Compliance Assessment Report CAR_NRW0038477

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 05/07/2021 between 12:00 and 12:40. Parts of permit assessed: 'Specified by permit' and 'Storage, handling & segregation' **NRW Lead Officer:** Sarah Walton, accompanied by Kathryn Bradshaw. **Report sent to**: Ben Entwistle, Operations Manager on 16/07/2021.

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)
C3 - General Management - Materials acceptance	Action only (X)	
B3 - Infrastructure - Site drainage engineering (clean and foul)	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	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 & Industrial Waste is stored within the transfer building only. Stop accepting waste when site is at capacity.	30/07/2021
C3	Submit to NRW, weighbridge records / other documentation to evidence current volumes of untreated inert waste being stored on site	30/07/2021
B3	Submit to NRW, a current and up to date site drainage plan for the site. Please include evidence of site interceptor inspections and maintenance records.	30/07/2021

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 Monday 5th July, Waste Regulation Officer, Sarah Walton and Hazardous Waste Regulation Officer, Kathryn Bradshaw, visited site to conduct a routine inspection. Officers met with Site Manager, Jamie Roberts, who accompanied officers throughout the inspection.
The purpose of the visit was to follow up actions from the previous CAR forms issued on 10th May and 1st June 2021.

Photos showing waste storage in Transfer Building

An action was placed on site to clear the middle bay of the transfer building, to act as a natural fire break. Unfortunately, the middle bay had not been cleared and the height of the waste remains somewhat above the 2.5m limit. This means the waste inside the transfer building remains as one large continuous pile of waste, posing a significant fire risk.

Photo showing waste storage in Recycling Building

An action was also placed on the site to reduce volumes of waste within the recycling building (if not emptying completely). Officers were pleased to see waste volumes in this building had reduced slightly. However, there is still one substantial pile of cardboard and plastic to the rear of the building. As per the working plan, this waste should be no more than 2.5m in height.

Condition 1.1.1 (Table 1): All Household, Commercial & Industrial Waste to be stored within the transfer building only. CCS Score: C2.

Photos showing Household, Commercial & Industrial waste & soil being stored outside of the transfer building

As can be seen from the photos above, Household, Commercial & Industrial waste, along with some soil material is being stored in the yard. As noted in previous CAR forms, this is a breach of permit conditions for waste storage. This type of waste should be stored in the transfer building only. This waste needs to be removed to suitably licensed facility as soon as possible as the site does not have capacity to store this at the moment. No further Household, Commercial & Industrial waste can be accepted on site until this is rectified.

This is a concerning, recurring issue that has potential to cause serious environmental harm and poses significant fire risk. The significance of this is shown by the repeat C2 CCS score for this permit breach. Due to the fact this issue is re-occurring, we will be considering our regulatory and enforcement options, including a partial suspension notice of the site permit, which we will communicate to you in due course.

Condition 1.1.1 : Table 1.1: Inert Waste - No more than 2,000 tonnes of untreated

inert waste shall be stored at any one time

Photos showing storage of inert materials

The above photos show a considerable amount of untreated inert waste being stored on site. The predominant waste is soil and stone. This untreated inert waste is stored well above the maximum height of 3.8m as noted in the Working Plan. This waste was evidently untreated due to contamination seen at the time of the visit and the wagon depositing waste soil at the time of our visit.
Table 1.1 states that no more than 2,000 tonnes of untreated inert waste shall be stored at one time. We believe that the site is storing volumes above this permitted amount. As an action, the site should submit to NRW weighbridge records and any other supporting evidence to show current volumes of untreated inert waste being stored on site. If it is found that the site is exceeding this total, the waste should be removed from site and taken to a suitably licensed facility that is authorised to accept it.
NRW Officers who attended site had concerns for the staff safety, who are operating around this material. It is evident from the pictures above that machinery is being driven up

onto this pile of soil which is unlikely to be stable. There was a thick layer of mud across the entire inert area, which was deep in parts. Again, this is a concern for staff operating here and evidences site drainage is not effective. NRW Officers have a duty to report any concerns for staff safety that they observe during an inspection to the Health & Safety Executive.
The roof of the storage building in the inert area can only just be seen in this picture. This evidences the substantial height of the inert material being stored. Due to volumes being stored, officers could not get around the material to inspect the rear of the site. Ensure that inert material is being stored in accordance with drawing RW/02.

Condition 2.1.2: The engineered site containment and drainage systems shall be designed, constructed, inspected, validated and maintained, and shall be fully documented and recorded, to be fit for purpose, and shall meet the standards specified in Table 2.1.

The site continues to have issues with site drainage, with standing water across the site, with it being particularly bad within the inert area.
We have been informed there are issues with access to the pumphouse which controls flow of water off site. Site drainage plans have been requested but no plans have yet been submitted to NRW.
As far as we are aware, the site drainage should connect to the site's interceptor which connects to the foul sewer. We have never previously been informed of a pump house.
As an action, please submit to NRW an up to date drainage plan for the site (which includes the pump house), and also documentation to evidence inspections and maintenance of the site's interceptor.

To conclude, we are disappointed and concerned that the site continues to breach permit conditions relating to storage of Household, Commercial and Industrial (HCI) waste. The non-compliant storage of waste, coupled with ineffective site drainage gives concern for potentially harmful runoff and where this may end up. The storage of HCI waste poses a significant fire risk due to the nature of the vast stockpile. If this were to ignite, the whole building would be affected and most likely cause disruption to the adjacent coastal road A548. Again, issues with the pump house and site drainage would cause problems with fire water runoff.

We are in the process of determining an appropriate enforcement response to the non-compliance noted above.

We hope to receive timely responses to the actions noted in this CAR form.

I would like to thank staff for their time and cooperation throughout the inspection.

Kind Regards,

Sarah Walton
Waste Regulation Officer NE
03000 654 791
sarah.l.walton@cyfoethnaturiolcymru.gov.uk

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.