

## Compliance Assessment Report

Report ID:  
CAR\_NRW0035538

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

Site	VALE BUSINESS PARK STW VALE BUSINES	Permit Ref	BB4002501			
Operator/Permit holder	LEL (PROPERTIES) LTD					
Regime	WaterQuality					
Date of assessment	15/07/2019	Time in	10:30	Out	11:30	
Assessment type	Site Inspection					
Parts of the permit assessed	i					
Lead officer's name	Downes, Damien					
Accompanied by	Tucny, Emma					
Recipient's name/position	Karen Tilley / Managing Director	Date issued	08/08/2019			

### 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
B5 - Infrastructure - Plant and equipment	C3	N/A
E3 - Emissions - Surface water	C3	i

**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	2	Total compliance score (see section 5 for scoring scheme)	8
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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

Site inspection and final effluent monitoring sample; Natural Resources Wales Officers Damien Downes and Emma Tucny on site. Weather conditions dry and fine.

During the inspection it was noted that the sewage treatments works appeared run down and poorly maintained. The filter bed rotating arms were stationary, and the filter was overgrown with vegetation indicating that the system was not operating in accordance with its design specification.

Due to the apparent poor quality of the effluent; discoloured and cloudy the sample taken at the time of inspection was a formal sample taken in accordance with NRW formal sample procedures and witnessed by a member of staff.

A further sample was taken downstream below the discharge point, this sample was similar in appearance to the final effluent indicating that the effluent discharging from the sewage treatment works was poor in quality.

### **Breach of permit conditions;**

- Compliance Classification Scheme breach for B3 (Plant and Equipment) Category 3 – the rotating spray arms at sewage treatment works are not turning in accordance with the design specification and therefore causing a reduction in efficiency.
- Compliance Classification Scheme breach for E3 (Emissions to water) Category 3 – the results from the final effluent sample taken on 15<sup>th</sup> July 2019 breached your permit condition related to the sites emission limits.

The sample results were as follows:

- Suspended solids 48 mg/l (permit requirement is 30 mg/l maximum)
- Bioavailable Oxygen Demand 47.6 mg/l (permit requirement is 20 mg/l maximum)

Therefore, the sample taken on 15th July 2019 failed to meet the suspended solids and Bioavailable Oxygen Demand emissions requirement.

This result, together with all other results taken for permit monitoring, will form part of the public register held by Natural Resources Wales and are available for inspection by any member of the public.

### **Actions required by 31st August 2019:**

- Please investigate and submit in writing, a report identifying the root cause of the sample failure and poor state of repair of the works.

- Please confirm what remedial action(s) have been taken or you intend to take to prevent recurrence.

I shall have regard to your response when determining what further action Natural Resources Wales may take to ensure compliance with the consent.

Contact details: If you have any queries regarding this Compliance Assessment Report (CAR) form or to provide an update on any actions above, please contact me using the following details: Damien Downes, Environment Officer, [damien.downes@naturalresourceswales.gov.uk](mailto:damien.downes@naturalresourceswales.gov.uk), 0300 065 3476

## EPR Compliance Assessment Report

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Operator/Permit holder	LEL (PROPERTIES) LTD	Date	15/07/2019

### 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.

We will now consider what enforcement action is appropriate and notify you, referencing this form.

### 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			
E3	C3	<ul style="list-style-type: none"> <li>Please investigate and submit in writing by way of a report identifying the root cause of the sample failure.</li> </ul>	31/08/2019
B5	C3	Undertake works to improve operational efficiency of the rotating arms in accordance with the design specification.	31/08/2019

## 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.