

Compliance Assessment Report CAR_NRW0048575

Permit being assessed: CB3797CA.

For: New Horizon Biofuel and Animal Bedding Co Ltd, **held by:** New Horizon Biofuel and Animal Bedding Co Ltd

At: Units 9, 10 & 11, Vauxhall Industrial Estate, Ruabon, Wrexham, Wrexham, LL14 6HA.

Type of assessment: Site Inspection,

Reason: Routine.

On: 16/06/2025 between 10:50 and 12:15.

Parts of permit assessed: 1.1.1 Site infrastructure.

NRW Lead Officer: Ian Thomas2, accompanied by Paul Challender.

Report sent to: Phillip Thomas, Director, owner, on 26/06/2025.

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

Part of permitted activity assessed (compliance criteria)	Assessment result	Permit condition
W4C - Waste - Information - Notification	Action only (X)	
W2G - Waste - Operations - Improvement programme	C2 Significant	Table S1.3 IPC1
W2A - Waste - Operations - Permitted activities	C2 Significant	Table S1.2, Table S1.1
W3D - Waste - Emissions and monitoring - Noise and vibration	C3 Minor	Table S1.2 Operating Techniques
W2C - Waste - Operations - Operating techniques	Action only (X)	
W4B - Waste - Information - Reporting	C4 No impact	4.2.2

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

Total non-compliances recorded	Total non-compliance score
4	66.1

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
W4C	Provide a copy of your internal investigation into the deposit of mixed waste detailing the findings, including but not limited to: dates, times, cctv, names and addresses of employees involved.	30/06/2025
W2G	Comply with Regulation 36 Environmental Permitting (England and Wales) Regulations 2016 Notice. No further deposits of waste should take place on Unit 10, until a written report (as per (Table S1.3 Improvement programme requirements. IPC 1, Permit Reference: EPR/CB3797CA/V002) is approved in writing by Natural Resources Wales.	20/07/2025
W2A	Remove IBCs stored inside Unit 10 to suitable storage area. Stop using (WP ZX Separation Technology) machine and remove from Unit 9 until variation is approved in writing by NRW.	31/07/2025
W3D	Complete acoustic wall to the required standards set out in Table S1.2 Operating Techniques Document Environmental Noise Impact Assessment (P2385-REP02-REV B-BDH)	31/07/2025
W2C	Update site plan and submit to NRW for approval.	31/07/2025
W4B	Submit outstanding waste returns for Q1 2025	30/06/2025

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

On **Monday the 16th June 2025** Natural Resources Wales officers attended site.

This was a routine site inspection for **permit ref CB3797CA** which was carried out by Waste Regulation Officer Ian Thomas, accompanied by Lead Specialist Industry Regulation Officer Paul Challender.

On arrival at site, officers met with Steve Gaskin, site manager, Philip Thomas director, Mark Imrie, TCM and Chris Parry from Oaktree Environmental Ltd.

Unit 10

Although the visit was a pre-planned routine visit, in the interim, NRW had received reports on **12th June**

2025 from multiple sources with concerns regarding Unit 10 on site. Reports stated that the land in this area was being raised and that waste materials were being used to do this. Reporters mentioned that shredded plastic was being mixed with inert stone and rubble along with some organic materials, possibly “hops” or a similar substance. The odour from this was enough that the reporters had to close all windows and doors and the smell was sickening. A photograph was submitted along with one report showing a pile of shredded plastic which was mixed using machinery and spread throughout the area. Photo attached below. A further report of odour was received on the morning of **20th June 2025**.

On **Thursday 12th June 2025**, NRW officers Callum Brannan and Jenny Hoyle attended site in response to the reports. Officers took multiple photographs as well as a small sample. The reports looked to be justified, in that shredded plastic and small plastic items were found to be mixed with other materials and were prevalent over the whole area.



Photograph above shows shredded plastic and organic material mixed deep into the area.

