Washington Cluster Briefing

June 2018

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Regulating the waste sector

The waste industry in Washington plays a key role in the processing of waste. It is a strategically important area for waste companies with arterial roads such as A1 and A19 nearby. The proximity of many of our regulated sites to residential communities, means there is often a tension between managing the impact on people and communities whilst supporting legitimate waste industry.

There have been several waste sites around the Washington area for decades, however, in the past 10 years this number has grown. Given the number and the close proximity to each other, we treat the waste sites in the Washington corridor as a cluster and consider the cumulative impacts that this can present. This allows us to manage our resources, using a risk based approach, providing visible and consistent regulatory advice and interventions in partnership with other regulatory organisations such as Sunderland City Council and the Police.

This approach has helped us to:

- Achieve improvements in the environmental performance at the sites we regulate
- Minimise the direct and cumulative impacts on the local community
- Support legitimate waste operators but enforce when permits are not complied with

Our North East priorities are to:

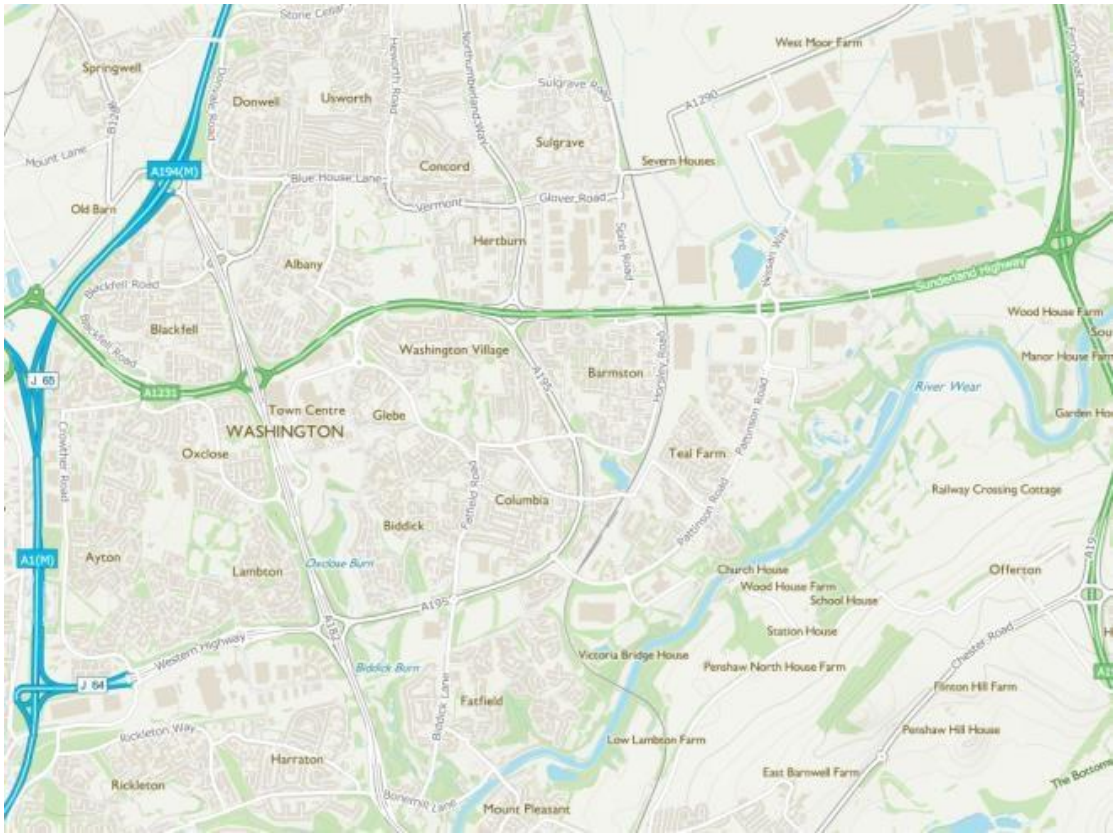
- Reduce the number of persistent poorly performing sites
- Reduce the number of high risk fire sites
- Tackle illegal waste activities which can cause environmental harm, defraud public funds and undermine legitimate businesses

Public expectations:

- Communities expect immediate action - early engagement is key to understand concerns and explain our regulatory role
- We work with key partners to ensure we get effective outcomes for people and the environment
- We use our regulatory tools to take enforcement action against those that operate illegally or are performing poorly whilst enabling legitimate business to thrive

The Washington Cluster

A map showing the wider Washington area.



