

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

Site	RAGLAN ENTERPRISE PARK RAGLAN	Permit Ref	AD0004101	
Operator/Permit holder	MONMOUTHSHIRE COUNTY COUNCIL			
Regime	WaterQuality			
Date of assessment	01/05/2019	Time in	15:10	Out 15:40
Assessment type	Audit			
Parts of the permit assessed	Site and discharge.			
Lead officer's name	Davies, Edward J.			
Accompanied by				
Recipient's name/position	Steven Harris/ Maintenance Officer	Date issued	07/05/2019	

### 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
B1 - Infrastructure - Engineering for prevention and control of emissions	C3	8
B5 - Infrastructure - Plant and equipment	C3	8a
C1 - General Management - Staff competency/training	C3	8b
C2 - General Management - Management system and operating procedures	C3	8

**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.

<b>Number of breaches recorded</b>	<b>4</b>	<b>Total compliance score</b> (see section 5 for scoring scheme)	16
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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

### **WARNING**

On the 01/05/2019 Environment Officer Edward Davies conducted a routine inspection of the private sewage treatment system which serves Raglan Enterprise Park, permit number: AD0004101. The weather at the time of the inspection was cloudy but dry.

#### **Breach of Environmental Permitting (England and Wales) Regulations 2016.**

We believe that Monmouthshire County Council has committed the following offence:

*Contravention of Regulation 38(2) It is an offence for a person to fail to comply with or to contravene an environmental permit condition namely condition 8. 'The works shall be operated and maintained...*

#### **Report**

On arrival met with Monmouthshire County Council Rights of Way Officer who had no information about the maintenance/operation of the treatment system, he provided details for Nicola Howells, Estate Officer.

The compound containing the sewage treatment system was heavily overgrown with brambles and nettles. The control box had no power going to it, the door was unlocked and wedged open by vegetation. The layout of the sewage treatment system was unclear indiscernible due to the vegetative growth. The filter bed was completely overgrown so that the arms could not rotate, the central compartment of the filter bed was still full of effluent.





The discharge outlet appeared free of pollution and sewage fungus.

#### **Actions**

**Refer to the deadlines below rather than those in section 4.**

- Confirm a date by which the treatment plant will be restored to fully operational - **Deadline 10/05/2019**
- Prepare a regular maintenance schedule - **Deadline 03/06/2019**

Once a timeframe has been agreed for the works required to be returned to compliance, an anti pollution works notice will be served to ensure the deadline is complied with.

**Contact details:** If you have any queries regarding this CAR form or to provide an update on any actions above, please contact me using the following details:

edward.j.davies@naturalresourceswales.gov.uk,

Direct dial: 03000654972

Edward Davies

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### 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			
C2	C3	Develop a written management procedure.	07/05/2019
C1	C3	Assign a member of staff to routinely inspection and carry out any maintenance required.	07/05/2019
B1	C3	Carry out comprehensive inspection of treatment systems structures and components.	07/05/2019
B5	C3	Return the sewage treatment system to operation in line with the manufacturers instructions.	07/05/2019

## 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.