



Oran Environmental Solutions Ltd, Abbotsinch

Action Plan – June 2014



OES Audit

On 2 June 2014, SEPA undertook an audit of the OES Ltd Abbotsinch site to assess its current compliance against the conditions of Waste Management License (WML) which it holds. An audit report detailing the results of the audit has now been sent to the licence holder and an action plan has been requested detailing how non-compliances will be rectified.

A previous audit was carried out on 23 October 2013 identified a number of ongoing non-compliances with license conditions. Enforcement action was taken and OES Ltd undertook steps including the cleaning and clearing of waste storage bays, the labelling of waste storage areas and amending the site working plan to become compliant.

Context: Where are we and how have we got here?

SEPA first began to receive and substantiate complaints concerning increased fly activity from Grangemouth residents during April 2012. In May 2012 SEPA took enforcement action to address a number of non-compliances linked to increased fly activity at the Oran Environmental Solutions Limited (OES Ltd) Material Recycling Facility (MRF) at Abbotsinch, Grangemouth.

- During May and July 2012 OES Ltd complied with the requirements of the above enforcement action and undertook a number of changes to working practices. During August 2012 SEPA officers confirmed a notable reduction in the number of flies at the site.
- SEPA officers continued to inspect this site during the remainder of 2012 and did not note significant fly activity on site over this period. An on-site monitoring exercise which commenced in October 2012 did not record flies at significant levels.
- In November 2012 OES Ltd formally advised SEPA of a proposed major investment in site infrastructure which would allow faster processing of waste. SEPA considered that any residual fly activity was likely to be influenced by the residence time of waste on site and therefore faster processing times were viewed positively.
- Proposals submitted by OES Ltd on how waste would be managed during the upgrade were initially rejected by SEPA but, having been refined, were accepted on the basis of implementing additional pest control procedures and the requirement to return to normal operations within a specific timescale.
- This processing 'downtime' resulted in a build-up of waste material on site and this was compounded when the installation of new infrastructure ran behind schedule.
- In February 2013 SEPA officers noted elevated fly activity at site and commenced a series of enforcement actions which have aimed to reduce the conditions contributing to increased fly activity on site.
- Between February and September 2013 SEPA has served six enforcement notices and issued two partial suspensions of the site licence. In addition, SEPA have initiated two modifications of the site licence to strengthen the regulatory control over site operations.
- These enforcement actions have required OES Ltd to remove approximately 3,000 tonnes of waste from site and have resulted in fundamental changes in the way the site is operated. These include faster processing of waste, increased pest control in all areas of the site, improved storage arrangements for processed waste, installation of automatic fast action doors, repairs to the fabric of the building and thorough cleaning of the waste processing areas.
- From mid-May 2013, fly numbers increased on site and have remained high throughout the summer period. SEPA received a large number of complaints from the surrounding community and businesses who are experiencing unacceptable fly activity which affected quality of life and commercial activities.
- During 2013 SEPA officers embarked on a programme of high frequency site inspections including a full audit which was completed in October. Enforcement notices were used where persistent non-compliances were identified with subsequent improvements being noted on site. The site licence was further modified in September 2013 with conditions aimed at improved pest control and site containment.
- Frequent site inspections continued into 2014 with a further enforcement notice being issued in January to require submission of a suitable waste tracking system designed to ensure that waste is not kept on site in excess of the storage limits contained within the licence. This tracking system was submitted and agreed with SEPA in February 2014.
- On 2 June 2014, an audit was carried out at the OES Ltd Abbotsinch site and fly activity was noted on site. This was highlighted to staff on site along with the requirement to have weekly inspections by a person

suitably qualified and experienced in pest control. SEPA received high levels of fly complaints from 16 June 2014; SEPA visited the site on 16 and 17 June and found increased levels of flies. OES Ltd confirmed that they had requested that a pest control company visit the site daily.

- SEPA has requested an action plan is submitted by OES Ltd detailing how non-compliances noted during the audit will be rectified.

