

## Compliance Assessment Report

Report ID:  
CAR\_NRW0036247

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

Site	Servmax Ltd	Permit Ref	BB3498CZ		
Operator/Permit holder	Servmax Limited				
Regime	Waste Operations				
Date of assessment	22/01/2020	Time in	10:25	Out	11:15
Assessment type	Site Inspection				
Parts of the permit assessed	Various				
Lead officer's name	Burge, Chris				
Accompanied by	Lee, Jonathan				
Recipient's name/position	Stephen Williams, Gareth Danter-Hill/ Director. TCM	Date issued	29/01/2020		

### 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
B3 - Infrastructure - Site drainage engineering (clean and foul)	X	
C1 - General Management - Staff competency/training	X	
C2 - General Management - Management system and operating procedures	C3	1.1.1
G4 - Monitoring and Records, Maintenance and Reporting - Reporting and notification to Natural Resources Wales	X	

**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

### **Introduction**

Officers Chris BURGE and Jonathan LEE in attendance of Servmax Limited, Lower House Farm, Coed Morgan to complete an initial site inspection of the recently issued environmental permit EPR/BB3498CZ. Weather was dry but overcast. Officers met with the company director, Mr Stephen Williams.

The permit EPR/BB3498CZ was granted to Servmax Limited on 5<sup>th</sup> December 2019. This permit was subsequently varied due to an error with the site map, the permit was re-issued on the 6<sup>th</sup> January 2020 (V002). Servmax Limited are permitted to operate under the standard ruleset 'SR2008 No3 Household, Commercial & Industrial Waste Transfer Station'.

The inspection consisted of a meeting to familiarise the operator with the rules of the permit, the regulatory role of Natural Resources Wales (NRW) and a visual inspection of the permitted area.

Following each compliance visit NRW will produce a Compliance Assessment Report (CAR) detailing comments from the inspection. If NRW substantiate reasonably foreseeable risks or actual impact to the environment, non-compliances will be scored against the conditions of the permit. These non-compliances are scored on a Category 1 – 4 basis: -

- |  |
|--|
| <p><b>1</b> – A non-compliance that could have a major environmental effect</p> <p><b>2</b> – A non-compliance which could have a significant environmental effect</p> <p><b>3</b> – A non-compliance which could have a minor environmental effect</p> <p><b>4</b> – A non-compliance which has no potential environmental effect</p> |
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## **Compliance**

### **Site Management**

Permit condition 1.1.1 (a) requires the management of the site and its activities in accordance with a written management system document. This was requested on the site visit and has now been submitted to the regulatory officer.

Management of the site in accordance with the EMS document was not reviewed in detail as part of this initial inspection. However, it is important to note that NRW will regulate site activities based on the contents of your EMS document. It is therefore vital that this document is routinely reviewed and updated should activities on site change, or in the event of an incident.

Your regulatory officer will complete a full review of your EMS document and your operation

of the site in line with this EMS document during a future compliance inspection.

### Technical Competency

Permit condition 1.1.4 requires the operator to comply with the requirements of an approved competence scheme. It was mentioned during the visit that Mr Gareth Danter-Hill currently holds the relevant WAMITAB training certificates and is the Technically Competent Manager (TCM) for the facility. However, it was also mentioned that there is intention for Mr Barry Thomas to enrol in a suitable course and potentially become the TCM for the facility.

It should be noted that the TCM should be taking an active role in site management and is required to be regularly on site to oversee site activities. If there is no suitably qualified TCM regularly managing site activities, NRW may consider the scoring of a permit breach during future compliance inspections.

### Site Activities

Permit Table 2.1. limits waste treatment activities to manual sorting, separation, screening, baling, shredding, crushing or compaction of waste into different components for disposal or recovery.

Permit Table 2.2. limits the types of wastes which can be accepted into the facility (please refer to permit for full list of waste codes) and the total quantity of waste to be accepted to the site as 75,000 tonnes a year.

