

Compliance Assessment Report CAR_NRW0040495

Permit being assessed: BB3998CQ.

For: Europest Environmental Services Ltd, held by EUROPEST ENVIRONMENTAL SERVICES LIMITED

At: Unit G, Trecenydd Business Park, Caerphilly, Caerphilly, CF83 2RZ.

Type of assessment carried out: Site Inspection, Reason: Routine.

On 15/09/2022 between 12:00 and 13:00.

Parts of permit assessed: Conditions 1,2,3,4

NRW Lead Officer: Jak Rose, accompanied by Carla Curtis.

Report sent to: Morgan Francis, Operator on 07/10/2022.

1. Summary of our findings (full details in section 4)

Part of permitted activity assessed (criteria)	Assessment result	Permit condition
C2 - General Management - Management system and operating procedures	C3 Minor	1.1.1
B4 - Infrastructure - Containment of stored materials	C3 Minor	2.3.1
C4 - General Management - Storage, handling labelling and Segregation	Action only (X)	
G4 - Monitoring and Records, Maintenance and Reporting - Reporting and notification to Natural Resources Wales	Action only (X)	
C1 - General Management - Staff competency/training	Assessed (A)	
D1 - Incident Management - Site security	Assessed (A)	
C3 - General Management - Materials acceptance	Assessed (A)	

Result types are explained in more detail in the 'Important Information' section below.

Total number of non-compliances recorded	Total non-compliance score
2	8

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
C2	Review current EMS to ensure Operating Techniques are complied with as far as reasonably practicable.	01/11/2022
B4	Wastes which arrive in bags or other non-rigid containers must be transferred into rigid containers immediately	01/11/2022

Criteria	Action needed	Complete by
C4	Ensure Operating Techniques are complied with as far as reasonably practicable.	01/11/2022
G4	Submit quarterly waste returns for Q1 2021 and Q2 2022.	01/11/2022

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

This compliance report details the site inspection conducted by Natural Resources Wales (NRW) Officers on 15 September at: for Europest Environmental Services Ltd located at Unit G, Trecenydd Industrial Estate, Trecenydd Business Park, Caerphilly CF83 2RZ - Permit Number EPR- **BB3998CQ**. The last site inspection was on 25 November 2021.

Waste Regulation Officers Jak ROSE and Carla CURTIS arrived at Europest Environmental Services at 12:00. Officers met with the Service Director/Operator Mr. Morgan FRANCIS who was present throughout the visit. Access to the site is via the entrance gates to the Industrial Estate. The weather was fine and dry at the time of the inspection.

To remind the Operator, following each assessment Natural Resources Wales will produce a Compliance Assessment Report (CAR) detailing our comments from the audit. If we substantiate reasonably foreseeable risks or actual impact to the environment, we can breach the business against your permit conditions. This can affect your site banding and annual subsistence fees; scored on a Category 1 - 4 basis:

- 1 - Major, serious persistent and/or extensive impact on the people/property/environment
- 2 - Significant impact or effect on the environment/people/property
- 3 - Minor impact or effect on the environment/people/property
- 4 - A non-compliance which has no potential environmental effect

Permit Breaches

There was a total of two breaches identified during the inspection against the following conditions of your permit. There are actions and deadlines outlined below for these.

C2 General Management - Management System and Operating Procedures – CAT 3 - Permit Condition 1.1.1

The Operator has been given Cat 3 breach under the above condition because the current

Environmental Management System (EMS) does not adequately identify spill containment measures. The risk of pollution arising from the transportation of waste from the vehicles within the yard area into the container is not documented within the EMS.

The condition states *the operator shall manage and operate the activities:*

(a) in accordance with a written management system that identifies and minimises risks of pollution, including those arising from operations, maintenance, accidents, incidents, non-conformances, closure and those drawn to the attention of the operator as a result of complaints;

Within the EMS the document titled *Corrective and Preventive Action* mentions spillage but refers specifically to the stored waste within the container. Due to the direct handling of waste bags, they are prone to rupture if handled incorrectly. This at an increased risk when loading, unloading and handling and must only occur in areas with impermeable surfaces with sealed drainage.

The below is a definition from the *annex* of the Permit:

“sealed drainage system” in relation to an impermeable surface, means a drainage system with impermeable components which does not leak and which will ensure that:

- (a) no liquid will run off the surface otherwise than via the system;
- (b) except where they may lawfully be discharged to foul sewer, all liquids entering the system are collected in a sealed sump.

A spill kit is available in the container which would help tackle the spillage. However, within the EMS the risk of spillages while transporting the bagged waste from the vehicle to the container is not referenced. Due to the risk of emissions to water and the subsequent impact to surface water in the yard this will need to be reflected within the EMS. Focus must be given in relation to spills of waste material during the handling and transportation of bagged waste. If they cannot be complied with in respects of the sealed drainage, then control measures within the EMS must demonstrate so in reducing those risks.

ACTION: Review current EMS to ensure Operating Techniques are complied with as far as reasonably practicable.

