

Compliance Assessment Report

Report ID:
CAR_NRW0033600

This form will report compliance with your permit as determined by an NRW officer

Site	Standard Road Transfer Station	Permit Ref	YP3894FR		
Operator/Permit holder	Flintshire County Council				
Regime	Waste Operations				
Date of assessment	18/06/2018	Time in	16:10	Out	17:00
Assessment type	Site Inspection				
Parts of the permit assessed	See below				
Lead officer's name	Challender, Paul				
Accompanied by					
Recipient's name/position	Harvey Mitchell/ Waste Services Manager	Date issued	24/07/2018		

Section 1 – Compliance Assessment Summary

This is based on the requirements of the permit under the Environmental Permitting Regulations or the licence under the Water Resources Act 1991 as amended by the Water Act 2003. A detailed explanation is captured in "Compliance Assessment Report Detail" (Section 2) and any actions you may need to take are given in the "Action(s)" (section 4). This summary details where we believe any non-compliance with the permit has occurred, the relevant condition and how the non-compliance has been categorised using our Compliance Classification Scheme (CCS). CCS Scores can be consolidated or suspended where appropriate, to reflect the impact of some non-compliances more accurately. For more details of our CCS scheme, contact your local office.

Permit conditions and compliance summary	CCS Category	Condition(s) breached
A1 - Specified by permit	A	
B1 - Infrastructure - Engineering for prevention and control of emissions	A	
B4 - Infrastructure - Containment of stored materials	C3	Permit Condition 2.1.2 Table 2.1 Sections d) & f)
B5 - Infrastructure - Plant and equipment	A	
C1 - General Management - Staff competency/training	C3	Permit Condition 1.4.3
C4 - General Management - Storage, handling labelling and Segregation	C3	Permit Condition 4.6.1 Table 4.6 Sections b) & f)
D1 - Incident Management - Site security	A	
F1 - Amenity - Odour	A	
F2 - Amenity - Noise	A	
F3 - Amenity - Dust/fibres/particulates and litter	C3	Permit Condition 4.6.1 Table 4.6 Section h)
F4 - Amenity - Pests/birds and scavengers	A	
F5 - Amenity - Deposits on road	A	
G4 - Monitoring and Records, Maintenance and Reporting - Reporting and notification to Natural Resources Wales	A	

KEY: See Section 5 for breach categories, suspended scores will be indicated as such.

A = Assessed or assessed in part (no evidence of non-compliance), **X** = Action only,

O = Ongoing non-compliance, not scored.

Number of breaches recorded	4	Total compliance score (see section 5 for scoring scheme)	16
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If the Number of breaches recorded is greater than zero, please see Section 3 for our proposed enforcement response

Section 2 – Compliance Assessment Report Detail

This section contains a report of our findings and will usually include information on:

- The part(s) of the permit that were assessed (eg. Maintenance, training, combustion plant, etc)
- Where the type of assessment was 'Data Review' details of the report/results triggering the assessment
- Any non-compliances identified
- Any non-compliances with directly applicable legislation
- Details of any multiple non-compliances
- Information on the compliance score accrued inc.
- Details of advice given
- Any other areas of concern
- Any actions requested
- Any examples of good practice
- A reference to photos taken

This was a routine unannounced site inspection by Environment Officer (EO) Paul Challender of Natural Resources Wales (NRW). During the inspection the weather was mild, overcast and a light breeze. On arrival site operatives stated that there was not a charge hand available to assist and I was supplied with the phone number of Russell Broughton who was responsible for the site. Mr Broughton stated he would attend site from his current location at the council offices in Ewloe.

Whilst waiting for Mr Broughton's attendance I observed the movement of Flintshire Council Council's waste management fleet at the waste transfer station. During there ingress an egress there was a constant emission of litter from the site. The emission was however, mitigated against by the presence of a litter picker at the perimeter.



On Mr Broughton's arrival and entry onto the site it became apparent that the yard area contained a significant amount of windblown plastic waste from the external bay despite the wind conditions being relatively calm for the location. A breach has been recorded for the emanation of litter from the site; see below.



In the transfer building the clean down procedure was in process. The sorting and baling equipment was off line and all surrounding areas were tidy with minimal wastes stored in the internal bays.

In the external yard there are two food waste containers. At the time of the inspection the odour suppression system was not in operation however, there was no odour issue at the time. The food waste containers were uncovered at the time of the inspection despite no tipping operation taking place. This has generated a breach of the permit

conditions and is further discussed below.



