stack (behind Workshop, adjacent to Main Stack)

Width – 29 metres

Length – 70 metres

Height – Less than 5 metres

This stack was less than 6 metres from the Workshop.

The stack in the yard that is next to, and connected to, The Recycling Building was over 5 metres in height. This was less than 6 metres from the nearest non-operational building.

Specific observations made in Locks Yard:

The following observations are evidence of non-compliance with a Fire Prevention and Mitigation Plan, based on current, relevant guidance.

- * Firebreaks were inadequate between stacks, and stacks and non-operational buildings
- * Waste stacks were higher than 5 metres



- * The main stack, on the left upon entering site, has well-developed vegetation. This suggests this waste stack has not been treated/turned within the time periods specified in the guidance



* The proposed quarantine area, at the site entrance, is grossly insufficient and inappropriate for storing waste in the event of a fire incident



* Stack sizes are too large for the site, based on current guidance

Condition 1.1.1 (a) of the permit has been breached (Category 2 - Significant) (Ref: A1)

The Fire Prevention and Mitigation Plan for the site forms part of the Environment Management System. Operations are not being undertaken in accordance with the Management System for the site and this is deemed a management failure. As a result, a non-compliance with condition 1.1.1 (a) of the permit has been recorded.

Mitigating Factors

During the inspection we discussed some of the current issues in the wood recycling industry, and issues related to site operations, that are out of the control of South Wales Wood Recycling.

It is accepted that the wood recycling industry may at times be volatile, with supply and demand often varying. It was noted that an agreement is in place to export material (notably the stack of Grade A material in Locks Yard) to a facility in Europe, and that material was due to be removed from site on Tuesday 17th July. From our discussions you also mentioned that South Wales Wood Recycling has put a temporary stop on accepting some wood waste.

However, it is the view of Natural Resources Wales that current operations present an unacceptable risk to the environment and the local amenity. You must ensure operations are undertaken in accordance with current, relevant Fire Prevention and Mitigation Guidance.

Issues of Note

Following the inspection of Locks Yard we discussed the exempt and Old Nursery areas. We will contact you separately regarding these areas.

EPR Compliance Assessment Report

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Operator/Permit holder	South Wales Wood Recycling Ltd	Date	16/07/2018

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	Ensure operations are undertaken in accordance with a Fire Prevention and Mitigation Plan that is based on relevant, current guidance	30/08/2018
A1	C2	Ensure operations are undertaken in accordance with the Environment Management System for the site.	30/08/2018

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.