

Compliance Assessment Report CAR_NRW0038860

Permit being assessed: TB3590HJ.

For: Parrys Quarry Waste Transfer & Reprocessing Centre, held by Mold Investments Limited

At: Alltami, Mold, Flintshire, CH7 6NY.

Type of assessment carried out: Site Inspection, Reason: Incident Response (Incident number 2108663).

On 21/10/2021 between 14:00 and 15:45.

Parts of permit assessed: 1.1, 1.5, 2.1

NRW Lead Officer: Paul Moore, accompanied by Elis Nuttall.

Report sent to: Carl Smith, Finance Manager on 29/10/2021.

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

Part of permitted activity assessed (criteria)	Assessment result	Permit condition
B1 - Infrastructure - Engineering for prevention and control of emissions	C2 Significant	1.1, 2.1. 1, 2.1.2
C4 - General Management - Storage, handling labelling and Segregation	C3 Minor	Table 1.1
G4 - Monitoring and Records, Maintenance and Reporting - Reporting and notification to Natural Resources Wales	C4 No impact	1.5, 6.2.2

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

Total number of non-compliances recorded	Total non-compliance score
3	35.1

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
B1	Site to cease operations on all impermeable areas until site drainage is compliant with conditions 1.1, 2.1.1 & 2.1.2 of the permit.	29/10/2021
C4	All waste must be stored/handled/treated in compliance with the permit. Any waste already accepted, which is not complaint under this condition is to be removed in compliance with the Waste Duty of Care. Submit Waste Transfer notes for day of 21/10/2021 as detailed in CAR form text	29/10/2021
G4	Confirmation to be provided in writing of the current Technically Competent Manager for the site within 5 working	12/11/2021

Criteria	Action needed	Complete by
	days of receipt of this email. Outstanding waste returns to be submitted by 12/11/2021.	

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 the 21st October 2021 Environment Officers Paul Moore and Elis Nuttall traced the source of silt pollution in the Alltami Brook to the Parrys Quarry Site. As part of the investigation a site visit to Parrys Quarry EPR/TB3590HJ was carried out.

At the time of the visit Environment Officers were met by Carl Smith and another site employee.

During the site visit it was identified that water was being pumped from the base of the quarry void to a pond for use during dampening down within the permitted area. The impermeable area was seen to be soaked with water and it was confirmed by the operators they had been dampening down to avoid dust leaving the site. The water was seen to be running off this impermeable surface to an area to the rear of the permitted area. This water was contaminated with silt/soil and also had an oily sheen in places. The sites permit states that impermeable areas must have a sealed drainage system leading to a sump. This is therefore a breach of permit conditions and is discussed further below.



Photo left; looking towards the permitted area where dampening down had been taken place. Right; location where water was seen to be running off impermeable area.



Photo of samples taken from the Alltami Brook of including the source, downstream and upstream samples.

Whilst on site Environment Officers also witnessed waste soils being brought on and tipped within the permitted site. These soils were then seen to be being moved and deposited within the quarry void, outside of the permitted area. The site is not permitted to carry out this activity. This has previously been detailed in a CAR form issued on the 29/03/2021, when Waste Regulation Officers witnessed this activity taking place during a previous site inspection. As the site has previously been informed, this is a breach of permit conditions and is detailed further below.



Photo taken of plant machinery moving the waste soil towards the quarry void, fresh soil can be seen within the quarry void.

Natural Resources Wales are also aware that the sites previous Technically Competent Manager has resigned from their position. It is a permit condition to inform NRW in writing of any changes to the TCM within 5 working days. No confirmation has been received with regard to this from Mold Investments Ltd. This is therefore a breach of permit conditions and is discussed in more detail below.

A check of waste returns has identified that no returns have been submitted for the site since Q1 of 2021. The sites permit requires waste returns to be submitted within one month of the end of each quarter. This has been listed as a breach of permit conditions and is discussed further below.

Condition 2.1 of the site permit; Engineering site containment and drainage systems;

Under the above permit condition it is stated that;

2.1.1 No waste shall be deposited, stored, treated or otherwise handled in any area of the site until the engineered site containment and drainage system for that area has been constructed and completed in accordance with this condition and condition 2.1.2.

2.1.2 The engineered site containment and drainage systems shall be designed, constructed, inspected, maintained and meet the standards specified in table 2.1 below.

Table 2.1

b) Impermeable pavement, bunding and sills; All areas of impermeable pavement, bunding and sills shall be constructed and maintained so as to prevent fluids running off the pavement and the transmission of fluids through the pavement or joints.

c) Sealed drainage system; Drainage to areas of impermeable pavement shall be provided by a sealed drainage system that is comprised of a drainage system with impermeable components which does not leak and will ensure that:

- No liquid will run off the pavement other than via the system; and
- except where they may be lawfully discharged, all liquids entering the system are collected in a sealed sump.