DEADLINE: 1 November 2022

B4 Infrastructure – Containment of Stored Materials – CAT 3 – Conditions 2.3.1

Rigid Containers

The Operator has been given a Cat 3 breach under the above condition as there is a lack of rigid containers. As bags arrive, they are placed onto the drip tray which is not a rigid container unlike the sharps bin which was empty at the time of inspection. The bags were sagging over the sides of the drip tray and the risk of a spillage occurring increases. The drip tray would prevent the escape of liquid but only if the bags are not overflowing (**see**

photo 2)

Rigid containers for the storage of waste must be of a design that prevents the escape of any liquid and has a lockable lid or other means of securing the container.

The *Operating Techniques* require that wastes that arrive in bags are shall be transferred into rigid containers immediately.

Photo 1 – empty rigid container used for sharps



Photo 2 – offensive waste bags within drip tray



ACTION: Wastes which arrive in bags or other non-rigid containers must be transferred into rigid containers immediately.

DEADLINE: 1 November 2022

C4 - Storage, handling, labelling and segregation – ACTION ONLY - Permit Condition 2.3.1

The Operator has been given an action only the above condition as the site does not currently have a sealed drainage system but was issued the permit and allowed to operate since January 2020.

The *Operating Techniques* as specified within condition 2.3.1. are specified in the table below:

2.3 Operating techniques

2.3.1 The activities shall be operated using the techniques and in the manner described in Table 2.3 below.

Table 2.3 Operating techniques

1. All permitted waste shall either be stored:
 - within a building provided with an impermeable surface with sealed drainage system; or
 - within sealed containers located on an impermeable surface with sealed drainage system.
 Sealed containers shall be kept locked when not being loaded or unloaded.
2. Wastes which arrive in bags or other non-rigid containers shall be transferred into rigid containers immediately.
3. Rigid containers for the storage of waste shall be of a design that:
 - will prevent the escape of any liquid;
 - has a lockable lid or other means of securing the container.
4. Waste containing or contaminated with cytotoxic and cytostatic medicines shall be kept separate from other wastes.
5. Waste medicines, dental amalgam, medicinally contaminated sharps (including fully discharged syringes) and non-medicinally contaminated sharps shall be kept separate from each other and other wastes and stored in a secure place.
6. Body parts and organs shall be stored in designated refrigerated units within a building.
7. The transfer of waste from vehicles or containers into other vehicles or containers shall only take place on areas with an impermeable surface with sealed drainage system.
8. Waste dispatched from the site shall be packaged in accordance with, and loaded onto vehicles that meet, the appropriate requirements for the carriage of dangerous goods.
9. Washing and disinfection of mobile containers shall take place on areas of impermeable surface with sealed drainage system.

Transfer of waste from vehicles

This must only take place on an area with sealed drainage. With the absence of a sealed drainage system the EMS must highlight what extra measures the Operator will put in place to reduce the risk of pollution.

If secondary containment (bundling) is not practicable or structures are designed to work without secondary containment such as the shipping container then appropriate measures to prevent or minimise leakage must be implemented.

Wash down facilities

There is currently no washing or disinfection facilities on site. The absence of a sealed drainage system makes this difficult to comply with.

ACTION: Ensure Operating Techniques are complied with as far as reasonably practicable.

DEADLINE: 1 November 2022

G4 - Reporting and notification to Natural Resources Wales – ACTION ONLY – Permit Condition 4.2

Quarterly waste returns for Q4 2021 and Q2 2022 have not been received.

ACTION: Please complete outstanding waste returns and send to waste.returns@naturalresourceswales.gov.uk

DEADLINE: 1 November 2022

Completed Actions

1.1.4 Technically Competent Manager (TCM)

The operator has complied the requirements of an approved competence scheme and has recently completed their Wamitab. Mr FRANCIS has sent proof of their Level 4 High Risk Operator Competence for *Managing Transfer of Hazardous Waste* which was issued 2 September 2022. This was an action on the previous CAR form.

General Observations

Waste Acceptance

The business collects from several care homes where waste pre-acceptance procedures may apply. All clinical and offensive wastes arising from healthcare activities except for those collected from care homes that do not provide nursing care.

The Operator collects sharps waste and currently there is an agreement in which Stericycle (SRCL) collect approximately 40 bags of clinical waste from the site on a weekly basis.

After the previous inspection Mr FRANCIS sent details of all the pre-acceptance audit at one the nursing care homes, they collect waste from. Please continue to ensure audits are carried out at all the

The Site

It was noted during the inspection that the storage container sits outside of the land show edged green on the site plan. It was discussed with the Operator after the inspection that this may need to be amended as Europest do not occupy the warehouse at Unit G.

Officer ROSE has spoken to NRW's permitting team about any necessary amendments to the permit and will be in touch to discuss further.

If you have any issues with this report, please contact Jak Rose on 07866 157281 or

jak.rose@naturalresourceswales.gov.uk

Thank you.

In this document 'Natural Resources Wales' means the Natural Resource Body for Wales established by Article 3 of the Natural Resources Body for Wales (Establishment) Order 2012

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.