

## Compliance Assessment Report CAR\_NRW0037509

**Permit being assessed:** BB3498CZ.

For: Servmax Ltd, held by Servmax Limited

At: Lower House Farm, Coed Morgan, Llanvapley, Abergavenny, NP7 9UD.

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

On 02/02/2021 between 10:30 and 11:30.

Parts of permit assessed: Various

**NRW Lead Officer:** Chris Burge.

**Report sent to:** Steve Williams, Company Director on 08/02/2021.

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

| Part of permitted activity assessed (criteria)                   | Assessment result | Permit condition |
|------------------------------------------------------------------|-------------------|------------------|
| B3 - Infrastructure - Site drainage engineering (clean and foul) | C3 Minor          | 2.3.1            |

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

| Total number of non-compliances recorded | Total non-compliance score |
|------------------------------------------|----------------------------|
| 1                                        | 4                          |

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 |
|----------|------------------------------------------------------------------------------------------------------------------------------------------------|-------------|
| B3       | Measures need to be implemented to ensure that the drainage in this building is sealed and that all runoff is captured by the drainage system. | 01/04/2021  |

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

Officer Chris Burge attended of Servmax Limited, Lower House Farm, Coed Morgan at 10:30 on the 2<sup>nd</sup>

February 2021 to conduct a routine site inspection. He was met by Sam Leacock the landowner. The weather was dry, cold and overcast

we note that the majority of the baled textiles have been removed and there is approximately 100 ton remaining in the top open sided barn

#### **Actions from Previous Car Form**

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

#### **This has Not been completed**

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

#### **Baled textiles have been removed and risk reduced**

Submit Quarter 4 2019 Waste Returns data.

#### **No waste returns have been submitted**

#### **Permit Breaches**

#### **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.

#### **ACTION**

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

A deadline of the 1<sup>st</sup> April 2021 has been set for this to be completed.

#### **SUMMARY**

**One permit breach has 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 are still awaiting notification and proof of training for the new TCM at your site, this must be done as soon as possible or will become a further breach**

#### Permit Surrender Advice

Should the activities of your site cease or you no longer require your environmental permit, you must surrender it.

Details on how to submit a permit surrender application, along with copies of the relevant application documents can be found on our website in the link below:

<https://naturalresources.wales/permits-and-permissions/waste/waste-permits/apply-to-surrender-a-wastepermit/?lang=en>

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)

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](mailto: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](mailto: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.