The Washington Corridor along Pattinson Road is a mixture of Industrial Estates, commercial businesses and increasingly residential housing.

The majority of the waste sites are clustered on Monument Park and Pattinson Industrial Estates.

Within the corridor there are a range of services, key sites and infrastructure including:

- One local council - Sunderland City Council
- One electoral ward- Washington East - Cllr Fiona Miller; Cllr David Snowdon; Cllr Tony Taylor
- Approximately 11,000 Residents (10,772 usual residents reported for Washington East Ward in 2011 census)
- Major industry- e.g. Nissan
- Eight Environment Agency permitted waste sites under the Environmental Permitting regulations (EPR) accepting up to a combined total of approximately 860,000 tonnes of waste per year
- Nearby major road networks including the A1 and A19
- The River Wear
- Washington Wildfowl Trust

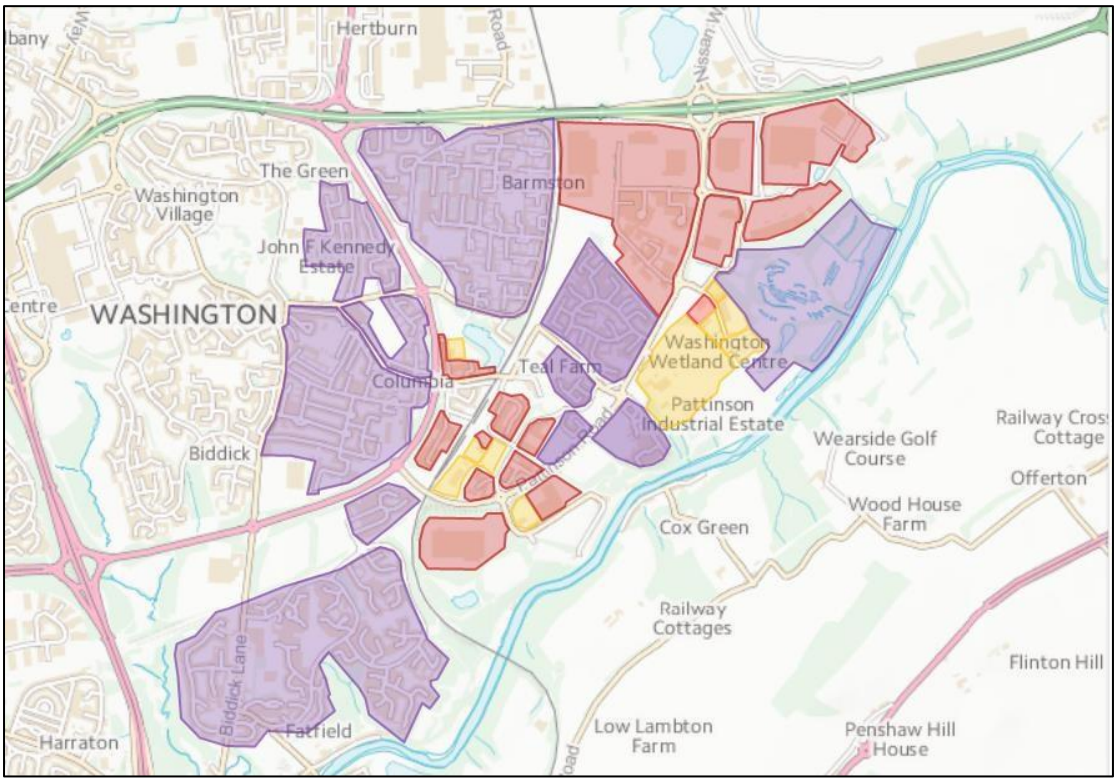
Roles and Responsibilities

There are a number of different agencies and organisations that have responsibilities regarding the monitoring and enforcement of activities associated with waste sites in the Washington Corridor. Below is a quick reference guide of responsible organisations relating to various issues.

