

Compliance Assessment Report

Report ID:
CAR_NRW0031866

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

Site	ASH Wrexham Recycling Centre	Permit Ref	WP3094FB		
Operator/Permit holder	Alan's Skip Hire (Wales) Ltd				
Regime	Waste Operations				
Date of assessment	10/07/2017	Time in	09:50	Out	10:40
Assessment type	Site Inspection				
Parts of the permit assessed	Permitted Area				
Lead officer's name	Sowerby, Andrew R.				
Accompanied by	White, Steven				
Recipient's name/position	Neil Hassall and Steve Rymill/ Site Owner/ Compliance Manager	Date issued	26/10/2017		

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	C3	2.1.1 and 2.2.1
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	
C2 - General Management - Management system and operating procedures	A	
C3 - General Management - Materials acceptance	A	
C4 - General Management - Storage, handling labelling and Segregation	A	
D1 - Incident Management - Site security	A	
F1 - Amenity - Odour	A	
F2 - Amenity - Noise	A	
F3 - Amenity - Dust/fibres/particulates and litter	A	
F4 - Amenity - Pests/birds and scavengers	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	1	Total compliance score (see section 5 for scoring scheme)	4
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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

On the 8th July 2017 we were informed of a fire at the Alans Skip Hire site on Wrexham Industrial Estate. This site inspection was undertaken as a result of this fire. It was also an opportunity to do a compliance inspection.

I was accompanied on the inspection by Environment Officer Steven White. The compliance manager Steve Rymill and site manager Matt Kirk showed us around site. During parts of the inspection we were also accompanied by site manager Keith Morris and the health and safety manager Bernie Carr.

Since the last inspection at the site there have been a large number of changes. This includes completion of the building at the far end of the site, along with the installation of the boilers, drying bed and related infrastructure. The site has been fully concreted all the way down to this building, apart from a small L-shaped patch that needs to be done and the drying skips and related pipework are now in place. The drainage control measures by the site entrance have also been completed. The operator has indicated that there is still more work that needs to be done on site, including fencing along the boundary of the site next to the Redwither Brook, relocation of clean wood stockpiles, recladding of the waste transfer building and further concreting work behind the wood piles with the intention of moving the wood bays back towards the sites perimeter fence and therefore further away from the sites current sensitive receptors.

The fire on site was discussed. It was explained that the fire had started in one of the drying skips (see Photo 1). The fire had then spread to three other adjacent drying skips (see Photo 2). It was thought that the fire spread as a result of the tarpaulin on top of the skips melting due to the heat. All these skips had contained mixed waste that had been dried. We were informed that the waste had been in these skips for 2 days maximum. The actual cause of the fire was not known at that time but we were informed that it was suspected to be self combustion of the dried waste.

The fire service responded to this incident at the time it occurred and during efforts to extinguish the fire quantities of runoff were produced. The operator was able to retain the contaminated firewater runoff by closing the penstock on site. This had resulted in the runoff being stored within the sites drainage system and not impacting upon the nearby Redwither Brook. The operator has informed NRW that Enviroclear emptied the interceptor later on in the day (10th July 2017). It is encouraging to see that this method of retaining contaminated firewater was successful.

As part of a new permit variation application to include the heat treatment of waste, a new fire prevention plan should have been completed. Following the fire you may want to reassess the plan to ensure the risk of any similar fires is reduced. This may result in some changes on site in the way the waste is stored and handled.



Photo 1



Photo 2

Breaches

A1 - Permitted activities - Specified by permit - Condition 2.2.1 - Cat 4

Permit Condition 2.2.1 states that "The activities shall not extend beyond the site, being the land shown edged in green on the site plan at schedule 7 to this permit."