SEPA has invested a significant amount of resource in identifying and communicating areas of non-compliance to OES Ltd. SEPA has also found it challenging to effectively resource the communication of actions taken and next steps to concerned residents.

Objective: What is it that we want to achieve?

The overall objective of the Action Plan is to reduce fly activity on the OES Ltd Abbotsinch site to levels which:

1. removes fly nuisance from the local community;
2. complies with site licence conditions.

As well as being clear to the operator what improvements need to be made, the Action Plan will inform the community of the specific actions SEPA is taking, set relative priorities and provide realistic expectations.

Requiring Improvements: What are we focusing on?

Factors which have contributed to increased fly activity on site lie within two broad areas. These are:

1. Site Infrastructure
2. Operational Practice

SEPA has observed individual factors which appear to contribute to increased fly activity. These areas are listed in the table below. Alongside each of these underlying factors is detailed:

- What has already been done to address this
- What has still to be done

The factors which we believe have the most direct impact on fly activity will be prioritised accordingly and some actions are already underway.

To provide a long-term solution to the pest control problems identified on site we have also looked at wider areas of licence non-compliance identified on site or areas where we think improvement would be beneficial.

In addition, SEPA will liaise with colleagues in Falkirk Council on the following areas:

- **Fly Monitoring**
Fly monitoring exercises have been undertaken by Falkirk Council at resident's properties. These results will be shared with SEPA in order to better understand the extent of fly nuisance and the effects of any improvements at site.
- **Other Potential Sources**
SEPA will seek advice from colleagues in Falkirk Council on the presence of any other potential sources of flies within the Grangemouth area.
- **Contamination of Waste**
There is the potential for fly activity in waste being delivered to the site, SEPA will review control measures being used by Falkirk Council and other relevant customers of the site.

Action Plan - Updated June 2014

The Action Plan is likely to develop over time. In addition, some factors which are thought to have the potential to contribute to increased fly activity require further investigation. Following investigation, further improvements may become apparent.

Factor contributing to increased fly activity	What has been achieved so far	Further improvements to be made
<p>Site infrastructure failings including gaps in the walls and roof of waste processing buildings and doors being left open allowing insects to escape and poor site surfacing allowing dirt to accumulate.</p>	<ul style="list-style-type: none"> • The roof of the main processing shed has been repaired. • Fast action automatic doors have been installed in waste reception areas. • Two of the external facing vehicle access doors have been permanently closed. • The site licence has been modified requiring all doors to be closed when not in use. • Site surfaces within waste treatment buildings have been repaired. • The site licence has been modified to limit the waste types which can be stored outside to those not likely to contain/attract flies. • Internal and external site surfaces have been repaired removing potential areas of waste to accumulate. • Licence conditions were modified in September 2013 placing stricter controls on the closure of site doors to improve containment. Repairs have also been made to close gaps in the main processing building and additional roof repairs are planned. • The operator now has a “toolbox talk” and improved training and supervision of staff on site to tackle the non-compliance and SEPA continues to work with the operator on this issue. 	<ul style="list-style-type: none"> • A rolling programme of site surface inspection and repair has now been instigated by the site operator. SEPA officers continue to inspect the condition of site surfaces and raise any potential issues swiftly with the licence holder. • Additional roof repairs are planned.
<p>Site not being maintained in a clean state.</p>	<ul style="list-style-type: none"> • The site licence has been modified to require all site surfaces to be regularly 	<ul style="list-style-type: none"> • In January 2014 an enforcement notice was issued requiring submission of a suitable waste tracking