In the external yard there were issues with battery storage. The pallet box designated for batteries was full and stored with its lid off. The overstock of batteries had then been stored in 2 wheelie bins (one without a lid) and an old, metal, lidless drum. This is a breach of permit conditions and is discussed below.



The roller shutter door to the waste transfer building is currently damaged and is not in place on the building leaving the contents of the building open to the elements. This is a breach of permit conditions and is discussed below.



The following breaches to the permit have been recorded:

(B4) Containment of stored materials - Permit Condition 2.1.2 Table 2.1 Section d). CCS Score 3.

Table 2.1 Section d) states that *"Where wastes are stored in a building: i) the building shall be designed, constructed and maintained to prevent ingress of rain or surface water."* At present the roller shutter door is off its runners due to damage and it is unknown when it will be repaired. The building has bays for the storage of waste which are currently utilised for storage prior to processing through the on site plant. Due to the lack of the roller shutter door this building and the waste contained within are open to being affected by the ingress of rain or surface water contrary to this permit condition. This roller shutter door will need repair - see action section for compliance date.

(C4) Storage, handling, labelling & segregation - Permit Condition 2.1.2 Table 2.1 Section f) & (C4) Storage, handling, labelling & segregation - Permit Condition 4.6.1 Table 4.6 Sections b) & f). Consolidated CCS Score 3.

It was witnessed on site that the supplied for purpose battery box was full to capacity and was being stored with its lid off allowing the ingress of water. Furthermore, batteries were being stored in two wheelie bins and an old metal drum. Although it is appreciated that an attempt was made to store batteries in other containers there are issues with this. Both wheelie bins containing batteries were store with no lid secured; in fact one of the bins did not have a serviceable lid. The wheelie bin without the lid had a substantial crack down its side allowing any captured water which will have become contaminated by corroding batteries would have been able to escape without having to over top the bin. An old, lidless, metal drum is not in any circumstances a suitable container for the storage of batteries; it will allow for water ingress and egress and may allow for short circuits and combustion. Some batteries had escaped from these receptacles and could be seen on the floor. To compound the storage issues all battery containers and escaped batteries were stored in an area that although concreted does not form part of the area of sealed drainage and as such and contaminated waters could escape site and potentially enter surface water drains.

Discussions on site with Danielle Richards and Ruth Cartwright on 26/07/17 regarding the receipt of food waste on site indicated that two sealed containers would be installed on site with an odour suppression system which would be utilised when necessary. The stated procedure was that the secure cover would only be removed during a tip and that it would be re-secured on completion of the tip; with odour suppression if required. It was also stated that this procedure along with an odour monitoring procedure in the form of periodic perimeter sniff test would be written up and inserted into an updated Working Plan/EMS. The intention to submit a revised and updated Working Plan was stated again in an email from Ruth Cartwright on 11/08/17. Mr Gray on the inspection on 23/01/18 was able to clearly explain the tipping procedure and odour management for the food waste containers. During today's inspection, Mr Broughton stated that he did know that the containers should be covered and thus secure when a tip was not taking place and that they left the covers off until the close of operations. In addition, NRW has not received the updated Working Plan implementing a management procedure for the receipt of food waste. Unsecured food waste can lead to issues with odour and scavengers feeding upon the waste.

(F3) Dusts/fibres/particulates and litter - Permit Condition 4.6.1 Table 4.6 Section h) & (F3) Dusts/fibres/particulates and litter - Permit Condition 5.5.1. Consolidated CCS Score 3.

The yard area contained a significant amount of windblown plastic waste from the external bay despite the wind conditions being relatively calm for the location. Litter within the site has been highlighted in earlier CAR forms in addition to the emanation from the site. Plastic waste had escaped from the site on the regulating officers arrival and it is noted that site operatives were conducting litter picking externally to recover this material. Previously Mr Paul Gray (who was not present on site during this inspection) raised the possibility of utilising netting directly around this bay to mitigate against the loss of wastes due to wind. Procedures or other physical measures should be implemented at the external plastics bay to reduce the potential for escape of wastes from this bay which frequently escapes the perimeter fencing and netting.

(C1) Staff competency/training - Permit Condition 1.4.3. CCS Score 3. CCS Score 3.