During the site inspection waste was observed being stored outside the permitted area. The waste was observed to be stored in

the drying bed within the new building on site (see photos 3 and 4 below). This building is known to be outside the current permitted area. An application has been submitted to extend the permitted area to include this area but until that variation has been granted waste cannot be stored beyond the current boundary. As the waste is being stored in an area with appropriate infrastructure for that purpose a CCS category 4 breach has been applied on this occasion.

Until the permit boundary has been extended as part of the variation application all waste accepted at site must be stored within the permitted area. Any waste outside the permitted area must be moved to a more appropriate location by the 28th July 2017.

Permit Condition 2.1.1 states that "The operator is only authorised to carry out the activities specified in schedule 1 table S1.1(the "activities")."

During the site inspection we were informed that as the biomass boiler was now operational there have been attempts made at drying mixed waste on both the drying bed and within the drying skips (photo 3 and 5). This waste activity, i.e. heat treatment of waste, is not included within your current permit. Whilst an application has been made to vary your permit and include this treatment process it has not yet been determined and as a result the activity should not be taking place yet. It was stated that this treatment of waste was being done as a trial. More details on what a trial is defined as are included below. As the activity was not permitted and no full assessment of the risks associated with the activity were submitted a Cat 3 CCS breach has been applied.

All heat treatment of waste must cease immediately until the permit variation has been issued.

When more than 1 breach is observed under a single criteria (i.e. A1) only the highest breach is recorded against the site. In this case the CCS Cat 3 score.



Photo 3



Photo 4



Photo 5

More wood waste than usual was observed on site. We were informed that this was because Kronospan had stopped accepting wood waste for a short period. This had resulted in some stockpiling of wood on site. Wood was now starting to move off site again.

The "clean" wood waste that you intend to use in the boilers was shown to me. The bay in which the shredded "clean" wood waste is stored is adjacent to the area used for heat treating waste in skips. Due to the recent fire you may want to re-assess how this wood waste is being stored although you did say that in the long term the intention is to store this "clean" wood waste on the opposite side of the yard once the fences are erected.

We also observed two piles of unshredded wood. One pile was the "clean" wood waste and the other was the more contaminated wood waste. We were slightly concerned with how close these two piles were to each other as there is a risk of contamination from one to the other. A clear distance between the two piles should be considered. If all the "clean" wood waste is being moved to the opposite side of the yard then this issue should hopefully be resolved.

In the future due to how wood waste will be used on site the quality and storage of it will be closely monitored. It is therefore very important that the ways in which wood waste is stored and handled on site is detailed within the sites environment management system.

Waste Trial Submissions

In order to undertake a waste trial a full submission should have been made to NRW prior to anything happening. This

submission would include details such as an outline including scope and duration, an amended EMS and risk assessment. The submission would then be assessed before approval given for it to go ahead. In order for the activity to be defined as a trial it must meet a range of criteria which include

- the aim must be to recover waste
- must meet the relevant objectives of the Waste Framework Directive
- must be disproportionate for the operator to obtain or vary a permit for the operation
- designed to produce clear outcomes including an understanding of the benefits and any risks of potential harm that might result from the process
- must be a scientific need to demonstrate that the proposed process works which cannot be met using information that can reasonably be sourced elsewhere. It must be innovative within the sector, meaning that the procedure or process must be unique and not just in the UK.
- types and quantities of waste must be clearly specified.
- must have a start and end date and will not normally continue for more than 6 months

There are other criteria that must be met before a waste trial can be agreed and these can be provided if required. However, from our initial observations on site I do not believe that the heat treatment of the waste would be considered as a waste trial as it would not be considered to be innovative and you have already applied to vary your permit to include this activity.

All unpermitted waste activities on site must cease by the dates above until your permit variation has been assessed and issued.

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

EPR Compliance Assessment Report

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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.

We will now consider what enforcement action is appropriate and notify you, referencing this form.

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			
A1	C3	(2.1.1) No further heat treatment of waste must be done until the permit has been varied. (2.2.1) Ensure all waste is stored within the permitted area.	28/07/2017

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.