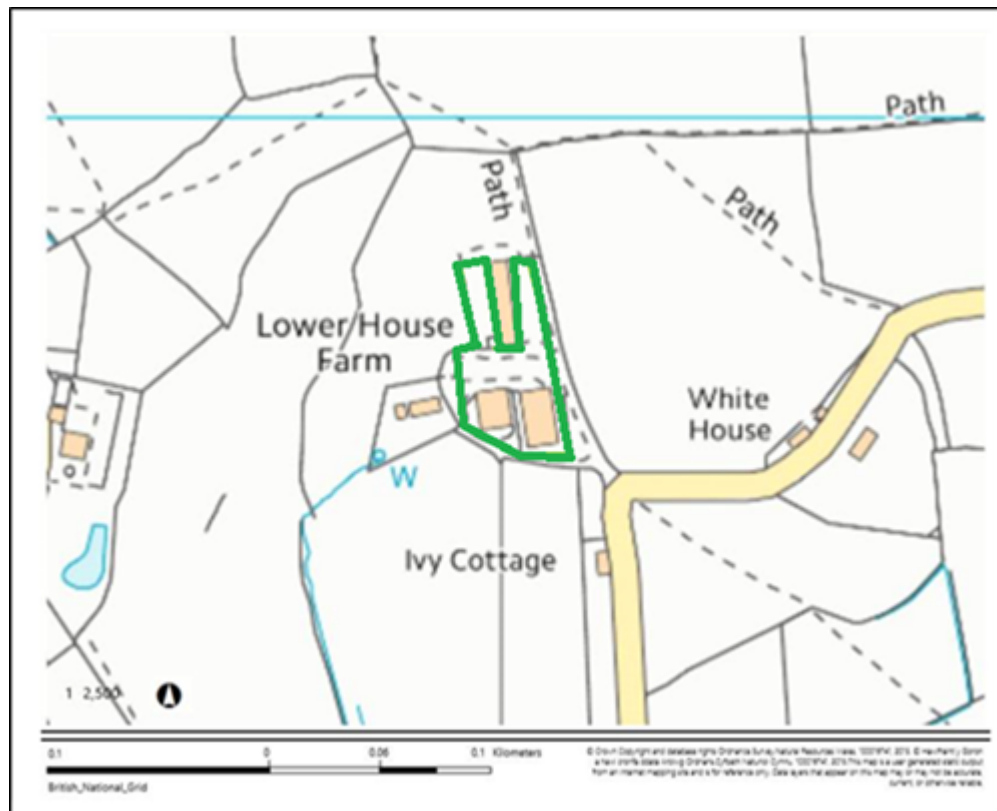
The site was operational during the inspection, with the permitted area currently primarily

being used for the storage of baled textiles (*EWC 200111*) and mattresses (*EWC 200307*). It was noted that operatives on site were manually taking apart bales and subsequently hand stripping waste mattresses to separate the scrap metal and waste textile material. All treatment activities were being carried out within the agricultural building in the South-West corner of the site.

It was mentioned on site that there is intention to purchase a baler to 're-bale' textiles/mattresses bale which have been hand stripped of their metal contents.

It was also mentioned there is intention to accept differing grades of plastics (agricultural plastics, for example) into the facility.

Permit condition 2.4.1. stipulates that the site shall not extend beyond the boundary line edged in green on the site plan attached to the permit. It should be noted that the current permitted boundary encompasses three agricultural buildings **and** an outdoor portion of the site. The image below displays the current permitted boundary of the site: -



## Site Infrastructure

Permit Table 2.3. stipulates requirements for site infrastructure, as shown in the image below.

**Table 2.3 Operating techniques**

1. Unless stored or treated outside as specified waste<sup>2</sup>:
  - a) all bulking, transfer or treatment of waste shall be carried out inside a building;
  - b) all waste shall be stored in a building or within a secure container.
  - c) all waste shall be stored and treated on an impermeable surface with sealed drainage system.
2. Specified waste shall be stored and treated on hard standing or on an impermeable surface with sealed drainage system.

It was noted during the inspection that all activities were primarily intended to be carried out within the three main agricultural buildings on site. It was also noted that the floors of the buildings on site were impermeable and primarily sealed along their perimeter.

It was queried during the inspection whether shipping containers/trailers containing waste were permitted to be stored in the 'outdoor' portion of the permitted boundary. So long as

these containers/trailers are secure and sealed so as to prevent the ingress of rainwater, this will be compliant with permit Table 2.3.

It should be noted that you are permitted to store and treat only **specified waste** outdoors, subject to the waste being stored on hardstanding *or* an impermeable surface with sealed drainage system.

Please refer to the interpretation section of the permit for the waste types listed as specified waste(s).

#### Fire Prevention & Mitigation Plan (FPMP)

Permit condition 3.4.1 states that 'the operator shall manage and operate the activities in accordance with a written fire prevention plan using the current, relevant fire prevention plan guidance.'

An FPMP documented was requested during the site visit and has now been submitted to the regulatory officer.

Management of the site in accordance with the FPMP document was not reviewed in detail as part of this initial inspection. However, it is important to note that NRW will regulate site activities based on the contents of your FPMP document. It is therefore vital that this document is routinely reviewed and updated should activities on site change, or in the event of an incident.

Your regulatory officer will complete an assessment of your FPMP document and assess the operation of the site in line with this document during a future compliance inspection.

### Waste Returns

Permit condition 4.2.2 requires the submission of quarterly waste returns indicating the quantity and type of waste accepted and removed from the site during the previous quarter. Please see table below for the deadlines for your waste returns.

Quarters	Deadline for return
<b>Q1</b> – January 1 to March 31	April 30
<b>Q2</b> – April 1 to June 30	July 31
<b>Q3</b> – July 1 to September 30	October 31
<b>Q4</b> – October 1 to December 31	January 31

Full information and guidance on the completion of your waste returns can be found using the link to the NRW webpage below.