Philip explained that the plan for the area was part of the improvement plan **Table S1.3, IPC1**. Some materials were transferred from within the site, along with materials from external sources, to be used to level up the land and cover with a hardstanding. The shredded plastic was apparently placed there by disgruntled employees. NRW's concern is that, reports received explained that the works commenced approx. w/c 19th May 2025, and the shredded plastic mixed in is a substantial amount. At no point were concerns raised by staff to NRW that the mixing of the materials with machinery and preparing the area, or by any management or TCM.

Permit section 4.3.1 Notifications requires that, “**Natural Resources Wales shall be notified without delay following the detection of: (C) any significant adverse environmental effects.** New Horizons did not notify Natural Resources Wales of the deposit in contravention with the permit. During the site visit on the 12th June 2025, officers were not told that the cause was a disgruntled employee and following correspondence on the same day from Chris Parry, Oaktree Environmental also did not give this reason as the cause. Multiple explanations given do not align and therefore it is unclear if the most recent explanation provided by Chris Parry, Oaktree (e-mail dated 18th June 2025) is a true reflection of the circumstances.

Evidence seen on site and based on that provided by multiple reporters, suggests that this was a deliberate

ongoing act to cover a large area of the site, had it of been a disgruntled employee New Horizons should have identified this sooner and notified NRW the regulator.

Action only: Please provide a copy of your internal investigation detailing the findings, including but not limited to; dates, times, CCTV, names and addresses of employees involved.

Table S1.3 Improvement programme requirements, IPC1, States that the external area of Unit 10 includes an area of permeable hardstanding ground which is a potential pathway to the environment. In regards to this hardstanding the operator must provide a written report that outlines a proposal to remove this potential pathway and suggests considerations for the report. This report was due within 3 months of issue from the permit. To this date a report has not been received by NRW. Following approval of the proposal outlined in the written report any physical changes to site infrastructure needed to be made on site within 9 months of issue of the permit. It is clear from the importation of waste and discussions with the operator that works have commenced on site without pre approval from NRW.

This improvement condition is in place to remove potential pathways to the environment, however the current works have increased potential pollution pathways to the environment. Contaminated soils mixed with plastic and organic matter deposited onto an impermeable surface increase the risk of leachate to groundwaters and surface waters. The permitted site is in the Dee Water Protection Zone, an area protected for drinking water. Therefore discharges to groundwater and surface water have the potential to impact drinking water abstractions.

This non-compliance has been scored a C2 Potential for significant environmental impact against W2G Improvement Programme.

No further deposits of waste should take place on Unit 10 until a written report (as per Table S1.3 Improvement programme requirements. IPC1, Permit reference: EPR/CB3797CA/V002) is approved by NRW.

It is understood, that New Horizons plan to rectify the situation however this incident raises multiple concerns regarding operator competency. Had NRW not raised the issue with New Horizons, would the proposal of undertaking hardstanding works continued over the top of the contaminated material?

To ensure this incident is managed with all environmental factors taken into account, a **Regulation 36 Environmental Permitting Regulations (England and Wales) 2016 Notice** has been issued to formalise actions for the removal of the contaminated materials.

The remaining yard area of Unit 10 is in good order, storage of waste HD and PP plastics are separated into skips and located along the boundary. Philip explained that the building on Unit 10 is planned to house a glass recycling unit, which will be applied for in due course. At present inside Unit 10 building, there are IBC containing waste materials awaiting collection.

The site plan ref VIE/2704/03, dated 10.07.24 is incorporated into the permit under table S1.2. Permit condition 2.3.1 (a) States '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.' Whilst on site it was identified that there had been several changes to operations which had not been agreed by NRW .

Permit condition 2.1.1 states The operator is only authorised to carry out the activities specified in schedule 1 table S1.1 (the "activities"). Table S1.1 states. Permitted activities in the external areas of Unit 10 are limited to waste acceptance and storage of hazardous waste. There are no permitted activities in the

internal areas of Unit 10.

This is a consolidated score of C3 A non-compliance which could have a minor environmental effect against W2A.

Please ensure no waste materials are stored internally at building at unit 10.

