

Compliance Assessment Report CAR_NRW0039511

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: Other.

On 02/03/2022 between 09:30 and 11:30.

Parts of permit assessed: 'Storage, Handling & Segregation', 'Site Drainage' and 'Management System & operating procedures'

NRW Lead Officer: Sarah Walton, accompanied by Steven White.

Report sent to: Martin Womack, Technically Competent Manager on 15/03/2022.

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	C3 Minor	Condition 1.1 Specified waste management activities Table 1.1 Household, Commercial & Industrial Wastes to be stored in accordance with condition 2.1.2 and in a location shown on drawings 2.1.P and RW/02 (Inside transfer building only)
B3 - Infrastructure - Site drainage engineering (clean and foul)	Ongoing (O)	Condition 2.1.2 'Engineered site containment and drainage systems'
C2 - General Management - Management system and operating procedures	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	4

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 (H,C&I) wastes are stored within the transfer building only.	18/03/2022
B3	Conduct repairs to the drainage system as recommended in CCTV drainage survey(report dated 26.10.2021). Send evidence to NRW that these repairs/maintenance are being actioned, by date stipulated. Work with the landlord of the pumphouse to fix the faulty pump to ensure full flow can be restored to GTR's site drainage.	08/04/2022
C2	Submit to NRW, a revised and updated EMS for the site.	08/04/2022

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.

At this time, we do not intend to take any further action.

This statement does not stop us from taking additional enforcement action if further relevant information comes to light or offences continue.

4. Details of our assessment

A pre-arranged site meeting took place on Wednesday 2nd March 2022. This meeting was held at the request of GTR, following a number of recent compliance issues.

In attendance was Sarah Walton (Waste Regulation Officer), Steven White (Senior Waste Regulation Officer), Oliver Kirkbride (GTR Company Director), Martin Womack (Technically Competent Manager for GTR) and Neil Upton (North Wales Fire & Rescue Service).

A number of matters were discussed which can be seen below along with recommended / outstanding actions. Following the meeting, a short site inspection took place.

Site Drainage

As noted in previous correspondence, GTR had a drainage survey completed on 26/20/21 by PDS Drain Solutions. This report identified a number of issues on site.

It is understood that the pumphouse (which is located outside the permit boundary), is faulty and currently not in working order. The drainage report noted that the system was heavily silted up and the system was not flowing. A Jet/Vac unit was used to remove the silt and debris.

The report noted that defects should be repaired to restore full flow to the system. These

defects are noted below:

GY3: partial collapse

GY5X: Multiple fractures identified and pipe broken in parts.

GY8X: Hole in the drain

GY9: suspected damage due to hose becoming stuck on the survey.

Pump Chamber located off site boundary: Not in working order. GTR to liaise with landlord to ensure this pump is fixed to allow full flow to be restored. GTR must ensure the rest of the drains and interceptors are in full working order to ensure that effluent from site does not damage the pump house.

Whilst a drainage plan has been drafted, this shows little progress since the CCTV drainage survey. GTR have not made any repairs to the drainage system, nor provided any evidence to show that the system is being regularly serviced and maintained. With the pumphouse not working, interceptors should be regularly inspected and emptied.

It is disappointing given that three EPR2016 Regulation 36 Notices have been served to date regarding this matter and no improvements have yet been made to the site drains. Whilst it is appreciated that the pump house needs maintenance to ensure the full drainage system can work correctly, no repairs have yet been made to the faulty drains as identified in the drainage survey. GTR should focus efforts on rectifying these faults within direct control, whilst working with the landlord of the pumphouse to fix issues located off the permitted site.

As an action, by Friday 8th April 2022, submit to NRW evidence to show how drainage repairs are being actioned. If insufficient progress is made, then a Regulation 37 Notice to suspend the permit will be considered.

Inert wastes

The EPR Regulation 36 Notice issued on 21/01/2022, required GTR to reduce the volume of untreated inert wastes on site to below 2,000 tonnes.



Photographs showing inert waste storage on site

The photographs above shows inert waste storage at GTR. Whilst it was good to see the volumes of inert waste had been brought down, NRW officers estimate that the site was still exceeding the 2,000 tonne limit for storage of untreated inert wastes.

It was requested at the time of the meeting, that GTR submit to NRW, evidence to show current volumes of untreated inert wastes on site. As noted in the site EMS, this information

should be readily available on site to ensure limits are not breached.

As an action, please submit to NRW, evidence showing volumes of untreated inert wastes currently being stored on site.