	Issue	Environment Agency	Sunderland City Council Env Health Department	Sunderland City Council Local Response Team	Sunderland City Council Planning Department	Highways	Police
Permitted Waste Sites	Odour	X	X				
	Flies	X	X				
	Dust	X	X				
	Noise	X	X				
	Litter (originating from waste site)	X					
	Litter (from vehicles in transit)	X		X			X
	Birds	X	X				
	Rats	X	X				
	Lighting		X		X		
	Opening Hours	X			X		
	Types of Waste	X					
	Height of Waste	X			X		
	Mud on the Highway (originating from waste site)	X				X	X
	Vehicle Movements to and from site				X	X	X
Washington Sewage Works	Odour		X				
Washington Area	Litter at the roadside – unknown source			X			

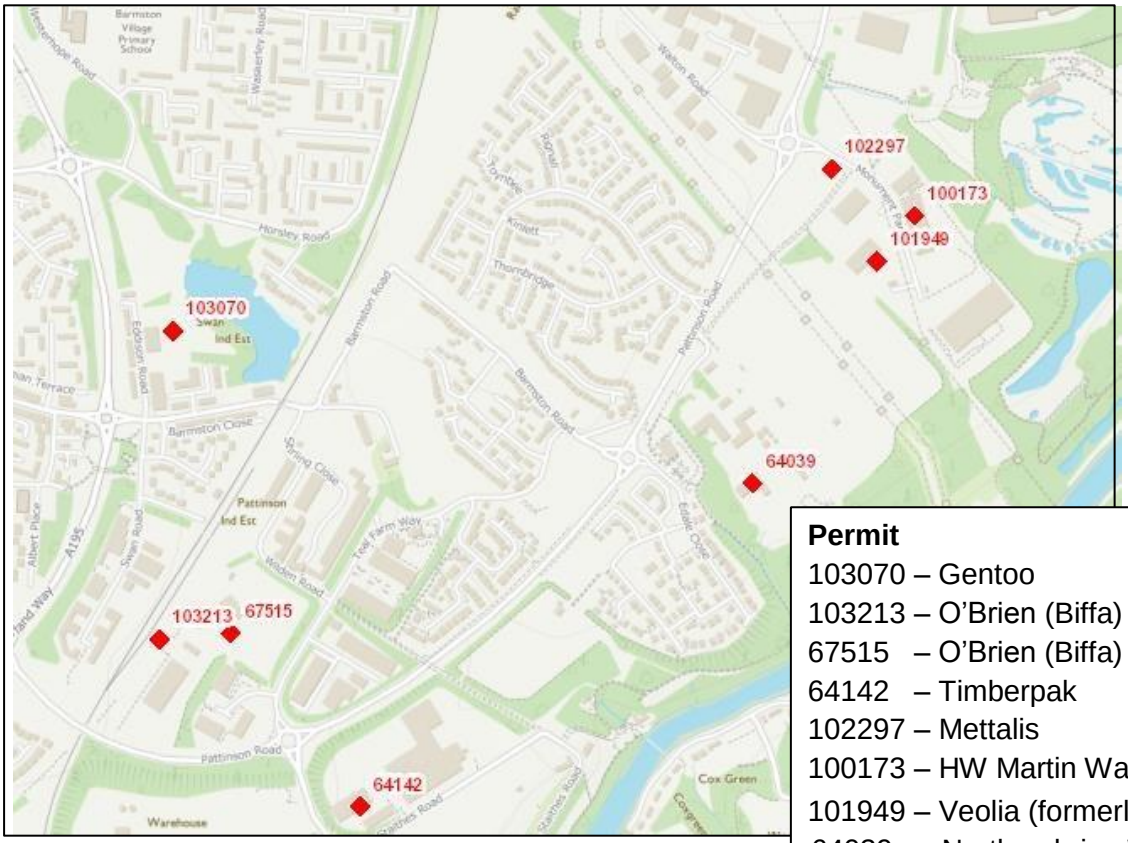
Site Locations

Overview of Area - Washington Land Use



Key - Residential/ leisure Commercial/Industrial Waste

Approximate waste site locations

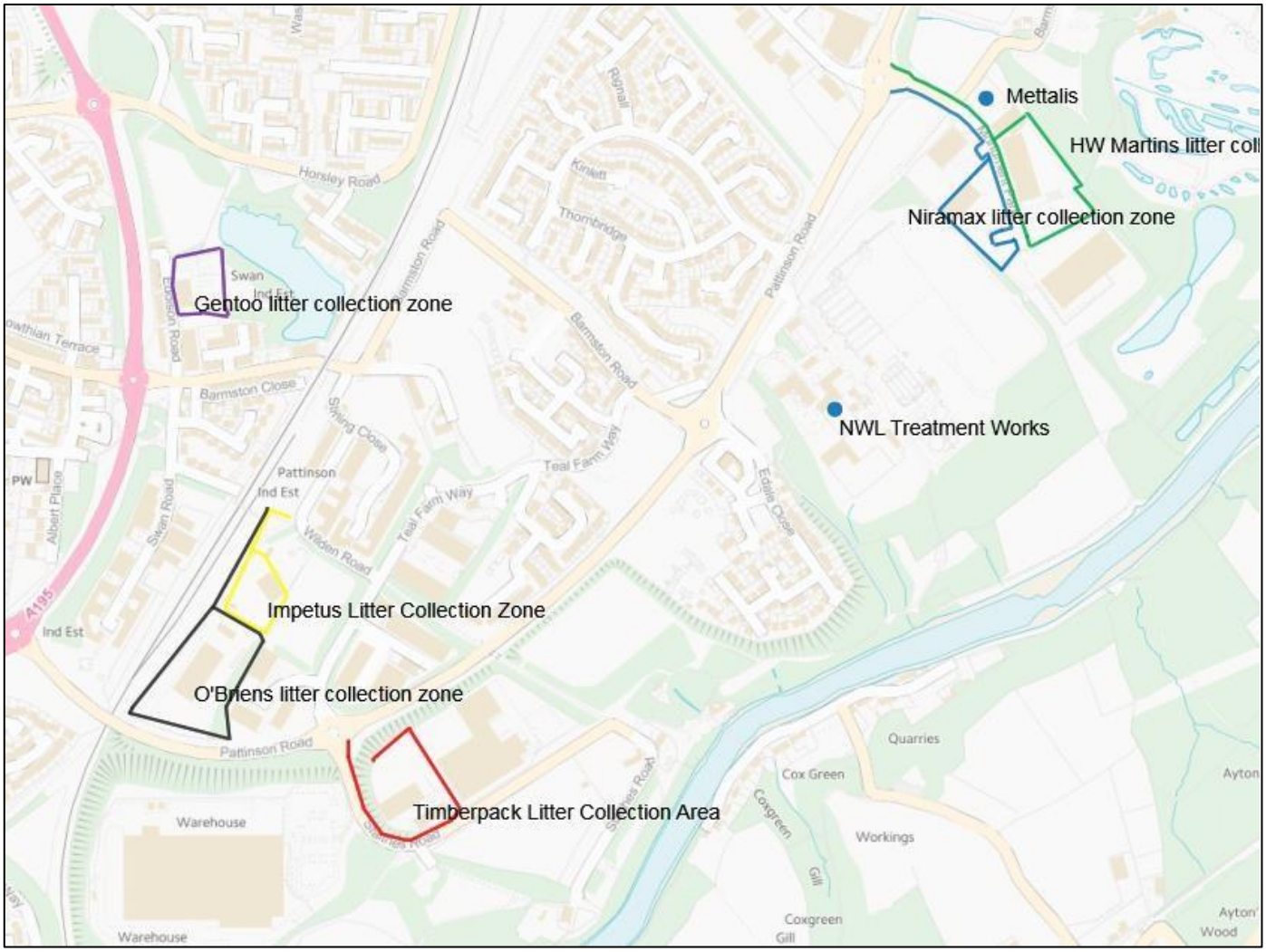


Permit
103070 – Gentoo
103213 – O'Brien (Biffa)
67515 – O'Brien (Biffa)
64142 – Timberpak
102297 – Mettalis
100173 – HW Martin Waste
101949 – Veolia (formerly Niramax)
64039 – Northumbrian Water Ltd

Litter Collection Zones

The image below, identifies the waste sites which conduct litter collections within the area surrounding their sites and indicates the areas they cover on a weekly basis.

