

Compliance Assessment Report CAR_NRW0044068

Permit being assessed: CB3593HF.

For: Parry and Evans Ltd, **held by:** Parry And Evans Limited

At: Unit 103, Zone 1, Deeside Industrial Park, Flintshire, CH5 2LR.

Type of assessment: Site Inspection,

Reason: Routine.

On: 28/02/2024 between 11:30 and 12:30.

Parts of permit assessed: 1.1.1, S1.1.

NRW Lead Officer: Amy Henderson, accompanied by Steven White.

Report sent to: Lee Evans, Steve Evans, Company Director, on 26/04/2024.

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

Part of permitted activity assessed (compliance criteria)	Assessment result	Permit condition
W3B - Waste - Emissions and monitoring - Emissions of substances not controlled by emission limits	C2 Significant (Suspended)	S1.1
W1A - Waste - Management - General management	C3 Minor (Suspended)	1.1.1

Result types are explained in more detail in the 'Important Information' section below.

Total non-compliances recorded	Total non-compliance score
2	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
W3B	Ensure discharge from site is compliant with conditions in Table S1.1. Submit to NRW a written improvement plan to bring the site back into compliance, including timescales.	24/05/2024
W1A	Ensure site is fully secure to prevent unauthorised access.	17/05/2024

Compliance 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

This was an unannounced inspection carried out as a follow up to pollution incident detailed in CAR_NRW0043692. The inspection was carried out by Waste Regulation Officer Amy Henderson accompanied by Senior Waste Regulation Officer Steve White.

The purpose of the inspection was to assess the sites drainage in compliance with the permit conditions following the recent pollution incident and to check progress of the measures put in place by the site following the pollution incident detailed in CAR_NRW0043692.

During the inspection NRW Officers were accompanied by Site TCM Robin Draper and Steve Walker.

Since the Pollution incident on the 23/02/2024 the site has put in measures to clear the ditch at the back of the site, this work was on-going. The discoloured water was being pumped out of the ditch to enable the clean up.

The sites drainage conditions were discussed. The site was informed that only surface water from areas where baled waste or inert waste is permitted to leave site through the interceptor to surface water. It was identified that waste not meeting this criteria was being stored out in the open and therefore was deemed to not be stored in compliance with their permit conditions.



Photograph of loose waste seen stored out in the open. Surface water can also be seen to be grey in colour in this area.



Black liquid seen on the floor of the open yard area, near to interceptor.

Whilst onsite TCM Robin Draper stated to Officers he had seen another pipe at the end of the ditch to the West of the site which he believed had caused the pollution. This was investigated by Officers and was found to be some 235m downstream of the flow of the water from the site. Some silt was seen to have been dislodged from the area directly under the pipe, this was seen to have settled in the bottom of the ditch not far from the pipe, to the very West end of this ditch. This was therefore ruled out as the cause of the pollution seen on the 23/02/2024.

The site was also reminded that the site needed to be fully secure. This was raised during the site visit on the 23/02/2024 as the rear of the site had open access to the public.

During the CAR_NRW0043692 the following breaches were identified and non-compliance scores (please see above CAR form for further details);

Table S1.1 states Drainage consisting solely of: - Rainfall dependent runoff from the external yard areas of the site (excluding the vehicle wash bay area) that are used in connection with the storage of waste consisting of baled recyclable materials from the Materials Recycling Facility (A1) and inert wastes (as identified in 3.5.10 of the Environmental Management System (Ref.1537-DEE-MAP-A)) only, discharged via an interceptor to surface water drains.

- Clean surface water from roofs, or from areas of the site that are not being used in connection with storing and treating waste, may be discharged via an interceptor to surface waters. All other drainage from external yard areas must be discharged to foul sewer subject to a consent issued by the relevant sewage undertaker.

No visible oil, grease or suspended solids shall be present in the discharge to surface water drains.

There shall be no discharge from the buildings on site used to store and/or treat waste.

Condition 1.1.1 states; 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;

The site EMS states the following with regard to site security; c) The southern-facing boundary of the site is largely 2.4-metre-high galvanised steel palisade fencing with a 55-metre-long section of 3.6 metre concrete panel fencing.

d) The western-facing boundary is entirely comprised of 2.4-metre-high galvanised steel palisade fencing.

The non-compliances in relation to the above permit conditions were still ongoing at the time of the inspection, however as this was a follow up visit carried out within a short timeframe and the site was implementing measures to address the non-compliances, these have been listed as suspended scores. Actions remain in place to ensure the sites storage/drainage is compliant with the permit and also ensure the site is secure to prevent unauthorised access.

Thank you for your time during the 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"

There has been a delay in the issuing of this CAR form due to the on-going investigation into the pollution incident mentioned above.

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.

If your assessment result in Section 1 is suspended, what does this mean?

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 Waste compliance criteria (used in section 1 and 2):

1. Management

- W1A – General management
- W1B – Energy Efficiency (MCP/SG facilities only)
- W1C – Avoidance, recovery and disposal of wastes produced by the activities

2. Operations

- W2A – Permitted activities
- W2B – Waste recovery plan
- W2C – Operating techniques
- W2D – The site
- W2E – Waste acceptance
- W2F – Technical requirements
- W2G – Improvement programme
- W2H – Pre-operational conditions

3. Emission and Monitoring

- W3A – Emissions to water, air or land
- W3B – Emissions of substances not controlled by emission limits
- W3C – Odour
- W3D – Noise and vibration
- W3E – Monitoring
- W3F – Pests
- W3G – Fire

4. Information

- W4A – Records
- W4B – Reporting
- W4C – Notification

Enforcement response

Any non-compliance with a permit condition 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 twenty 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 to 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.