

Compliance Assessment Report CAR_NRW0040252

Permit being assessed: TB3397TD.

For: GTR Aggregates and Recycling Limited, held by GTR Aggregates & Recycling Ltd
At: Waste Transfer Station, Dee Bank Industrial Estate, Boot End, Bagillt, Flintshire, CH6 6HJ.

Type of assessment carried out: Site Inspection, Reason: Other.

On 03/08/2022 between 13:20 and 14:15.

Parts of permit assessed: 'Storage, Handling & Segregation' 'Table S1.1 activities'

NRW Lead Officer: Sarah Walton, accompanied by Steven White.

Report sent to: Andrew Tabinor, Technically Competent Manager on 12/08/2022.

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

Part of permitted activity assessed (criteria)	Assessment result	Permit condition
B3 - Infrastructure - Site drainage engineering (clean and foul)	Ongoing (O)	2.1.1 The operator is only authorised to carry out the activities specified in schedule 1 table S1.1 (the "activities"). 'All waste must be stored and treated on an impermeable surface with sealed drainage'.
B3 - Infrastructure - Site drainage engineering (clean and foul)	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
0	0

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
B3	Ensure the drainage system is sealed and working effectively.	26/08/2022
B3	As noted in the latest EPR 2016 Regulation 37 Notice, all surfaces used to store waste, should be impermeable.	04/11/2022

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.

We are currently considering taking enforcement action against you for the non-compliance recorded above. We will contact you in due course.

4. Details of our assessment

An announced site inspection took place on Wednesday 2nd August 2022.

This was at the request of site management, who believed the steps laid out in the EPR 2016 Regulation 37 suspension notice (issued 21st June 2022) had been met.

This visit was therefore arranged to check on compliance with this notice.

Waste Regulation Officers, Sarah Walton and Steven White, met on site with Andrew Tabinor (TCM), Alison Angus (Group Safety & Compliance Manager for the APK Group) and Jamie Roberts (Site Manager).

The inspection began with a discussion regarding site drainage and how this was being addressed. Officers were led to the rear corner of the transfer building, near to the site entrance.

Andrew mentioned that two drainage surveys had been completed on site, which came back inconclusive. Andrew also noted they were unsure where the waste water was going.

As an outstanding action, please submit to NRW, results of the 2 further drainage surveys that have been completed at site. It is understood one of these surveys was completed on 23/06/2022.

Proposals to address site drainage issues were presented to officers.

The plan includes connecting Interceptor 1 to the foul sewer that runs parallel to the transfer building.

This approach will require an application to be made to Dwr Cymru / Welsh Water (DCWW), to see if this is feasible. Andrew and Alison estimated this could take around 1 month to complete.

However, no contact had yet been made with DCWW to check timescales for such an application.

It is proposed by site, that Interceptor 1 is capped off, daily inspections of the Interceptor tank are undertaken and within the next month, that an electronic monitoring device (alarm) is fitted to the tank to alert staff of any issues in conjunction with daily visual monitoring.

Alison produced a 2 page document that listed the proposals to address site drainage in the short and long term.

Officers were pleased to see progress in this area, now that site management are beginning to acknowledge drainage issues on site and how these may be addressed.

After some discussion, Sarah and Steven explained that the drainage document would be reviewed back at the office before a decision would be made on the outcome of the

suspension notice.



Photographs showing Recycling & Transfer buildings clear of waste

A walk around site evidenced that the site continues to remain clear of Household, Commercial & Industrial wastes.
There still remained a large volume of inert wastes.



Photograph showing storage of inert waste on site

Officers re-iterated the point that insufficient evidence had been provided to show inert wastes are being treated to WRAP Quality Protocol. This material remains a waste and should be treated as such.

Andrew provided officers with a document titled 'Quality protocol for aggregates produced from inert waste'. This document is dated 01/08/2021.

On Page 3, Ben Entwistle is noted as being 'Head of Operations'. On Page 6, it states 'Responsibility for maintaining the factory production control (FPC) system will be Ben Entwistle (Head of Operations)'.

Ben Entwistle (A previous TCM of the site), left the company on 01/11/2021.

This is therefore outdated, and not being used as a working document. It is not satisfactory that this document keeps being produced by site with no updates. It seems evident there is a lack of procedures and training in place to ensure staff are fully competent in this area. When staff on site have been asked about production of WRAP QP inert material, very little information is forthcoming.

Officers therefore have little confidence that WRAP QP is being met.

It is suggested that management make note of and refer to this website that explains WRAP Quality Protocol and the requirements for declaring this material has met the standard:

[Quality protocol: aggregates from inert waste - GOV.UK \(www.gov.uk\)](https://www.gov.uk/guidance/quality-protocol-for-aggregates-from-inert-waste)

Until sufficient evidence is forthcoming, all inert material on site remains a waste and should be treated as such.

Outstanding actions:

-Submit to NRW, Waste Transfer Notes of all inert wastes and product removed from site since 30/03/2022.

-Update working document titled 'Quality protocol for aggregates produced from inert waste' to ensure it is relevant for GTR's current processes and procedures.

-Submit to NRW, evidence that inert waste is being treated on site to meet WRAP QP.

Towards the end of the inspection, Jamie Roberts explained that there were plans to install CCTV cameras. This would include 2 within the transfer building, 2 outside and 1 in the recycling building. This was to aid detection of any fires on site.

Alison also explained that she was compiling a Fire Risk Assessment for the site that would be sent to officers following the site inspection.

As noted earlier in this report, staff will now consider the proposals laid out by GTR and whether steps laid out in the suspension notice have been sufficiently addressed.

Thank you to all staff who assisted throughout the inspection.

Kind Regards,

Sarah Walton
Waste Regulation Officer
03000 654 791

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.