Sunderland City Council currently collects litter along Pattinson Road.



Permitted Waste Sites

Veolia Es (UK) Ltd - Monument Park (former Niramax site)

Key facts – Compliance Band A

- Niramax Group Ltd was granted an environmental permit (EAWML 101949) in 2011. In January 2018 the permit was transferred in full to Veolia ES (UK) Limited, a large enterprise operating in the waste and resources industry in both the UK and internationally.

- The site has a Standard Rules Permit 2008 No3 and can accept up to 75,000 tonnes of waste onto site per year. Wastes must be stored inside the waste transfer shed, some specified wastes such as soil and stones can be stored outside in bays.

- Niramax had a number of minor non-compliances in the past for pests, waste storage and management system breaches, there was also a small fire in March 2016. The company was investigated in 2011 for a significant fly infestation and received a Formal Caution for this offence.

- Sunderland Council Environmental Health team served an Abatement Notice on the site in April 2014 in response to a further fly issue.

- In April 2015 Niramax had a further fly infestation which resulted in 78 complaints from the public and local businesses. Niramax pleaded guilty to this and another offence at a permitted site in Hartlepool in January 2018 and received a combined £16k fine and £10k costs as part of the prosecution.

- Niramax has previously hosted site visits for local Councillors and partners facilitated by the Environment Agency and attended residents' liaison meetings. Niramax also supported a number of local events in the area and participated in environmental projects led by the local residents group.

- As part of the transfer to Veolia the site was inspected and found to be compliant with the permit. Veolia is in the process of reviewing the infrastructure and management systems/ procedures.

Next steps

- We will continue to engage with Veolia as the site is brought in line with their group environmental policies/procedures and review their infrastructure.

- Amenity audit scheduled June/July 2018.

- Ad hoc inspections as required.

HW Martin Waste – Monument Park

Key Facts – Compliance Band A

- The site was permitted in 2011 by Premier Waste Recycling Ltd.
- The site has a Bespoke permit (EAWML 100173) and can accept up to 75,000 tonnes of waste onto site year. Waste is permitted to be stored inside the waste transfer shed and outside with appropriate containment. The site also has an exemption to store electrical wastes and clothing waste for further recycling, this is done within secure containers.
- The company had a major fly infestation in 2013, for which the Environment Agency served an enforcement notice suspending waste acceptance until the issue was resolved. Sunderland Council Environmental Health team also served an Abatement Notice on the site in response to the infestation.
- The Environment Agency carried out an Agency Initiated Variation to the permit in response to the incident which added a bespoke pest condition. This was replicated across all waste sites in the Washington corridor which were permitted to accept wastes with the potential to give rise to flies.
- The operator downsized operations at the site shortly after, selling off one of the 2 waste transfer buildings and varying their permit to surrender that part of the site.
- In July 2015 there was a fly infestation in the remaining transfer building which resulted in 15 complaints from the public and local businesses. The Environment Agency served an enforcement notice suspending waste acceptance until the issue was resolved. The operator stopped the activity that caused the issue and the Environment Agency worked with the operator to improve their site procedures and management systems to prevent reoccurrences.
- The site has since operated in compliance with the permit with no issues encountered. The operator has provided tours of their facility to local residents, councillors and stakeholders facilitated by the Environment Agency.

Next steps

- We will continue to monitor compliance against the current permit and management systems.
- Amenity audit scheduled June/July 2018.
- Ad hoc inspections as required.

