

Compliance Assessment Report

Report ID:
CAR_NRW0036467

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	04/03/2020	Time in	10:30
Assessment type	Site Inspection	Out	11:30
Parts of the permit assessed	various		
Lead officer's name	Burge, Chris		
Accompanied by	Bowder, Alex		
Recipient's name/position	Steve Williams / Company Director	Date issued	20/03/2020

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)	C3	2.3.1
C2 - General Management - Management system and operating procedures	C2	1.1.1
C4 - General Management - Storage, handling labelling and Segregation	C3	2.3.1
G4 - Monitoring and Records, Maintenance and Reporting - Reporting and notification to Natural Resources Wales	C4	4.2.2

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	4	Total compliance score (see section 5 for scoring scheme)	39.1
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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

Officers Chris BURGE and Alex BOWDER attended of Servmax Limited, Lower House Farm, Coed Morgan at 10:30 on 04 March 2020 to complete an compliance inspection of permit EPR/BB3498CZ. Weather conditions were overcast and wet at the time of visit. Officers met with the landlord Mr. Sam LEACOCK.

On arrival of the site at 10:30, the only persons present were the land owner. There was no staff from SERVMAX nor the Technically Competent Manager. The site visit was conducted to confirm if issued raised in the previous visit on the 22/01/2020 had been completed and to assess overall compliance.

PREVIOUS CAR FORM ACTIONS

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.

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

Action

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

Deadline:

02 March 2020.

THIS HAS NOT BEEN 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, nonconformances, closure and those drawn to the attention of the operator as a result of complaints.

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 which should be detailed in your EMS. The current storage techniques represent a potential source of pollution, particularly in the event of a fire incident.

ACTION

Implement improved site management procedures to reduce potential risks of pollution from the current storage techniques of baled textiles.

Deadline

02 March 2020.

THIS HAS NOT BEEN COMPLETED AND WASTE STORAGE STILL POSSESS A LARGE FIRE RISK AT THE TIME OF SITE VISIT.

G4 – REPORTING AND NOTIFICATION TO NRW – ACTION ONLY – PERMIT CONDITION 4.2.2

Action

Submit Quarter 4 2019 Waste Returns data.

Deadline
31 January 2020.

THIS HAS NOT BEEN COMPLETED AND NO WASTE RETURNS HAVE BEEN SUBMITTED.

PERMIT BREACHES/POINTS REQUIRING ACTION

B3 – SITE DRAINAGE AND ENGINEERING – CATEGORY 3 BREACH – 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. This has the potential 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.

ACTION

Measures need to be implemented to ensure that the drainage in this building is sealed and that all run-off is captured by the drainage system.

A deadline of the **04 May 2020** has been set for this to be completed.

G4 – REPORTING AND NOTIFICATION TO NRW – CATEGORY 4 BREACH – PERMIT CONDITION 4.2.2

Waste returns are required to be submitted quarterly by your permit. The Quarter 4 2019 waste return for any waste entering/leaving the permitted site is due to be recorded and submitted.

These have not been submitted to Natural Resources Wales within the correct time frame, as per the previous CAR form.

ACTION

Please submit outstanding waste return data immediately.

Deadline

NEXT WASTE RETURNS ARE DUE TO BE SUBMITTED BY 30 APRIL 2020. SUBMIT OUTSTANDING RETURNS BY THIS DATE.

C2 – MANAGEMENT SYSTEMS – CATEGORY 2 BREACH ROOT CAUSE - 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).

This indicates that procedures in your EMS have not been followed.

Photo 1 – showing baled textiles in south east shed filling the unit



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.

ACTION

Ensure Management System procedures are followed to ensure compliant waste management on site.

A deadline of **04 May 2020** has been set for this to be completed.

C4 - Storage handling, labelling and segregation – Category 3 breach – Permit condition 2.3.1

Permit condition 2.3.1 states: *“The activities shall be operated using the techniques and, in the manner, described in Table 2.3 below”.*

Table 2.3 Operating techniques

1. Unless stored or treated outside as specified waste3:

*- 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.

During the inspection, there was waste metal being stored outside the building in two separate piles. This was located either side of the entrance to the mattress stripping barn, as shown in photo 2 below.

Photo 2 – showing metal waste being stored outside.



Picture 3 – showing the second pile of metal waste being stored outside



ACTION

This waste must be stored inside the building to comply with your permit conditions. Please remove this waste from site or move the material indoors.

A deadline of the **04 May 2020** has been set for this to be completed.

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SUMMARY

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

NRW intended on completing a further compliance inspection to ensure the highlighted actions have been satisfied.

We have been notified that the current TCM Gareth Danter-Hill as of the 1st April 2020 will no longer be TCM for this site, you must as a requirement of your permit have a technical competent manager with the correct qualifications. you need to notify NRW of the change and supply the relevant certification by 4th May 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

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_NRW0036467**

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Site	Servmax Ltd	Permit Ref	BB3498CZ
Operator/Permit holder	Servmax Limited	Date	04/03/2020

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.

Other than the provision of advice and guidance, at present we do not intend to take further enforcement action in respect of the non-compliance identified above. This does not preclude us from taking enforcement action if further relevant information comes to light or advice isn't followed.

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			
C4	C3	This waste must be stored inside the building to comply with your permit conditions. Please remove this waste from site or move the material indoors.	04/05/2020
C2	C2	Ensure Management System procedures are followed to ensure complaint waste management on site.	04/05/2020
G4	C4	Please submit outstanding waste return data immediately	30/04/2020
B3	C3	Measures need to be implemented to ensure that the drainage in this building is sealed and that all run-off is captured by the drainage system.	04/05/2020

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. 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.