Factor contributing to increased fly activity	What has been achieved so far	Further improvements to be made
	<p>cleaned.</p> <ul style="list-style-type: none"> • An enforcement notice resulted in cleaning being undertaken within the building. • The licence holder has begun a cleaning routine which is being recorded. • Licence conditions were modified in September 2013 requiring thorough cleaning of waste storage areas and surfaces to be undertaken on a more frequent basis. These conditions were subject to appeal and following the appeal conclusion the requirement to clean waste storage areas every two weeks was upheld with a longer period granted for finished goods in the dispatch area. This amended condition came into force on 07 May 2014. • A partial suspension notice was issued in October 2013 regarding an ongoing non-compliance with the requirement to clean and clear all waste storage areas every three months, specifically the external waste storage area. This resulted in these areas being cleared of all wastes and thoroughly cleaned. • A street sweeper has been purchased and is now being used on the site to collect the litter and loose waste that accumulates on the site during the waste delivery, separation and storage process. 	<p>system. The methodology submitted and agreed by SEPA commits the licence holder to a system of routine cleaning to ensure that all waste storage and treatment areas are emptied and thoroughly cleaned within an agreed time period. This was to be recorded and photographed. SEPA continues to work with the operator on this issue and is currently considering enforcement options.</p>
<p>Mixed waste being held for too long prior to processing Waste being brought onto site from council collection schemes which already contains high fly numbers/includes non-compliant waste such as food waste</p>	<ul style="list-style-type: none"> • The site licence has been modified to reduce the storage period allowed for mixed waste. • Enforcement action in May 2013 resulted in a significant drop in the amount of waste on site and the removal of waste which had been stored on site for a 	<ul style="list-style-type: none"> • A suitable tracking system was submitted and agreed with SEPA. However, subsequent inspections completed in April and May 2014 found that this tracking system was not being

Factor contributing to increased fly activity	What has been achieved so far	Further improvements to be made
	<p>prolonged period of time.</p> <ul style="list-style-type: none"> • The installation of new waste processing equipment has reduced the handling time for incoming mixed wastes. • All incoming waste is being sprayed with insecticide. • The site licence has been modified to require a waste tracking system to be used so that the storage time of waste on site can be assessed. • Licence conditions were modified in September 2013, reducing the maximum storage times for un-segregated waste 72 hours and requiring waste tracking reports to be submitted regularly to SEPA. 	<p>followed. The licence holder is currently considering amendments to the waste tracking system to simplify the process. This had not been completed by 2 June 2014 and therefore SEPA audited against the original waste tracking system which was not being complied with. SEPA are awaiting details of the revised waste tracking system.</p> <ul style="list-style-type: none"> • Incoming waste loads from council collection schemes to be closely monitored and details of loads containing waste such as food waste to be reported back to the relevant local authority for follow up action such as community education.
<p>Site supervision and training</p>	<ul style="list-style-type: none"> • New site managers were employed by the licence holder in May/June 2013. • SEPA have now confirmed that the licence holder has arranged for suitably technically qualified persons to act as site supervisor. SEPA has been in regular contact with the technically competent supervisor since the end of September 2013 and saw an improvement in the organisation and management of the site during subsequent site inspections. In March-April 2014 the company arranged for a member of site personnel to undergo formal training to receive a certificate of technical competence and that individual has now taken over the role of primary technically qualified person. • The licence holder had employed a specialist contractor to devise and implement a staff induction and training regime to ensure that all site staff are aware of the licence conditions and procedures relevant to their role. Progress on this will 	<ul style="list-style-type: none"> • The site has introduced a staff induction scheme and records are being kept of "tool box talks" carried out for staff. Training on the Waste Management Licence and working plan has also been introduced. These were audited on 02 June 2014 and found to be basic and in some instances records were incomplete. It is positive that measures have been taken to introduce training but improvements are still required.