O'Brien – Wilden Road Transfer Station (Biffa, trading as O'Brien)

Key facts – Compliance Band B

- Permit transferred from Holystone Ltd to Impetus Waste Management in June 2011 and to O'Brien's in November 2016. Biffa took over the site in July 2017 but continue to trade as O'Brien.
- The site has a Bespoke permit (EAWML 67515) and can accept up to 250,000 tonnes per year although actual inputs are significantly lower.
- Site operational hours are Monday to Friday 07:30 -18:00, Saturday 08:00 – 17:00, Sunday and Bank Holidays closed.
- Historically the site has had minor non compliances for infrastructure breaches in 2013 for drainage and surfacing.
- Inert wastes and biodegradable wastes can be accepted on site. These are contained and stored inside the waste transfer shed and the inert storage area.
- The Environment Agency carried out an Agency Initiated Variation to the permit in 2014 which added a bespoke pest condition. This was replicated across all waste sites in the Washington corridor which were permitted to accept wastes with the potential to give rise to flies.
- The operator has previously sent senior site management to attend public liaison meetings and facilitated site visits for residents. They have also participated in environmental projects with the local residents group and made financial contributions to support these projects.
- O'Briens was purchased by Biffa in 2017, the Environment Agency has met with senior management to discuss their plans for the site. O'Briens remains a registered company, the permit holder and Biffa plan to continue to operate the site as O'Briens for the foreseeable future. The site will adopt Biffa's group standards for operating procedures and environmental policies but will incorporate lessons learned from operating in the area to site specific management systems.

Next steps

- We will continue to monitor compliance against the current permit and management systems.
- Amenity audit scheduled June/July 2018.
- Ad hoc inspections as required.

O’Brien – Sunderland Recycling Centre (Biffa, trading as O’Brien)

Key facts – Compliance Band A

- Permit issued in October 2011 to G O’Brien and Sons and transferred to O’Brien’s Waste Recycling Solutions Limited in April 2014. Biffa took over the site in July 2017 but continue to trade as O’Brien.
- The site has a Bespoke permit (EAWML 103213) and can accept up to 250,000 tonnes of waste per year.
- The site has a good compliance history with only minor breaches since the permit was issued. The site operates 24hrs but with core operational hours 0600-1900.
- The site accepts mixed dry recyclables, construction and demolition wastes, glass, plastics, wood, metal and aggregate waste. Recyclable materials are separated from commercial and kerb side collected mixed wastes using a combined automated material recycling plant and hand picking line.
- Wastes are stored inside the waste transfer building with specified wastes stored outside within the permitted area. Aggregate wastes (soil and rubble) are screened and cleaned prior to removal off site.
- The Environment Agency carried out an Agency Initiated Variation to the permit in 2014 which added a bespoke pest condition. This was replicated across all waste sites in the Washington corridor which were permitted to accept wastes with the potential to give rise to flies.

Next steps

- We will continue to monitor compliance against the current permit and management systems.
- Amenity audit scheduled June/July 2018.
- Ad hoc inspections as required.

Timberpak – Staithes Road

Key facts – Compliance Band A

- The permit was issued to Elm Builders Limited in 2005 to operate a waste transfer station, the permit was transferred to Timberpak Limited in November 2011.

- The site has a Bespoke permit (EAWML 64142) and can accept up to 125,000 tonnes of waste per year. The site accepts timber and wood wastes and the majority is shredded and sent to a partner site recycling into new timber board products.

- Site operational hours are 0700-1900, 7 days a week, depending on customer demand.

- The operator has an excellent compliance history with no breaches of their permit since taking control of the permit.

- The Environment Agency carried out an Agency Initiated Variation to the permit in 2014 which added a bespoke pest condition. This was replicated across all waste sites in the Washington corridor which were permitted to accept wastes with the potential to give rise to flies.

- The operator has previously sent senior site management to residents' liaison meetings, given tours of the facility to local stakeholders and supported local environmental projects.

- The site carries out independent noise and dust sampling every 4 months both on and off site. The site infrastructure and management systems are regularly reviewed as part of the parent company's (Egger) internal policies. Improvements include a rubber curtain (installed October 2016) to help mitigate noise from shredding activities and a remote boundary monitoring system for noise, dust, wind speed and direction (installed November 2016). This system sounds an alarm when dust or noise levels exceed set thresholds. Site management will use this to determine when additional controls are to be used as required by their management systems.