Unit 11

Unit 11 is the main part of the site, separated into waste wood area – used for biomass, clean wood and drying floor building – for pet bedding supplies. The weighbridge is situated on the left behind which is now a bunded area for storage of fuel and oils used for machinery on site.

The revised permit issued on 14/8/2024 makes no reference to fuel stored on site. There is reference in the EMS 2.7 and in the FPMP 2.2.

Action only - submit a revised sited plan to be agreed in writing by Natural Resources Wales.



Photograph above of Fuel storage area.

In the furthest corner of unit 11 is the building built to accommodate a tyre recycling unit. Philip explained that this will now be a mixed rigid plastic unit. The machinery for the operation is en-route and some mixed rigid plastic is being stored in readiness. This operation will require a variation and may not be used until this is authorised. NRW will need further information regarding this operation, as an acoustic wall is still to be completed at the rear of this section of the site. Further acoustic testing will be required to establish whether the acoustic wall will be adequate.



Photograph of acoustic wall not completed at rear of site.

Checks were made at the rear of the site, from Unit 9, to the top of Unit 11.

Environment Noise Impact assessment (P2385-REP02-REV B-BDH) was submitted to NRW as part of the permit variation. This assessment is included in **Table S1.2 Operating techniques**. The site infrastructure should be in line with the documents listed in that table.

Section 8.2.1 (c) of the **Environment Noise Impact Assessment** states:

"Acoustic screen: A 3 metre high imperforate acoustic screen is required to the east of Unit 11. The acoustic screen must be to be solid, imperforate (with absolutely no gaps). Sealed to the base and to provide a surface mass per unit area of at least 12.5 kg/m²."

The screen can be constructed from concrete I Lego blocks if preferred, providing that there are no gaps, or close boarded timber fencing. The location of the required acoustic fence as used to inform this assessment is shown in Figure 6.

Any future amendments to the actual location, layout or construction of the acoustic fence must be approved by Sol prior to any procurement and/or implementation.

The acoustic wall has not been fully completed. The section that has been completed is inadequate. There are gaps at the bottom of the fencing, and the same between some of the slats in the fencing. Where the fencing meets the concrete lego blocks there is a noticeable gap between the two, and the lego block is not the required 3m in height. The required acoustic screen should be completed in full as per the report Environment Noise Impact assessment (P2385-REP02-REV B-BDH).

This has been scored a C3 A non-compliance which could have a minor environmental effect against (W3D) Noise and vibration.

The main building on Unit 11 is partly used for storage of product awaiting dispatch, and one section is used

for manufacture of plastic pallets and plastic bricks.

Unit 9

The yard at unit 9 is mostly used for storage of waste to be processed. Philip explained that they used a machine, (WP ZX Separation Technology) to separate water from waste materials. The machine is on the external yard at unit 9.

EMS 2.1.2 The external areas of the site will be used for storing material prior to loading into the items of plant internally and product storage which will be in the 6 no. shipping containers to the north of the site near the site access.

Also, **Table S1.1 list of activities**. Permitted activities in the external areas of Unit 9 are limited to waste acceptance, storage and shredding.

This is a consolidated score - C2 Potential for Significant Environmental Impact against W2A Permitted Activities. The above mentioned non-permitted activities have not been assessed for risk and have potential to cause a significant environmental incident without the correct.

The use of this machine is not on the permit or EMS. Please supply further details about this activity, reports have been received that a high pitch whining noise is coming from the site and concerns are that this machine may be contributing to this.

Conclusions

The plans for the site seem to be developing at a high rate. Plans for Unit 10 have changed from the permit authorised, as well as the change of use from the tyre plant to a rigid plastic mix process. Operations should not change on site until permit variations have been agreed by Natural Resources Wales.

Returns

Checks prior to the visit showed that Waste returns for Q1 were still outstanding.

This has been scored a C4 A non-compliance which has no potential environmental effect against W4B Reporting.

Please submit the required waste returns, and going forward submit waste returns in a timely manner.

Thank you for your time during the inspection. Should you have any queries regarding this CAR form please contact.

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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

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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.

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.