

Compliance Assessment Report CAR_NRW0041387

Permit being assessed: UB3697TL.

For: Gary Catton Haulage Ltd, held by Gary Catton Haulage Limited

At: Glasfryn Yard, Weighbridge Road, Zone 4 Deeside Industrial Park, Flintshire, CH5 2LL.

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

On 22/02/2023 between 12:15 and 13:15.

Parts of permit assessed: General Management, Permitted Activities, Waste Acceptance & treatment, Information & Records, Reporting to Natural Resources Wales

NRW Lead Officer: Sarah Walton.

Report sent to: Pam Roberts, Technically Competent Manager on 08/03/2023.

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

Part of permitted activity assessed (criteria)	Assessment result	Permit condition
G4 - Monitoring and Records, Maintenance and Reporting - Reporting and notification to Natural Resources Wales	Assessed (A)	
C3 - General Management - Materials acceptance	Action only (X)	
C1 - General Management - Staff competency/training	Action only (X)	
C2 - General Management - Management system and operating procedures	Action only (X)	
C2 - General Management - Management system and operating procedures	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
C3	Please send copies of Waste Transfer Notes for the road planings observed on site 22.3.2023, to the site's Regulating Officer	17/03/2023
C1	Please send a copy of Pam Roberts Technical Competency certificate to the site's Regulating Officer	17/03/2023
C2	Ensure that a copy of the site's EMS is available on site at all times and that relevant staff are trained in its use.	17/03/2023

Criteria	Action needed	Complete by
C2	The site's Method Statement for the production of aggregates treated to WRAP Quality Protocol, should be reviewed to specify which BS EN aggregate standard is being complied with and how. It should be clear exactly what product is being created and what its use is.	31/03/2023

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

A routine site inspection took place on Wednesday 22nd February 2023 by Waste Regulation Officer, Sarah Walton. Sarah met on site with Pam Roberts who is the Technically Competent Manager.

As this was the first inspection by the new Regulating Officer, the inspection began with a discussion between Sarah and Pam about the sites operations, what waste is accepted and how it is treated on site.

The company has a haulage fleet which bring inert waste streams into site from various contract jobs. There are also external companies who tip on site.

Review of Waste Returns and Waste Transfer Documentation

Waste Returns submissions for 2022 were reviewed prior to the site inspection. Thank you for ensuring that these submissions were made in a timely manner. These returns showed that the site accepted 37,528 tonnes of waste in total for the 2022 year.

The incoming waste streams consisted of the below waste codes:

170101 - Concrete

170107 - Mixture of concrete, bricks and tiles

170504 - Mixture of soil and stone



Photograph showing storage of road planings

Whilst on site, Pam explained that road planings were brought into site as a waste. However, this waste stream is not evident on the waste returns.

Action: please can you provide copies of Waste Transfer Notes for the above road planings observed on site on 22/02/2023.

Waste Transfer Notes were requested on site to evidence other incoming waste streams. Pam explained that due to the volume of incoming waste streams, that the site tends to summarise incoming waste in a spreadsheet, but do not retain all the transfer notes. It was explained that Waste Transfer Notes should be kept for each load of incoming/outgoing waste for at least 2 years. I must make you aware that it is an offence under Section 34(5) and 34(6) of the Environmental Protection Act 1990 to fail to make or retain Waste Transfer Notes. An appropriate enforcement response is being considered for this.

Action: Please ensure all waste movements in and out of site are accompanied by a Waste Transfer Note and that these records are kept for a minimum of 2 years.

There is an option of a season ticket Waste Transfer Note which is a single waste transfer note that can cover multiple waste transfers for a period of 12 months given that the following remain the same:

- the parties involved in the transfer - the waste producer and the waste carrier or waste disposal business
- the description of the waste being transferred
- the place where the waste is transferred from one person to the other

Permit Condition 1.1.1: The operator shall manage and operate the activities:
(a) in accordance with a written management system that identifies and minimises risks of pollution, including those arising from operations, maintenance, accidents, incidents, non- conformances, closure and those drawn to the attention of the

operator as a result of complaints

A copy of the site's EMS was requested at the time of the site inspection but this document was not available.

Action: please ensure the site EMS is available on site at all times and accessible for staff trained in its use and also for the site's Regulating Officer.

(A Copy of the site EMS was submitted following the site inspection)

Treatment of inert wastes



Photographs showing storage of inert wastes and Recycled MOT

Pam and Sarah completed a walk around site, noting the various inert waste streams. Pam explained how the different wastes are crushed and/or screened to form a number of different recycled aggregates such as 6F2.

When back in the office, it was queried whether the recycled aggregates are treated to a Quality Protocol or if they are sold as a waste. Pam confirmed that aggregate is treated to WRAP Quality Protocol. The site procedures were requested from site but this was not available at the time of inspection. Pam produced some testing results completed by 'Precision Analysis' for Gary Catton Haulage. The testing showed 6F2 material as being graded detailing what percentage of material had passed a certain sieve size.

Following the site inspection, Pam provided a document titled '*Method Statement and Factory Control System for the Production of Aggregates from the recycled wastes in conjunction with the WRAP Protocol*'.

This document has been reviewed and there are some parts of the procedure that need attention in order to fully meet WRAP Quality Protocol.

Section 2.4 of WRAP's Quality Protocol document titled 'Aggregates from inert waste' notes that 'the producer must comply with all the requirements of BS EN aggregates standard (for example BS EN 12620), appropriate for the use which the aggregate is destined, at the time it is produced, to comply with this Quality Protocol'. Section 2.4.4. goes on to say 'Producers must set up and produce the aggregates under a system for Factory Production Control as set out in the relevant BS EN aggregates standard listed in Appendix B'.

Action: The site's Method Statement should be reviewed to incorporate details of a BS EN standard to which your inert waste is treated to (as noted in appendix B of WRAP's 'Aggregates from inert waste'). It should be clear exactly what the product is you are producing and what its end use is. The most appropriate BS EN standard should be complied with to produce the product.

The site inspection finished at approximately 13:15.

Thank you to all staff who assisted with the inspection.

Should you have any queries, please do not hesitate to get in touch.

Kind Regards,

Sarah Walton

Waste Regulation Officer

Email: sarah.l.walton@cyfoethnaturiolcymru.gov.uk

Post: Natural Resources Wales, Chester Road, Buckley, Flintshire, CH7 3AJ

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.

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.