Next steps

- We will continue to monitor compliance against the current permit and management systems.

- Amenity audit scheduled June/July 2018.

- Ad hoc inspections as required.

Gentoo – Washington Depot

Key Facts – Compliance Band A

- The permit was issued in December 2014 to Gentoo Group Limited.
- The site has a Bespoke Permit (EAWML 103070) to accept up to 7,246 tonnes of waste per year.
- The site operates from 0700-1900 hours and is permitted to accept general wastes including household, wood, green wastes, metal, and construction and demolition type wastes including some types of asbestos containing materials.
- Wastes are permitted to be stored outside in secure containment and are sourced from the operator's own activities maintaining residential properties.
- The site has an excellent compliance history having had no permit breaches since the permit was issued.
- The Environment Agency carried out an Agency Initiated Variation to the permit in 2014 which added a bespoke pest condition. This was replicated across all waste sites in the Washington corridor which were permitted to accept wastes with the potential to give rise to flies.
- The Environment Agency has previously facilitated site visits for local residents and stakeholders.

Next steps

- We will continue to monitor compliance against the current permit and management systems.
- Continue to work with the site to maintain continuous improvement**.**
- Ad hoc inspections as required.

Mettalis – Monument Park

Key facts – Compliance Band B

- The permit was issued to Elm Skip Hire in February 2011 as a waste transfer site and modified to add metal recycling and End-of-Life Vehicle dismantling later that year. The permit was transferred to Van Dalen UK Limited in April 2013 and transferred again to Mettalis Recycling Limited in 2014.
- The site has a Bespoke permit (EAWML 102297) following a consolidation of the 3 standard rules permits in May 2017 and is permitted to accept up to 40,400 tonnes of waste per year.
- The site was non-operational for a number of years during which time there was interest from a new operator to acquire the site. Planning permission was sought and granted but an application to transfer the permit was never submitted. The existing operator re-commissioned the site and commenced metal recycling activities in 2016.
- There were historic noise issues from operations in 2012-2013 which generated some complaints from local businesses and residents. However, there have been no noise reports relating to the current operator and since recommencing activities the operator has had a good compliance history.

Next steps

- We will continue to monitor compliance against the current permit and management systems.
- Continue to work with the site to maintain continuous improvement
- Ad hoc inspections as required.

Washington Sewage Treatment Works

Key facts – Compliance Band A

- The permit was issued in 2002 to Northumbrian Water Limited.
- The site has a Bespoke permit (EAWML 64039) which allows up to 7,000 tonnes of waste to be accepted per year.
- The site can only accept inert wastes such as concrete, bricks, mixed concrete, soils and stones which are stored outside. These wastes are generated from ground works as part of NWL's activities maintaining their network of fresh water and sewerage systems.
- The main site activities (sewage treatment) are not covered by a waste permit and whilst there is an environmental permit for the treated water discharged from site, the potential impacts from the treatment activity (odour, flies) fall within the remit of the Environmental Health department of Sunderland City council.
- The site has an excellent compliance history having had only minor breaches since the permit was issued.

Next steps

- We will continue to monitor compliance against the current permit and management systems.
- Ad hoc inspections as required.

Non-Site Based Activities – Vehicles Transporting Waste

There are additional issues relating to waste activities which have overlapping areas of responsibility – see roles and responsibilities for details. These issues may not have specific requirements in the site permits but there is relevant legislation which applies, for example duty of care for carriers of waste.

Over the past few years the Environment Agency has undertaken several joint initiatives with the Police and DVSA (formally VOSA) to tackle issues relating to duty of care and waste carrier licensing. The latest checks were undertaken in association with DVSA at all the waste sites during which on site procedures were inspected and the vehicle checks made to ensure drivers/hauliers were complying with their duty of care.

