

Compliance Assessment Report CAR_NRW0040464

Permit being assessed: AN0414601

For: 1-12 NEW JUNCTION COTTAGES MONMOUTH, held by NEW JUNCTION COTTAGES TENANTS' ASSOCIATION
At: 1-12 NEW JUNCTION COTTAGES, ROSS ROAD, ABERGAVENNY, MONMOUTHSHIRE, NP7 6NR.

Type of assessment carried out: Site Inspection, Reason: Incident Response (Incident number: 2206951).

On 26/09/2022, between 11:15 and 11:30.

Parts of permit assessed: Discharge point

NRW Lead Officer: Alastair Krzyzosiak.

Report sent to: NEW JUNCTION COTTAGES TENANTS' ASSOCIATION, Permit Holder, on 27/09/2022.

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

Part of permitted activity assessed (criteria)	Assessment result	Permit condition
WQ-C1 - Emissions and monitoring - Emissions to water	C3 Minor	1.9 a The sewage treatment plant shall be operated and the effluent shall be treated in a manner which, so far as reasonably practicable, minimises the polluting effects of the Discharge made from the sewage treatment plant on controlled waters.

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

2. What action is required?

Criteria	Action needed	Complete by
WQ-C1	Bring into regulatory compliance. Discharge should not result in the growth of excessive sewage fungus.	22/11/2022

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

ACTION REQUIRED

On 26th September 2022 I (Alastair Krzyzosiak) carried out a routine inspection of your sewage discharge to check compliance with your discharge permit (AN0414601). I assessed the visual impact of the discharge on the upstream and downstream of the discharge pipe. While the main watercourse appeared clear, and there was no plume of sewage visible in the watercourse, the growth of sewage fungus on the bank below the outlet is a sign that the treatment plant is not providing adequate treatment of the effluent being discharged. Sewage Fungus is a mass of filamentous bacteria, which looks like a grey fungus or heterogenous slime. It appears in response to the presence of organic nutrients (such as slurry or effluent). Sewage fungus grows quickly following a pollution incident, then disappears quickly once the source of pollution has been removed.

I understand that the tank is due to be emptied soon (October). It is possible that the tank may need to be emptied more frequently to ensure that full treatment occurs up until such time as the tank is emptied. Alternatively, there may be another problem with the treatment plant.

Please investigate and rectify the above. Engage a suitably qualified contractor and/or engineer to assess the performance of the system. Please report back to me with your findings.

In the absence of further progress, NRW will take enforcement action to bring the site into compliance. There are a range of options available to us, these include serving an Anti-Pollution Works and Operations Notice (Sec 161 Water Resources Act 1991) to enforce compliance and prevent further pollution of controlled waters. We are also able to serve a formal caution or seek to prosecute for the offences committed. I remind you that non-compliance with your permit is an offence under The Environmental Permitting (England and Wales) Regulations 2016.

The law allows us to recover the cost of investigating and dealing with these incidents from the person(s) responsible. This is known as the 'Polluter Pays' principle. Natural Resources Wales can still recover costs when an incident does not result in pollution of water and when an offence has not been committed. I can confirm we will be sending you an invoice.

More information on pollution incident cost recovery can be found on the Environment Agency's website by searching under "Pollution Incident Cost Recovery". It is our intention at a future date to have this information available from Natural Resources Wales website.

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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 to 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
C1 Major	Potential to have a major, serious, persistent and/or extensive impact or effect on the environment, people and/or property
C2 Significant	Potential to have a significant impact or effect on the environment, people and/or property
C3 Minor	Potential to have a minor or minimal impact or effect on the environment, people and/or property
C4 No environmental impact	Non-compliance at a regulated site that cannot foreseeably have any impact on the environment, people and/or property

If your assessment result in Section 1 is suspended, what does this mean?

In line with our guidance, we may suspend non-compliance for up to six months to allow time for remedial action to be taken. These will be re-instated if the action is not completed.

Full list of water quality action criteria (used in section 1 and 2):**WQ A: Management**

- WQ-A1 General management

WQ B: Operations

- WQ-B1 Permitted activities
- WQ-B2 The site
- WQ-B3 Operating techniques
- WQ-B4 Improvement programme
- WQ-B5 Pre-operational conditions

WQ C: Emissions and monitoring

- WQ-C1 Emissions to water
- WQ-C2 Emissions to land
- WQ-C3 Emissions of substances not controlled by emission limits
- WQ-C4 Installation of monitoring boreholes

WQ D: Information

- WQ-D1 Records
- WQ-D2 Reporting
- WQ-D3 Notifications

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 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

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.