<https://naturalresources.wales/guidance-and-advice/environmental-topics/waste-management/operator-waste-return-and-deadlines-for-returns/?lang=en>

### Permit Breaches/Points Requiring Action



### **B3 – Site drainage and engineering – Action only – Permit Condition 2.3.1**

Table 2.3 (1) c) states that all waste shall be stored and treated on an impermeable surface with sealed drainage system.

The building in the North-East corner of the site is open sided and therefore more liable to the ingress of rainwater. During the inspection it was noted that during periods of heavy rain or driving winds there is **potential** for the baled waste textiles currently stored in this building to become wet and for liquid run-off to pool on the floor in the building. If this water is not removed, or during the event of a fire incident where liquid is used to douse any waste, there is potential for contaminated run-off to enter the surface water drainage network.

Measures need to be implemented to ensure that the drainage in this building is **sealed**.

Action – Ensure that the drainage in the open-sided building on site is sealed.

A deadline of the **2<sup>nd</sup> March 2020** has been set for this action to be completed.

### **C2 – Management systems – Category 3 breach – Permit Condition 1.1.1**

Permit condition 1.1.1 states that 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

Whilst the site EMS document has not been fully reviewed as part of the inspection, an initial review of this document indicates that section 'Product storage' of this document states the following: -

'Regulator collections will be booked in ensuring that waste volumes do not accumulate. Despite the incoming waste being regular, Servmax will always do their best to ensure that the weekly input tonnage will be removed within the same week. This will maintain relatively low tonnages being held on site at any one time'.

During the inspection it was evident that the agricultural building in the South-East corner of the site (approximately 20 metres wide by 30 metres long) was full to capacity with baled textiles. Bales were stored 3 high in places, with no breaks and directly up to the entrance doors of the building (as shown in Photo 1 below).

Photo 1 Baled textiles in south east shed



The current storage techniques of these baled textiles represent a considerable site management concern. There is a considerable fire risk with the current storage techniques. The current storage techniques represent a potential source of pollution, particularly in the event of a fire incident.

You have been scored a **Category 3 Breach of permit condition 1.1.1** for failure to manage and operate site activities in accordance with a written management system.

Action – Implement improved site management procedures to reduce potential risks of

pollution from the current storage techniques of baled textiles.

A deadline of the **2nd March 2020** has been set for this to be completed.

It should be noted that if action is not taken to rectify this permit breach, NRW may consider the escalation of its enforcement response and/or the permit breach scored during subsequent site inspections.

#### **C1 – Staff competency and training – Action only – Permit condition 1.1.4**

It was noted during the inspection that there will be potential changes to the technically competent management of the site.

Action -- Advise NRW on any changes of TCM (if applicable). Ensure that allocated site TCM is regularly present on site. Ensure that Mr Barry Thomas is enrolled on suitable training course, if intended to become TCM for site.

A deadline of the **2<sup>nd</sup> March 2020** has been set for this action to be completed.

#### **G4 – Reporting and notification to NRW – Action only – Permit Condition 4.2.2**

Waste returns are required to be submitted quarterly. The Q4 2019 waste return for waste entering/leaving the permitted site is due to be submitted.

Action – Submit Q4 2019 waste returns.

A deadline of the **31<sup>st</sup> January 2020** has been set for this action to be completed.

Waste returns are required to be submitted using the link below.

<https://naturalresources.wales/guidance-and-advice/environmental-topics/waste-management/operator-waste-return-and-deadlines-for-returns/?lang=en>

#### **Summary**

**One permit breach and three points requiring action have been listed in this report. Please see that action is taken to act on the points raised.**

**NRW intend on completing a further compliance inspection during the week commencing 2<sup>nd</sup> March 2020.**

Thank you for your time.

If you have any queries regarding this Compliance Assessment Report or the surrender of the site permit please contact regulatory officer Chris Burge on 0300 065 3904, or via email at [chris.burge@naturalresourceswales.gov.uk](mailto:chris.burge@naturalresourceswales.gov.uk)

*In this document 'Natural Resources Wales' means the Natural Resources Body for Wales established by Article 3 of the Natural Resources Body for Wales (Establishment) order.*

## EPR Compliance Assessment Report

**Report ID:  
CAR\_NRW0036247**

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

Site	Servmax Ltd	Permit Ref	BB3498CZ
Operator/Permit holder	Servmax Limited	Date	22/01/2020

### 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.

In respect of the above non-compliance you have been issued with a warning. At present we do not intend to take further enforcement action. This does not preclude us from taking additional enforcement action if further relevant information comes to light or offences continue.

### 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			
G4	X	Submit Q4 2019 waste returns.	31/01/2020
C2	C3	Implement improved site management procedures to reduce potential risks of pollution from the current storage techniques of baled textiles.	02/03/2020
C1	X	Advise NRW on any changes of TCM (if applicable). Ensure that allocated site TCM is regularly present on site. Ensure that Mr Barry Thomas is enrolled on suitable training course, if intended to become TCM for site.	02/03/2020
B3	X	Ensure that the drainage in the open-sided building on site is sealed.	02/03/2020

## 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](mailto: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.