Factor contributing to increased fly activity	What has been achieved so far	Further improvements to be made
	<p>assessed during a full Audit inspection which is due to be completed at the start of June 2014.</p>	
<p>Effectiveness of pest control regime</p>	<ul style="list-style-type: none"> • A new pest control contractor was appointed in early 2013. • There has been a prolonged increased use of insecticide sprays to treat the waste. • There has been an increased presence of a pest control contractor on site. • Overhead spray bars have been installed in the waste reception area. • The site licence has been modified to require regular insect monitoring. • Additional fly traps and UV light traps have been installed over site doors and within the waste processing buildings. • Licence conditions were modified in September 2013 to further clarify what waste can be stored externally, increasing the frequency of inspections by qualified and experienced pest controllers, treatment of incoming waste with insecticide at the point of deposition, use of an overhead spray bar for insecticide application and increasing the frequency of the fly monitoring on site. These conditions were subject to appeal by the licence holder and the appeal decision upheld these conditions. A modification was issued in May 2014 to update the compliance dates for these new/amended conditions. • Waste being received to site is now being routinely inspected during deposition to identify loads with non-conforming waste or waste which is already showing signs of pest activity. The licence holder has also developed stronger ties with the waste producers to identify and report loads of incoming waste 	<ul style="list-style-type: none"> • Regular unannounced inspections by SEPA officers will continue to monitor the effectiveness of pest control at the site.

Factor contributing to increased fly activity	What has been achieved so far	Further improvements to be made
	<p>which could potentially result in increasing pest levels on site. Specialist pest control contractors continue to inspect the site on a regular basis.</p> <ul style="list-style-type: none"> <li data-bbox="560 450 932 808">• Fly monitoring was being completed by the licence holder on a regular basis and the results of this monitoring have been made available for SEPA to inspect. Due to a change in site personnel this monitoring was not being undertaken at the start of June 2014 but SEPA have been assured that a new operative will be trained and tasked with continuing this. SEPA will monitor compliance with this condition closely. <li data-bbox="560 875 932 1182">• The site has been assessed as compliant with pest control conditions since late September 2013. These findings correspond with the drop in reports of fly activity received from the local community. All conditions relating to pest control will be fully assessed during a full Audit inspection which is due to be completed at the start of June 2014. 	

What Next?

Once the full findings of the site audit completed on 02 June 2014 have been assessed and communicated with the licence holder SEPA will be reviewing and updating the Action Plan to take account of any ongoing or unresolved issues. Regular site inspections will be maintained and enforcement action will be taken as necessary to ensure compliance with licence conditions.

Enforcement Approach

[SEPA's Enforcement Policy](#)  (146kb) encourages an approach to enforcement which fits the particular circumstances, level of seriousness of the offence, the attitude of the offender and previous compliance history. There are a variety of enforcement tools available to SEPA including holdings discussions and meetings, issuing advisory and warning letters, serving enforcement notices requiring improvements, modifying and suspending licences and reporting cases to the Procurator Fiscal recommending prosecution in the criminal courts.

In relation to the Abbotsinch site, SEPA has issued a number of enforcement notices, modified the licence and issued two partial suspensions of the site licence.

SEPA believes in selecting the most effective means by which to secure compliance, in line with SEPA's Vision for Regulation. This means reserving criminal prosecution for the most serious, persistent or deliberate cases.

However, SEPA has a presumption to seek prosecution where, there are excessive or persistent breaches of regulatory requirements.

Any enforcement action taken while implementing the Action Plan will be with reference to SEPA's Enforcement Policy.

Communication

To date, SEPA has endeavoured to provide individual updates to complainants by telephone. As complaint numbers have increased SEPA has been able to provide fewer individual responses and has sent email updates to a circulation list of complainants. This has been to ensure that sufficient staff resource can be allocated to monitoring the site, collecting evidence and progressing enforcement action.

SEPA staff have:

- attended meetings of the Problem Solving Partnership chaired by Angus MacDonald MSP;
- attended more focussed meetings with local Councillors;
- accompanied elected representatives on-site inspections.

In an effort to improve communication with affected parties, SEPA has published this dedicated page which will provide updates and record progress against the Action Plan.

SEPA will endeavour to provide continuing information to complainants where possible. However it is likely that it may not be possible to provide individual feedback to all reports we receive. However, we will undertake to make sure that our website is regularly updated. Please be aware that we may not be able to communicate as fully as we would like to at all times, in order not to compromise any further enforcement action.