

Compliance Assessment Report CAR_NRW0037140

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: Other.

On 13/11/2020 between 10:35 and 11:05.

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

NRW Lead Officer: Sarah Walton.

Report sent to: Ben Entwistle, Operations Manager on 17/11/2020.

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	Action only (X)	

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
C3	Ensure all Household, Commercial and Industrial waste is stored within the transfer building only.	08/01/2021
B4	Ensure that the new diesel tank has secondary containment such as a bund.	16/12/2020

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 inspection with Operations Manager, Ben Entwistle. This meeting was arranged a few days in advance to ensure the visit would be Covid secure.

Waste Regulation Officer, Sarah Walton was met by Ben Entwistle, who accompanied the officer throughout. The weather was clear and sunny at the time of the inspection. This was a follow up visit to the inspection that took place on 2nd October. A number of non-compliances were identified and this visit was to establish whether the associated actions had been completed.

The meeting began with a brief conversation about actions the site has taken since the previous CAR form was issued. Ben mentioned that Natural Resources Wales has now been notified of the change to the site's ownership and registered office address and that all outstanding Waste Return forms have been submitted. Please note that when filling in the Waste Return forms, the current site permit reference is EPR/TB3397TD. The reference WML37214 is an old reference number which is no longer in use.

An inspection of the yard was then carried out.

Materials Acceptance - Permit Condition 1.1.1 (Table 1)





Table 1.1 of the site permit 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 the transfer building only).

Whilst the pictures above show that the pile of mixed waste has reduced since the last site inspection, a substantial amount of waste still remains outside of the transfer building.

Waste should not be stored outside of the transfer building at any time. If the waste transfer station has reached its capacity, then no further waste should be accepted., on site and the incoming waste should be diverted to an alternative, suitably permitted, site. This is a breach of the above permit condition and a **CCS C3** breach has been scored against the permit. There is an increased risk of potential for vermin, contaminated runoff, increased fire risk and health and safety concerns for staff with the additional obstacles for machinery. A Regulation 36 (EPR 2016) enforcement notice will be issued to site in due course to bring the site back into compliance with its permit; non-compliance with the notice is an offence and should this happen we would explore our enforcement options. The date for compliance with the notice will mirror the compliance date on this CAR form, that is by **8th January 2021**. A follow-up inspection will be carried out soon after the deadline passes.

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



The visit on 2nd October identified a tank which was not bunded. The site has now stopped using this tank and have replaced it with a new tank to store the red diesel (see above image). There must be secondary containment around the container to catch any oil that leaks. This should be done in accordance with Control of Pollution (Oil Storage)(Wales) Regulations 2016. If a bund is used, it must hold 110% of the capacity of the container. This has been recorded as an action only.

It was noted on the day of inspection, that there was a considerable amount of standing water on site which was particularly bad in the yard. This was discussed with Ben. He explained that the site was going to undertake a drainage survey to try and rectify this.

As mentioned in previously, it is accepted that Covid restrictions have created a number of challenges in relation to site operations and the movement of waste. However, the site has been allowed ample time to restore site activities and remove the waste that is outside of the transfer building. As the initial deadline of 6th November has not been met, a notice will be served to site in order to resolve this matter.

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

Kind Regards,

A handwritten signature in black ink, appearing to read 'Sarah Walton'.

Sarah Walton
Waste Regulation Officer
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.