

## Compliance Assessment Report CAR\_NRW0045737

**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 28/11/2024 between 10:30 and 11:30.

Parts of permit assessed: 1.1.1, 2.2, 4.2

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

**Report sent to:** Pamela Roberts, TCM on 12/12/2024.

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

Part of permitted activity assessed (criteria)	Assessment result	Permit condition
W1A - Waste - Management - General management	C3 Minor	1.1.1
W2A - Waste - Operations - Permitted activities	Assessed (A)	
W4B - Waste - Information - Reporting	Assessed (A)	
W2E - Waste - Operations - Waste acceptance	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
W1A	Ensure all fuel storage on site is compliant with The Water Resources (Control of Pollution) (Oil Storage) (Wales) Regulations 2016 and in line with the site EMS	26/12/2024

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 unannounced site inspection carried out by Waste Regulation Officer Amy Henderson and Senior Waste Regulation Officer Steve White.

The weather at the time of the inspection was frosty and dry, but there had been heavy rainfall in the week prior to the inspection taking place.

On arrival at site, Officers were informed that the sites TCM, Pamela Roberts, would be arriving shortly. Officers carried out a walk around of the site prior to the TCM's arrival.

The main site comprises of hardstanding, with separate areas identified for soils, product, treated and untreated waste. At the time of the inspection the crusher was being repaired however this did not seem to have impacted quantities onsite and these were still within permitted limits.

Waste seen onsite at the time of the inspection was in line with codes/types listed under the permit. The site treats suitable waste to meet WRAP quality protocol. A sample of recent analysis results were provided to Officers following the visit.

There was some surface water on the site which had iced over with the cold weather. There had however been recent exceptionally heavy rainfall/snow melt and this did not appear to be causing any offsite issues.

A small gap in the fence was raised with the site operator. This was quickly rectified and repaired. This was confirmed via email shortly after the inspection.

An IBC containing fuel with a fuel pump attached was seen to be stored in an un-bunded area, as shown in the photograph below.



Under the Water Resources (Control of Pollution) (Oil Storage) (Wales) Regulations 2016, for any container above 200l capacity, a secondary containment system (e.g. bund or drip tray) must be provided to catch any oil leaking from the container or its related pipework and equipment. The secondary containment system for a tank, IBC or mobile bowser must be sufficient capacity to contain at least 110% of the maximum contents of the

oil container. Any valve, filter, sight gauge, vent pipe or other ancillary equipment must be kept within the bund when not in use.

The sites EMS states the following with regard to fuel storage: *2.5.1 Any fuel tanks which are stored on site will be surrounded by a bund capable of containing a minimum of 110% of the volume of fuel stored in the tank. All pipework and associated infrastructure will be enclosed within the bund. A lock will be fitted to the tank valve to prevent unauthorised operation. All valves and gauges on the bund will be constructed to prevent damage caused by frost. The tank will be clearly marked showing the product within and also its capacity.*

The importance of ensuring all fuel storage is fully bunded was discussed and it was agreed that the site would look to ensure this IBC was moved to a suitable location to ensure a bund was in place.

**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.** The above is therefore a breach of the Oil Storage Regulations as well as not being in line with the sites EMS and therefore condition 1.1.1 of the permit. At the time of the inspection the IBC was situated on an impermeable surface, which would have helped minimise the impact should a spillage occur. A category 3 non-compliance score has therefore been issued for the above permit breach for the potential to have a minor or minimal impact or effect on the environment, people and/or property.

**Action; Ensure all fuel storage on site complies with the sites EMS and the Water Resources (Control of Pollution) (Oil Storage) (Wales) Regulations 2016.**

The coding of soils was also discussed and it was confirmed by Officers that these remain as a waste and should be coded accordingly for onward transfer.

It was discussed that there may be some changes to the site in the coming months. The site stated they will keep NRW Officers informed with regards to any notifiable changes.

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

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](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.