The sites Environment Management System also states;

4.1.1 Engineered Containment and Site Drainage

Waste management activities take place outside, including delivery, tipping, storage, processing, 'bulking up' and loading. The impermeable concrete surface within the site would be served by a sealed drainage system. Site surfacing would be subject to an inspection and maintenance program to ensure continued integrity of the surface within the building and in the yard area. There would therefore be no potential for contaminated liquids to escape from the site as the site operates a seal drainage system other than the surface water drain at the front of the facility which can be sealed in the case of emergencies.

Section 1.1.3 of the permit states that; The operator shall manage and operate the activities: (a) in accordance with a written management system that identifies and minimises risks of pollution, including those arising from operations, maintenance, accidents, incidents, non-conformances, closures and those drawn to the attention of the operator as a result of complaints. As the sites EMS has not been adhered to, this is a breach of the above condition.

As stated, Officers on site witnessed water running off the concrete area, not to a sealed drainage system. Due to non-compliance with the above conditions, silt contamination of the Alltami Brook was seen to be taking place. Discolouration from suspended solids was witnessed for over 800m downstream affecting both the Alltami brook and the downstream Wepre brook. Silt contamination has the potential to have a long term impact on both plant and animal life within the aquatic ecosystem. The negative impacts include a reduction in invertebrates and number and diversity of macrophytes. Silt pollution smothers fish spawning beds, limiting breeding grounds and killing fish eggs. It also leads to fish gill damage causing respiratory problems which can be fatal. High turbidity also affects the ability of plant life to photosynthesize, in turn resulting in a decrease in oxygen in the water. An oily sheen was also witnessed on areas of the water running offsite. This would further increase the negative impacts of the runoff.

The non compliances in relation to the sites drainage have been consolidated into one non

compliance score. Due to the above reasons this permit breach has been given an overall Category 2 non compliance score due to the risk of significant pollution.

Action: The site must stop operations on impermeable areas until the site engineering and containment is compliant with conditions 1.1, 2.1.1 & 2.1.2 of the permit. Confirmation of this action being completed must be sent to Natural Resources Wales prior to recommencing activities within these areas.

A Statutory Notice is being considered to ensure compliance with the above action.

Table 1.1 Specified waste management operations; Limits; Storage on area of hardstanding or impermeable pavement provided in accordance with condition

2.1.Waste soils being brought onto site were being tipped within the quarry void. This is not within the permitted area and does not meet the above condition. Schedule 1 of the permit relating to the specified land states;

This licence relates to the land at Parrys Quarry, Pinfold Lan, Alltami, Mold, Flintshire CH7 6LE (hereinafter called "the Site") shown edged in red on drawing reference R3- Jan 2006 and attached to this licence.

On the 29/03/2021 a CAR form was issued stating that any waste within the quarry void must be removed. This action was not met and further waste has now been deposited within the quarry void outside of the permitted area.

A further category 3 non compliance score has been given for this breach of permit conditions. Please note this score is subject to change following further investigation into the environmental risk of the material deposited.

Action: All waste must be stored/handled/treated in compliance with the permit. Any waste already accepted, which is not complaint under this condition is to be removed in compliance with the Waste Duty of Care.

Action: Copies of waste transfer notes to be provided to Natural Resources Wales for all waste accepted on the day of the inspection- 21/10/2021. Copies to be sent to Amy.Henderson@cyfoethnaturiolcymru.gov.uk by 12th November 2021.

1.5 Changes in Technically Competent persons

Condition 1.5 of the permit states; Any changes in the Technically Competent Management of the site and the name of any incoming person (together with evidence that such person has the required technical competence) shall be submitted to the agency in writing within 5 working days of the change in management. Technically competent management and technical competence shall be as defined under section 74 of the Environmental Protection Act 1990 and Regulations 4 and 5 of the 1994 Regulations.

As Natural Resources Wales have not received confirmation of the sites new TCM, this has been scored as a breach of this permit condition. A category 4 compliance score has therefore been given.

Condition 6.2.2; Summary records of waste accepted and removed: A check of waste returns has also identified that no waste returns have been submitted since Q1 of 2021.

Condition 6.2.2 of the permit requires waste returns to be submitted within one month of the end of each quarter. This is a further breach under reporting and notification to Natural Resources Wales. A further category 4 score has been issued. Both scores under reporting have been consolidated into a single Cat 4 non compliance score.

Action: Written confirmation of the sites current Technically Competent Manager to be sent to amy.henderson@cyfoethnaturiolcymru.gov.uk no later than 3rd November 2021.

Action: Outstanding waste returns to be submitted by 10th November 2021.

Officers from Natural Resources Wales will contact you in due course regarding further enforcement action as a result of the permit breaches detailed in this CAR form.

Regards

Amy Henderson

Swyddog Rheoleiddio Gwastraff / Waste Regulation Officer

Cyfoeth Naturiol Cymru / Natural Resources Wales

Swyddfa Bwcle / Buckley Office

"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."

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.