Household, Commercial & Industrial (H,C & I) Wastes

GTR has recently experienced two fires on site within a short period of time. These fires took place on 31st December 2021 and 12th January 2022. Both of these fires occurred within the transfer building which holds HC&I wastes.

The cause of these fires has been subject of an investigation by North Wales Fire & Rescue Service. Neil Upton mentioned in the site meeting, that from observing CCTV footage, the cause of the fires was likely to be from Lithium-Ion Batteries. Some discussion ensued about the challenges facing GTR when it comes to identifying batteries within skip waste. As batteries could be very small in size, GTR noted it was not always feasible to identify them when skips are unloaded. The site operative could easily miss this when conducting the pre-acceptance checks.

It was agreed that GTR would work with their suppliers to raise awareness about the issues related to batteries and would encourage their customers to not put this waste stream into their skips. Site operatives should continue to carefully observe incoming loads and quarantine any batteries found in skip waste. It is also recommended that drivers carrying the waste, confirm with the customer that no batteries have been disposed of within the skip. Having multiple checks / communications along the supply chain will hopefully reduce the likelihood of batteries ending up in the transfer building and subsequently reduce the likelihood of any fires on site.

Martin Womack mentioned that a Fire Prevention and Mitigation Plan was currently being drafted for the site.





Photographs showing storage of Household, Commercial and Industrial Wastes

The pictures above shows that HC & I waste is once again building up within the transfer building and is exceeding the height of the concrete bay dividers. H,C & I waste is spilling outside of the transfer building, including plastics that are being stored outside. Given the two recent fires, it is recommended that waste is stored at least 1m below these concrete dividers to ensure that if a fire breaks out, it is contained and does not spread throughout the building.

Condition 1.1 Specified waste management activities Table 1.1 Household, Commercial & Industrial Wastes to be stored in accordance with condition 2.1.2 and in a location shown on drawings 2.1.P and RW/02 (Inside transfer building only)

The permit stipulates H,C & I wastes should be stored within the transfer building only. The above photos show waste is spilling outside of the transfer building, as well as plastics being stored outside, adjacent to the building. **Therefore, the site has been scored a C3 for this breach of permit condition.**

As an action, ensure H,C&I waste is kept within the metal pillars of the building (i.e. within the transfer building only).

On a previous inspection, Neil Upton from NWFRS recommended that the middle bay is kept free of waste, to act as a natural fire break. NRW supports this advice and suggests this is actioned to help minimise damage/environmental harm should a fire break out.

EMS

The site's current EMS is dated 2013. This was generated before the company changed

hands and since then, operations on site have changed somewhat. Therefore the EMS is outdated and in need of review. Martin Womack mentioned this was work in progress. **Please provide NRW with a draft copy of this EMS for review by Friday 8th April 2022.**

Permit Variation

NRW officers re-iterated that an NRW led variation is being sought for the site. This variation will seek to modernise the permit and also add a requirement for a 'Fire Prevention and Mitigation Plan' to be generated for the site. This should make regulation of the site more straightforward for both parties as it will be more relevant to today's waste operations. NRW also expect GTR to submit a further variation for proposed changes to site operations.

Technically Competent Management (TCM)

Following the departure of the previous TCM, Ben Entwistle, GTR enrolled Martin Womack to step in as a temporary TCM. This is until a more permanent member of staff is found to take over this roll. Oliver explained there were staff currently going through training and that a new TCM is expected to be appointed in 3 to 4 months time. Please ensure this is given priority as this site would greatly benefit from someone who is able to dedicate a sufficient amount of time, to ensure compliance with permit conditions and improve the overall compliance of the site. This is within GTR's interests as this affects how much subsistence fees are paid to NRW.

Summary

Whilst the Regulation 36 Notice has not been complied with, Officers understand that the issue of the faulty pump house is not within the direct control of GTR. NRW will allow GTR a further 4 weeks to begin making efforts to rectify drainage issues on site and begin working with the landlord of the pumphouse to fix the pump. As noted above, we expect to receive evidence from GTR by Friday 8th April 2022, to show how the recommended repairs noted in the CCTV report are being addressed. If insufficient progress is made, then a Regulation 37 Notice to suspend the permit will be considered.

Thank you to all who attended the site meeting and provided valuable input.

Should you wish to clarify anything in this CAR form or have any other queries, please contact me on the details below.

Many thanks,

Sarah Walton (Waste Regulation Officer)

03000 654 791

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.