

Compliance Assessment Report

Report ID:
CAR_NRW0026304

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

Site	Ewloe Waste Transfer Station	Permit Ref	BP3797SZ			
Operator/Permit holder	Thorncliffe Building Supplies Ltd					
Regime	Waste Operations					
Date of assessment	17/08/2016	Time in	14:00	Out	15:00	
Assessment type	Site Inspection					
Parts of the permit assessed	Permitted Area					
Lead officer's name	Sowerby, Andrew R.					
Accompanied by	Matthew Ellis					
Recipient's name/position	Tim Harper/ Dan Harper/ Director/ TCM	Date issued	25/08/2016			

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 - Infrastructure - Specified by permit	A	
B1 - Infrastructure - Engineering for prevention and control of emissions	A	
B3 - Infrastructure - Site drainage engineering (clean and foul)	A	
B4 - Infrastructure - Containment of stored materials	A	
C3 - Infrastructure - Materials acceptance	A	
C4 - Infrastructure - Storage, handling labelling and Segregation	C3	2.1.1
D1 - Infrastructure - Site security	A	
F1 - Infrastructure - Odour	A	
F2 - Infrastructure - Noise	A	
F3 - Infrastructure - Dust/fibres/particulates and litter	A	
F4 - Infrastructure - Pests/birds and scavengers	C3	3.4.1
F5 - Infrastructure - Deposits on road	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	2	Total compliance score (see section 5 for scoring scheme)	8
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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

My main objective for the site visit was to accompany Flintshire County Council officers, Martha Savage (Senior Planning Officer) and Amanda Davies (Conservation Officer) during their visit and provide any advice with regards to the proposed planning application and how it might relate to the activities being carried out on site under the environmental permit.

I was also accompanied to site by Matt Ellis of NRW, Senior Species Conservation Officer, who was there to look at the impact of the site on the neighbouring SAC.

We met Tim Harper, director of Thorncliffes Building Supplies Ltd, and he accompanied us around the site to explain the latest developments.

Whilst on site I also undertook a site inspection.

During the course of the visit I observed a couple of concerns which I have highlighted below.

Breaches

C4 – General Management – Storage, handling, labelling, segregation – Cat 3 – Permit Condition 2.1.1 (Table S1.1)

Table S1.1 of your permit states that “all other waste must be treated within a building”. The only wastes that can be treated outside a building are wood and green waste or inert wastes.

In addition to this, Table S1.1 in part A1 also states that “The following wastes may be stored either outside or within a building: clean segregated recyclables (consisting of glass, baled paper, plastics, plasterboard), asbestos, WEEE, tyres, wood and green waste. All other waste must be stored within a building.”

During the site inspection it was observed that

1. A new waste treatment plant had been installed on the concrete in front of the new waste transfer building (see photo 1 below). This machine is being used to sort C& D waste received on site. This treatment of mixed C & D waste is not allowed under your permit and is regarded as a breach.
2. A bay outside the transfer building (see photo 2 below) was being used to store mixed C & D wastes. Only segregated recyclables should be stored outside. Any mixed wastes must be stored within the building.
3. There was significant quantities of the household waste outside the old waste transfer building (see photo 3 below). These waste should be kept within the building. Whilst it is understood that the reasons for the new proposed building is to ensure that this happens, in the meantime all efforts should be made to keep the mixed household waste within the old transfer building.

It was explained on site that, as well as the mixed household waste, the new waste treatment plant can be moved into the new proposed building that it is hoped Thorncliffes will receive planning permission for. This will be acceptable once the building has been built, however, in the meantime you will need to either stop using the new waste treatment plant or think of an alternative solution that would ensure you are complying with the permit. Please inform me by the 9th September 2016 what you intend to do.

A Category 3 breach has been applied for these non-compliances with the permit.



Photo 1 – New waste treatment plant located near the new waste transfer building



Photo 2 – Bay outside the new transfer building where mixed waste was being stored prior to treatment.



Photo 3 – Mixed household waste outside the waste transfer building

F4 - Amenity – Pests, birds & scavengers – Cat 3 – Permit Condition 3.4.1

Permit condition 3.4.1 states that “The activities shall not give rise to the presence of pests which are likely to cause pollution, hazard or annoyance outside the boundary of the site.”

During the visit seagulls were again observed to be circling the site and staff did not take action until prompted to by the company director. When they did attempt to set off the bird scaring cannon they were unable to get it to work. As a result I was unable to confirm if the sound cannon would have been effective. Using alternative methods such as bringing in a bird of prey was discussed and if seagulls continue to be a problem then exploring other options will need to be considered.

As a result of the high numbers of seagulls circling the site a CCS score of 3 has been applied. You must ensure staff on site remain aware of the birds at all time and are able to take appropriate action when needed to deter/prevent these pests.



Photo 4 – Seagulls above the site

Other

During the site visit the proposed new building was discussed. It was strongly advised by both the Flintshire County Council Planning Officer and ourselves that completely enclosing the new building should be considered. This would, in my opinion, further help with deterring the seagulls and would also ensure that any dust and/or odour issues are enclosed within the building. It was indicated that taking this approach would be seriously considered.

Odour

Whilst driving to the site a mixed waste odour was noticed on Pinfold Lane at the nearby Alltami traffic lights. The same odour was not observed to be present during the site visit, although we were inspecting the site upwind of the household waste area. Please ensure that waste activities on site are not producing an odour that can be detected offsite. It is accepted that this odour may not be coming from Thorncliffes as there are a number of other activities in the area that could be the source of this odour, i.e. other permitted sites, council bin wagons etc, however I thought it best to highlight the problem so that you can ensure the necessary actions are being taken onsite to manage odour.

As we were leaving the site a sewage odour was detected outside the site behind the new transfer building. A nearby manhole was checked and no odour was coming from this. The sewage odour may not be coming from Thorncliffes but it could be worth investigating if this odour is ongoing. We were also able to detect a slight waste odour at the same location. Please ensure that the deodorising sprays are in use when processing waste in the building to help reduce any odour. If the waste odour becomes stronger then further action may need to be taken.

Overall the visit to site was very useful in helping me grasp the scale of the proposed developments on site. The site itself was very busy at the time of the inspection with skip wagons queuing up to offload at one point. Due to the breaches above I believe that a better understanding of what is allowed under the permit is needed. Before installing any new treatment plant on site you need to ensure you are aware of any restrictions within the environmental permit. If you are unsure then please contact us for further guidance.

If you have any questions regarding any of the comments above please contact me.

EPR Compliance Assessment Report

**Report ID:
CAR_NRW0026304**

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Site	Ewloe Waste Transfer Station	Permit Ref	BP3797SZ
Operator/Permit holder	Thornccliffe Building Supplies Ltd	Date	17/08/2016

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.

In respect of the above non-compliance you have been issued with a warning. At present we do not intend to take further enforcement action. This does not preclude us from taking additional enforcement action if further relevant information comes to light or offences continue.

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			
C4	C3	Try to ensure that all mixed waste is stored within a building. Treatment of waste must not take place outside a building. Please inform us of your intentions regarding this and take action.	09/09/2016
F4	C3	Staff need to stay vigilant and be able to take action to deter any seagulls. If the current bird scaring system is not working then an alternative method may need to be considered.	09/09/2016

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.