

Compliance Assessment Report CAR_NRW0037935

Permit being assessed: TB3397TD.

For: GTR Aggregates and Recycling Limited, held by GTR Aggregates & Recycling Ltd
At: Waste Transfer Station, Dee Bank Industrial Estate, Boot End, Bagillt, Flintshire, CH6 6HJ.

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

On 30/04/2021 between 14:45 and 15:15.

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

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

Report sent to: Mr Ben Entwistle, Operations Manager on 10/05/2021.

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

Part of permitted activity assessed (criteria)	Assessment result	Permit condition
C4 - General Management - Storage, handling labelling and Segregation	C2 Significant	1.1.1 (Table 1.1)

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

Total number of non-compliances recorded	Total non-compliance score
1	31

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
C4	Ensure all Household, Commercial and Industrial waste is stored within the transfer building only	28/05/2021

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

On Friday 30th April, Waste Regulation Officers, Sarah Walton and Steven White conducted an unannounced inspection at GTR Aggregates Ltd. Site Manager Jamie

Roberts greeted officers following signing in and accompanied them throughout.

Prior to this visit, there had been ongoing issues with waste storage on site which is noted in previous CAR forms. Following the issue of a Regulation 36 Notice to site on 25th November 2020, officers were unable to visit in person to check compliance due to Covid 19 restrictions and relied on photographic evidence from the operator. This visit aimed to check how the site was managing waste storage following this intervention.

At the time of the visit, the weather was fine and dry. However, there was a slight breeze and a noticeable dust was being blown around the site. It is noted that the weather had been particularly dry prior to the visit.

It became clear upon entering the permitted area that there was excessive piles of untreated household waste outside the building and the treatment machinery for Household, Commercial and Industrial waste had been removed; this matter was discussed with Jamie. Jamie explained that the site is in the process of re-locating some site operations to another facility based in Lancaster called 'Think Pink' and new bays were in the process of being constructed. Officers were informed that the plan was to put skip waste into these bays within the transfer building. The waste would then be subject to some sorting with cardboard, plastic, metal and wood being picked out before the rest is taken to Lancaster for further treatment. A new baling system is also expected to be brought onto site for items removed from skip waste. This is a significant change to the working practices and business model of the site and you will need to significantly change the site EMS (which is due to be updated), officers and the NRW Permitting Team are considering the options for varying the site EPR permit to show this change. Any changes to the site EMS/Working Plan must be communicated to NRW as per Permit Condition 1.8.1 of the current site permit.

Materials Acceptance - Permit Condition 1.1.1 (Table 1.1)

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).





Household waste being stored outside the building (30/04/2021)



Plastic waste (30/04/2021)

As can be seen from the photos above, the site is storing a significant amount of Household, Commercial and Industrial waste outside of the transfer building which is a breach of permit condition 1.1.1. This is a recurring issue which has been picked up on previous site inspections.

Whilst it is understood the site is currently altering its operations and is in a transition period, the site should only accept waste that it is able and permitted to store and should not be stockpiling waste outside of the transfer building. Jamie explained that the site had continued to accept waste, despite the site being at capacity for Household, Commercial and Industrial waste. The site should cease accepting this waste until it is able to store it safely and correctly.

As mentioned in CAR form issued on 20th October 2020, the site's EMS (dated 2013), stipulates 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 photographs show, the waste is continuing to be stored in one large mound which greatly exceeds these limits.

Waste being stored in this manner could pose a significant fire risk having an equally significant impact on the environment through smoke and firefighting runoff, local residents and infrastructure (the adjacent main road would likely be closed). The third photo also shows waste being piled high at the site boundary which means there is risk of waste escaping and polluting the surrounding area. It is also highly likely waste being stored in this manner will attract pests.

The site is being scored a **CCS C2** for this breach against the permit due to the significant

risk the waste observed could have stored in its current state. Officers continue to have serious concerns about increased fire risk, contaminated run off and health and safety concerns for staff who must navigate around this waste pile.

Due to the ongoing non-compliance relating to waste storage, a further Environmental Permitting (England and Wales) Regulations 2016 Regulation 36 Notice is being considered to bring the site back to compliance. Alternatively, the site may be subject to a partial permit suspension relating to waste acceptance. This would mean no further waste could be brought onto site until permit condition 1.1.1 is complied with and the risk of pollution reduced (ie- waste stored in transfer building only in appropriate bays and of reasonable height).

An enforcement response is being considered and the outcome of this will be communicated to the operator as soon as this is determined.

As a matter of urgency, the site should remove all Household, Commercial and Industrial waste that is being stored outside of the transfer building. If there is no room for any more waste to be accepted on site then it must be taken to another suitably permitted site for treatment, it cannot be deposited at GTR if there is no room to accept it within the designated building.

It is disappointing and concerning that this issue keeps recurring. It is hoped that the operator now takes appropriate steps to address the issues highlighted in this report.

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.