It was evident during the inspection that there had been a noticeable decrease in compliance with permit conditions. It is believed that the root cause for this drop in performance this is due to recent changes in the supervisory staff at the waste transfer station. The previous person responsible for the site has left their role, site staff stated that they did not have a charge hand and Mr Broughton has stepped up to take responsibility for the site on top of his existing role. Unfortunately, Mr Broughton is not up to speed with the conditions of the waste management licence and has no industry recognised qualification in waste management for waste transfer stations, although TCM cover is currently supplied by a third party. The operator will need to ensure that a supervisor who is fully conversant with the permit conditions and how to rectify deviations from them is in direct supervision of site operatives.

Thank you for your time during this inspection.

Paul Challender - Environment Officer

EPR Compliance Assessment Report

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Operator/Permit holder	Flintshire County Council	Date	18/06/2018

Section 3 – Enforcement Response

You must take immediate action to rectify any non-compliance and prevent repetition. Non-compliance with your permit conditions constitutes an offence and can result in criminal prosecutions and/or suspension or revocation of a permit. Please read the detailed assessment in Section 2 and the steps you need to take in Section 4 below.

Section 4 – Action(s)

This section summarises the actions identified during the assessment along with the timescales for when they will need to be completed.

Criteria Ref.	CCS Category	Action required/advised	Due Date
See Section 1 above			
F3	C3	Implement physical or procedural mitigation to prevent emission.	21/09/2018
C4	C3	Amend Working Plan with the previously discussed procedure described by Flintshire County Council and ensure all staff follow it.	31/08/2018
C1	C3	Supervisor in charge of site gain knowledge of and implement and rectify deviations from licence conditions.	24/08/2018
B4	C3	Remove excess batteries from the site. Store all batteries in weather proof containers and within the area with impermeable surface and sealed drainage. Repair roller shutter door or secure building from the ingress of water by other means.	21/09/2018

Section 5 – Compliance notes for the Operator

To ensure you correct actual or potential non-compliance we may

- Advise on corrective actions verbally or in writing
- Require you to take specific actions verbally or in writing
- Issue a notice
- Require you to review your procedures or management system
- Change some of the conditions of your permit
- Decide to undertake a full review of your permit

Any breach of a permit condition is an offence and we may take legal action against you

- We will normally provide advice and guidance to assist you to come back into compliance either after an offence is committed or where we consider that an offence is likely to be committed. This is without prejudice to any other enforcement response that we consider may be required.
- Enforcement action can include the issue of a formal caution, prosecution, the service of a notice and/or suspension or revocation of the permit.

See our Enforcement and Civil Sanctions guidance for further information

This report does not relieve the site operator of the responsibility to

- Ensure you comply with the conditions of the permit at all times and prevent pollution of the environment
- Ensure you comply with other legislative provisions which may apply

Non-compliance scores and categories

CCS category	Description	Score
C1	A non-compliance that could have a major environmental effect	60
C2	A non-compliance which could have a significant environmental effect	31
C3	A non-compliance which could have a minor environmental effect	4
C4	A non-compliance which has no potential environmental effect	0.1

Operational Risk Appraisal (Opra) - Compliance assessment findings may affect your Opra score and/or your charges. This score influences the resource we use to assess permit compliance.

Section 6 – General information

Data protection notice

The information on this form will be processed by the Natural Resources Wales (NRW) to fulfil its regulatory and monitoring functions and to maintain the relevant public register(s). The NRW may also use and/or disclose it in connection with:

- Offering/providing you with its literature/services relating to environmental matters
- Consulting with the public, public bodies and other organisations (eg. 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 its service
- Freedom of Information Act/Environmental Regulations request

The NRW may pass it on to its agents/representatives to do these things on its behalf. You should ensure that any persons named on this form are informed of the contents of this data protection notice.

Disclosure of information

The NRW will provide a copy of this report to the public register(s). However, if you consider that any information contained in this report should not be released to the public register(s) on the grounds of commercial confidentiality, you must write to your local area office within fifteen working days of receipt of this form indicating which information it concerns and why it should not be released, giving your reasons in full.

Customer charter

What can I do if I disagree with this compliance assessment report?

If you are unable to resolve the issue with your site officer, you should firstly discuss the matter with officer's line managers using the informal appeals procedure. If you wish to raise your dispute further through our official Complaints and Commendations procedure, phone our general enquiry number 0300 065 3000 (Mon to Fri 08.00 – 18.00) and ask for the Customer Contact team or send an email to enquiries@naturalresourceswales.gov.uk. If you are still dissatisfied you can make a complaint to the Public Services Ombudsman for Wales. For advice on how to complain to the Ombudsman phone their helpline on 0845 607 0987.

Welsh Language

If you would like this form in Welsh please contact your Regulatory Officer.