

Compliance Assessment Report CAR_NRW0040271

Permit being assessed: BB3697ZN.

For: New Horizon Plastics Co Ltd, held by New Horizon Plastics Co Ltd

At: Unit 27 & The Former Scrapyard, Gelicity House, Castle Park Industrial Estate, Flint, Flintshire, CH6 5XA.

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

On 05/08/2022 between 10:15 and 11:20.

Parts of permit assessed: 1.1, 2.1, 3.5,

NRW Lead Officer: Amy Henderson, accompanied by Kathryn Bradshaw.

Report sent to: Philip Thomas, Company Director on 02/09/2022.

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

Part of permitted activity assessed (criteria)	Assessment result	Permit condition
A1 - Specified by permit	C3 Minor	1.1
B1 - Infrastructure - Engineering for prevention and control of emissions	Action only (X)	
G2 - Monitoring and Records, Maintenance and Reporting - Records of activity, site diary/journal/events	Assessed (A)	
C1 - General Management - Staff competency/training	Assessed (A)	
F3 - Amenity - Dust/fibres/particulates and litter	Assessed (A)	

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	Ensure all waste is stored in compliance with Site Environment Management System & Fire Prevention and Mitigation plan.	05/09/2022
B1	Site to ensure surface of 'The Old Scrapyard' is repaired to ensure compliance with table S1.1 of permit. Storage and treatment of waste to take place on impermeable surface with sealed drainage.	31/10/2022

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.

At this time, we do not intend to take any further action.

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

This was an unannounced routine site inspection carried out by Waste Regulation Officers Amy Henderson, Kathryn Bradshaw and Enforcement officer John Gilliland. There were heavy rain showers at the time of the visit.

On arrival on site, Officers met with Phillip Thomas, Company Director, who accompanied us throughout the visit. The site was operational at the time of the inspection.

Since the site was last visited a new permit variation has been granted to include a new area across the road, known as 'the Old Scrapyard'. The treatment process for the plastics has also been updated.

A walk around of the site was carried out. Officers first visited the original part of the site at Unit 27. At the time of the visit, pre-shredded material was being loaded into the treatment process. Officers were shown the new treatment process working and the resulting plastic pellets at the end of the process. The waste water treatment plant is also now fully operational, meaning all water from the washing of the plastics is treated for reuse.

The site diary was also checked. The site has a file which is completed daily with any issues arising onsite. The sites Technically Competent Manager is currently Arthur Imrie.

Officers visited the newly permitted area at the 'Old Scrapyard'. The storage of waste plastics on site was not deemed compliant with the sites FPMP. Fire breaks/walls were not in place which could risk a substantial fire should this ignite, posing a risk to the local environment. This has therefore been given a non-compliance score as a breach of permit conditions and is discussed in detail below.



Photo of waste being stored without fire breaks/walls

Wooden pallets were also seen onsite. Discussions took place with the Company Director as to whether these were waste. Further information was provided following the visit that these wooden pallets were a by product of deliveries to site and therefore not waste.

A shredder has been installed onsite, however this is not undercover as specified in table S1.1 of the permit. This was not operational at the time of the visit. The Company Director was reminded that no shredding of plastics should take place which is not compliant with permit conditions i.e not undercover.

The surface of the site has previously been concreted but this has fallen into disrepair. It was discussed what the sites plans were to address this. The site surface is to be repaired to ensure this is compliant with table S1.1 of the permit, which states all storage and treatment of waste must take place on an impermeable surface with sealed drainage. This has been listed as an action.

Previously the site has received complaints due to litter blowing offsite. Regular litter picks are being carried out, including using a back-pack vacuum and perimeter netting has been installed. No issues were identified during the site inspection.

Condition 3.5; Fire

3.1.5 The operator shall manage and operate the activities in accordance with a written fire prevention plan using the current, relevant fire prevention plan guide.

The sites FPMP section 4.1.3 states Fire break distances and pile locations are also shown on Drawing No. CAS/2570/03 and the surface areas and dimensions of each storage area is provided in the waste storage table in Section 4.3. All pile sizes, heights, widths, lengths, volumes and separation distances are in accordance with the NRW's FPMP guidance document.

Fire breaks/walls were not seen to be in place. Should the waste ignite, this poses a risk of a significant fire. This has therefore been given a category 3 score for a potential risk to the environment. An action has been given to install the required fire breaks by 5th September 2022.

Thank you for your time during the site inspection.

Should you have any queries regarding this CAR form please contact amy.henderson@cyfoethnaturiolcymru.gov.uk

Kind regards

Amy Henderson
Swyddog Rheoleiddio Gwastraff / Waste Regulation Officer
Cyfoeth Naturiol Cymru / Natural Resources Wales
Swyddfa Bwcle / Buckley Office

"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."

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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.