We checked 60 vehicles, with no permit breaches or waste carrier offences being identified. Some minor issues (e.g. improvements to vehicle netting / sheeting) were given advisory actions (10) and are being followed up with the hauliers concerned. No off site impacts from waste activities were observed. The DVSA served 2 prohibition notices (non-waste issues relating to vehicle condition and record keeping), both of which were rescinded due to swift corrective action by the hauliers. Hauliers / waste carriers using the area have been subject to an advice and guidance mailshot to raise awareness of their legal obligations as waste carriers.

Vehicle observation days have also been undertaken and the most recent of which included observations of 366 HGV's along Pattinson Road, 160 of which were identified as carrying wastes. Two issues were identified which are being followed up including one advisory issue and one investigation/enforcement action. No significant litter impacts were observed from vehicles in transit.

There have been several reports of wastes shed from vehicles in transit over the past few years. However, following investigations (including joint investigations with the police) there was insufficient evidence to pursue further enforcement.

Site Compliance Overview

Compliance Bands

Site	First Permitted	Summary			Band 2010 to 2017							
		Amenity Breach	Cause	Outcome	2010	2011	2012	2013	2014	2015	2016	2017
Gentoo	2015	No	-	-	-	-	-	-	A	A	A	A
HW Martins	2007	Yes (C2 - 2013) (C3 - 2015)	Flies	R36 Notice	A	B	C	E	B	B	A	A
O'Briens TS (Biffa)	1994	No	-	-	C	B	B	D	B	A	B	B
Mettalis	2011	No	-	-	-	B	A	A	A	A	B	B
Veolia (Niramax)	2010	Yes (C2 – 2012) (C2&C3 – 2015)	Flies/ Storage	R36 Notice/ Prosecution	A	B	D	C	A	E	C	A
NWL Ltd	2002	No			A	A	A	A	A	B	A	U
O'Briens SRC (Biffa)	2011	No	-	-	-	A	A	A	A	B	B	A
Timberpak	2005	No	-	-	A	A	A	A	A	A	A	A

The sites are subject to inspections and other regulatory activities throughout the compliance year which runs from 1st January to 31st December each year. Any non-compliances identified result in a Compliance Classification Score (CCS) which are reported on compliance assessment report (CAR) forms. The more scores that are collected throughout the year the higher the end of year total. The sites' compliance scores and then ranked into bands from A to F.

Those sites which are performing well are in Bands A or B, those that have a few issues but are still generally well run are in Band C and those that are poorly performing are in Bands D, E or F. When sites are persistently in Bands D, E or F we will take more robust interventions in order to resolve issues and return the sites to compliance. In some cases this is not successful and we must consider whether it is more appropriate to revoke the operator's permit. Band U sites are those that have not had compliance activity within that year, usually this is because the site is considered low risk.

Enforcement History (past 7 years)

Year	Site	Issue	Notice Served	Outcome
2012	Niramax	Cat 2 Breach Fly infestation	No	Formal Caution
2013	HW Martin Waste	Cat 2 Breach Fly infestation	R36 (with suspension)	No further enforcement action – all permits underwent Agency Led Variation as result to prevent reoccurrence.
2015	Niramax	Cat 2 Breach Fly infestation	R36 (with suspension)	Prosecuted in January 2018 in relation to this offence.
2015	HW Martin Waste	Cat 3 Breach Fly infestation	R36 (with suspension)	Enforcement Notice prevented escalation. No further action however case file of evidence passed to Sunderland Council. No further action was taken by Sunderland Council.

Key Contacts

Environment Agency
Telephone (24 hour service) 0800 80 70 60
Emails **enquiries@environment-agency.gov.uk**

Sunderland Council Environmental Health Department
All calls 0191 520 5550
Emails **enquiries@sunderland.gov.uk**

Sunderland City Council Response Local Services
All calls 0191 520 5550

Sunderland Council Planning Department
All calls 0191 520 5550
Emails **enquiries@sunderland.gov.uk**

Highways
Emails **info@highwaysengland.co.uk**
General enquiries 0300 123 5000

Northumbria Police
All calls 101
Emails to the NPT mailbox washington.npt@northumbria.pnn.police.uk

Veolia Es (UK) Ltd
Washington (Operations) 0191 417 5259
Sales 0345 6060 460

HW Martin Waste Ltd
Operations 0191 4175132