

Compliance Assessment Report CAR_NRW0037007

Permit being assessed: TB3397TD.

For: Roadrunner Waste Ltd, held by G. T Roberts & Son Limited

At: Boot End, Bagillt, Flintshire, CH6 6HD.

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

On 02/10/2020 between 11:30 and 12:30.

Parts of permit assessed: 'Specified by permit', 'Storage, handling & segregation' & 'Reporting & notification'

NRW Lead Officer: Sarah Walton, accompanied by Steven White.

Report sent to: Ben Entwistle, Operations Manager on 20/10/2020.

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

Part of permitted activity assessed (criteria)	Assessment result	Permit condition
C3 - General Management - Materials acceptance	C3 Minor	1.1.1 (Table 1.1)
B4 - Infrastructure - Containment of stored materials	C3 Minor	2.1.2 (Table 2.1) All fixed tanks (with their associated inlet & outlet pipes) used for the storage of potentially polluting liquids shall be located within a bund and on an impermeable pavement, which shall be isolated from the site drainage system and shall be constructed in accordance with specifications approved by the agency or the existing tank validated by a contractual engineering report
G4 - Monitoring and Records, Maintenance and Reporting - Reporting and notification to Natural Resources Wales	C4 No impact	1.9.1 b) i) Notification of change of operator's or holder's details. 7.2.2 Reporting of wastes accepted and removed

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

Total number of non-compliances recorded	Total non-compliance score
3	8.1

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
C3	Ensure all Household, Commercial and Industrial waste is stored within the transfer building only.	06/11/2020
B4	The diesel tank on site should be bunded and on an impermeable pavement.	04/12/2020
G4	Notify Natural Resources Wales, in writing, of the change to the site's ownership and registered office address. Submit to Natural Resources Wales, the Waste Return form for Quarter 2 (April-June) of 2020.	06/11/2020

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

This was a pre-arranged visit with the new Operations Manager for the site, Ben Entwistle. The meeting was arranged a few days in advance to ensure Covid compliance and the safety of those involved with the inspection.

Senior Waste Regulation Officer, Steve White, and Waste Regulation Officer, Sarah Walton, met with Ben who accompanied us around the site for the entirety of the visit. The weather was overcast with a gentle breeze. The meeting began by having a discussion about issues the site was currently facing. The site had some machinery which had broken down meaning inert waste could not be separated from metal and there were also issues with off-takers, meaning there was a substantial waste build up.

Following this discussion, an inspection of the yard was carried out.

Materials Acceptance - Permit Condition 1.1.1 (Table 1.1)



Table 1.1 states Household, Commercial & Industrial Wastes to be stored in accordance with condition 2.1.2 and in a location shown on drawings 2.1.P and RW/02 (Inside transfer building only).

As can be seen from the photo above, the site had a substantial pile of general mixed waste in the middle of the site within and outside of the transfer building.

The site's Environmental Management System (Dated 2013), states in section 1.5.7, 'The maximum storage heights of waste will be less than 2.5m'. This is under the condition that waste is stored in appropriate 2 panel high bays. As the photo evidences, the waste pile is greatly exceeding this limit and not being kept in designated bays. The EMS is also out of date and is need of a review.

This has been scored as a C3 breach of the above permit condition because the amounts of waste stored outside the building could produce odour, vermin and would be a considerable fire risk with the minimal separation distances between the piles. This issue should be actioned as a matter of priority by 6th November 2020. Officers will then re-visit site around this time to check this has been completed; if the issues are still observed on site at this time we will have to consider our enforcement response.

Containment of stored materials - Permit Condition 2.1.2 (Table 2.1)

Table 2.1 requires all fixed tanks used for the storage of potentially polluting liquids to be located within a bund and on an impermeable pavement.



Officers identified a blue/green tank suspended above ground, adjacent to the Recycling Building. This was not contained with a suitable bund and associated pipes/lines were observed to be in a position where they could be damaged by passing machinery. This has the potential to cause a significant environmental incident and has subsequently been scored as a C3 breach against the above permit condition

Reporting and Notification to Natural Resources Wales - Permit condition 1.9.1 b)i)

Following a previous inspection by Steve White on 13/12/2019, a CAR form was issued to site on 23/12/2019. The site was scored for not notifying Natural Resources Wales of the change in site ownership.

Permit condition 1.9.1 b i and iii detail that NRW shall be notified within 5 working days of any change to the permit holders trading name/registered name or registered address, and any change in the operator or operators trading name /address / registered name or registered office address (if different from the permit holder).

NRW has still not received this notification in writing, as such this has been scored accordingly as a C4 breach against the above permit condition.

Reporting and Notification to Natural Resources Wales - Permit condition 7.2.2

A review of Waste Return submissions has also been completed.

Permit condition 7.2.2 of the permit stipulates 'A summary of all the information, including nil returns, shall be submitted to the Agency, in a format required by the Agency.

Summaries shall be for each quarter of the financial year and shall be submitted to the Agency within one month of the end of each quarter'.

Natural Resources Wales has not received Waste Return submissions for Quarter 2 (April - June) 2020. Please also be aware that Quarter 3 Waste Return form is due by Friday 30th October 2020. Forms should be submitted to waste.returns@cyfoethnaturiolcymru.gov.uk This has been scored as a C4 breach of the above permit condition.

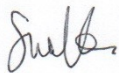
The two above permit breaches have been consolidated into a single C4 breach against

'Reporting & Notification to Natural Resources Wales'.

It is understandable that the current Covid circumstances and occasional problems with machinery and transport contracts that issues on site could arise. However, systems must be put in place to ensure that breaches such as the ones in this CAR form do not occur. If the waste transfer station has reached it's capacity, as per the relevant permit conditions, then no more waste should be accepted on site and it should be transported elsewhere for treatment/disposal. It is concerning that we have had to score a number of breaches of permit conditions and we will revisit the site soon after the November deadline to see if the issues have been resolved.

I would like to thank you for your time and cooperation during the inspection.

Kind Regards,



Sarah Walton
03000 654 791

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.