

## Compliance Assessment Report CAR\_NRW0041993

**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 15/06/2023 between 13:40 and 14:40.

Parts of permit assessed: 3.1.1, 2.3.1, 1.1.1

**NRW Lead Officer:** Amy Henderson, accompanied by Ian Thomas2.

**Report sent to:** Philip Thomas, Arthur Imrie, Director/TCM on 21/08/2023.

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

Part of permitted activity assessed (criteria)	Assessment result	Permit condition
F3 - Amenity - Dust/fibres/particulates and litter	C3 Minor	3.1.1
C2 - General Management - Management system and operating procedures	C3 Minor	2.3.1
B3 - Infrastructure - Site drainage engineering (clean and foul)	Action only (X)	
C3 - General Management - Materials acceptance	Assessed (A)	
C4 - General Management - Storage, handling labelling and Segregation	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
2	8

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
F3	Ensure additional measures are in place to address issues with litter escaping the site i.e daily litter picks, roadsweeper, use of vacuum backpacks	04/09/2023
C2	Ensure all activities are carried out in compliance with permit conditions, i.e only shredding and storage is currently permitted on site B. Ensure a permit variation is submitted to include a change of activities	18/09/2023
B3	Provide details of drainage survey/any investigations carried	18/09/2023

Criteria	Action needed	Complete by
	out to site B evidencing sealed drainage.	

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 a routine site inspection carried out at the New Horizon Plastics site in Flint (permit EPR-BB3697ZN). The weather at the time of the inspection was dry and sunny. The inspection was carried out by Waste Regulation Officers Amy Henderson and Ian Thomas.

On arrival at site Officers carried out a walk around of the surrounding areas to assess if plastics could be seen to have blown offsite. NRW have recently received a report regarding this. Officers identified that small pieces of plastic, as those which are accepted/treated onsite were lying along the edges of the road and verges. Plastics were also seen to have accumulated around road drains and beneath an outfall into the river Dee.







Photos showing shredded plastics accumulating on road outside the site.



Photo showing shredded plastics accumulating on verges outside the site.



Photo showing plastics underneath a water discharge pipe into the river Dee.

Officers then attended the permitted site and were accompanied by Neil Rawson and Steff Evans. The site was operational at the time of the visit. Officers first visited 'Site A'. The site was tidy and appeared well maintained. Plastics were being loaded into the treatment line onsite.

Officers then visited site B. It was raised with the site the issue of the plastics on the road and verges and staff were shown areas affected by this. Staff stated weekly litter picks are carried out and that they have purchased a road sweeper, which was currently in for service. It was advised that the frequency of litter picks should be increased, with litter

checks/picks being carried out daily. An email was sent to the Company Director following the visiting requesting a thorough litter pick of the area is carried out and a plan is submitted to NRW detailing what action will be taken to address the issue.

Previously the lack of firebreaks at the site has been raised with the operator. During this site inspection this issue was seen to have greatly improved. 'Lego brick' bays have been installed and the quantity of plastics being stored onsite has been reduced. It was stated that the site is now only accepting a higher quality of plastics onto the site due to previous issues with the machinery becoming clogged. This has resulted in a lower quantity of waste being stored. This has also meant better access for wagons to the rear of the site. Should a fire now break out on site, access would be much improved for the fire service.

During the site visit it was identified that washing of waste was taking place on site B. Under the permit, only the shredding and storage of waste is permitted on this area. An application for a permit variation has been submitted however, this has not yet been granted. You must carry out activities in compliance with the current permit until the site variation has been granted.



Photo of wash plant on site B

There were a number of IBCs on site. An email was sent to the Company Director requesting information on the waste codes these were accepted under. Following the site visit it was confirmed by Environmental Consultant, Chris Parry that the IBCs did not contain any hazardous substances.

A lot of surface water was seen to be pooling onsite, despite the recent hot, dry weather. Drainage plans were requested for the site following the visit. Under the current permit the surface water for site B is shown as being discharged to the sewage network. Following the visit it was confirmed by the site that after the permit was issued it was discovered that surface water was unable to be discharged to sewer. Storage tanks were therefore installed. This was not communicated to NRW at the time that drainage on the site had changed. The permit was determined based on the drainage plans submitted at application. We would advise that enquiries into suitable drainage onsite should have been made before the permit was applied for, meaning it would therefore have been identified prior to application that discharge to sewer was not possible.





Photo showing surface water pooling onsite, despite recent hot, dry weather.

As a result of this site inspection, the following breaches have been identified.

**3.1.1 Emissions of substances not controlled by emission limits (excluding odour) shall not cause pollution. The operator shall not be taken to have breached this condition if appropriate measures, including, but not limited to, those specified in any approved emissions management plan, have been taken to prevent or where that is not practicable, to minimise, those emissions.**

As detailed above, litter was identified to have blown from the site onto the surrounding roads, entering road drains and seen below a pipe which discharges into the river Dee. Through discussions with staff it was identified that measures to prevent/mitigate this from happening were not sufficient enough and were not in compliance with the site EMS. Litter picks were stated to be taking place weekly and although a road sweeper has been purchased, this was not in use at the time. The site is adjacent to the River Dee SSSI/SAC, which is also home to the cockle beds situated in the Dee Estuary, it is therefore highly important that further measures are put in place to address this issue. This has been given a category 3 non-compliance score for the environmental impact witnessed of this amenity breach.

**2.3.1 (a) The activities shall, subject to the conditions of this permit, be operated using the techniques and in the manner described in the documentation specified in schedule 1, table S1.2, unless otherwise agreed in writing by Natural Resources Wales. Schedule 1 states Only shredding and waste storage can be carried out on Site B as shown on the plan in Schedule 7 of this permit.**

The washing activity seen to be being carried out on site B is not in compliance with the activities permitted within this area. Although a variation has been submitted this has not yet been granted and the company has a duty to remain in compliance with the current permit conditions. As the site has provided evidence that water storage tanks have been installed onsite to contain any water, which is then removed via tanker, this has been given a Category 3 non compliance score. An action has also been given under compliance criteria B3 which is discussed further below.

**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; Section 2.9.2 of the EMS SITE B - All surface**

**water where waste is being stored is sealed with kerbing and engineered to fall towards a central catchment pit to the north of the site and then into the existing foul sewer system.**

The above EMS section (2.9 Drainage) is incorporated into the permit. For treatment activities A1 (non-haz physical treatment facility) table S1.1 states all waste must be stored and treated on an impermeable surface with sealed drainage. An action has been given to provide details of any drainage surveys carried out for site B evidencing that the drainage is sealed and meets the activity limits detailed in table S1.1 (A1).

Please note under A2 (tyre recycling facility) it is specified that sealed drainage is discharged to foul sewer. No activities should take place under the tyre recycling facility until the drainage meets the conditions of the permit, or a variation has been granted with the updated drainage plans.

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](mailto:amy.henderson@cyfoethnaturiolcymru.gov.uk)

Kind regards

Amy Henderson

Swyddog Rheoleiddio Gwastraff / Waste Regulation Officer

Cyfoeth Naturiol Cymru / Natural Resources Wales

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."*

There has been a delay in the issuing of this CAR form due to additional information being requested

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](mailto: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](mailto: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.