

Compliance Assessment Report CAR_NRW0042466

Permit being assessed: AF4006801

For: ST MELLONS - AFON CLOSE RHYMNEY VAL, held by HAYGROVE LIMITED
At: ST MELLONS - AFON CLOSE RHYMNEY, RHYMNEY VALLEY NURSERIES,
UNKNOWN, UNKNOWN, UNKNOWN.

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

On 13/09/2023, between 11:33 and 11:47.

Parts of permit assessed: All parts

NRW Lead Officer: Megan Jones, accompanied by: Alexander Grainger.

Report sent to: Johnny Mada, Growing Business Unit Manager, on 15/09/2023.

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	Action only (X)	
WQ-D1 - Information - Records	Action only (X)	

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	A full service and inspection of the plant needs to be conducted by an external certified servicing contractor and submit this report to NRW upon completion.	25/10/2023
WQ-D1	The accurate NGR of the sampling point needs to be updated on the permit.	25/10/2023

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.

You are non-compliant with your permit.

At this time, we are issuing you with a warning for the non-compliance recorded above. Warnings may influence future enforcement response for continued or further non-compliance.

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

Site report

I (Megan Jones; Environment Officer) and Alexander Grainger (Environment Officer) arrived at Rhymney Valley Nurseries (Haygrove Ltd.) on Wednesday 13th September 2023 at 11.00 to conduct an inspection regarding a discharge of treated sewage effluent to water (River Rhymney) (Permit Number: AF4006801). The site manager (Johnny Mada) and head of site maintenance (Paul Magor) was also in attendance.

The treatment plant consists of sewage entering a primary settlement chamber with liquids entering a second chamber. These liquids are then pumped (*via* float valve activation) to a biomedica filtration tower then into a chamber containing aeration. After aeration, the liquid is then pumped into a settlement tank before being discharged into the River Rhymney. The weather conditions at the time of the inspection was warm, sunny and dry.

The inspection commenced at 11.33.

Initially, the treatment plant was located (Fig. 1) and chambers inspected (primary chamber, Fig. 2; secondary chamber with aeration and settlement compartments, Fig. 3; Biomedica tower, Fig. 4). There was a slight odour when the chambers were opened but not a strong odour. The chambers looked to be functioning as expected, with there being visible aeration in the aeration chamber (bubbles). The settlement chamber was free of solids and only containing liquids compared to the primary chamber which also contained solids. I was unable to inspect the biomedica tower due to the need for a ladder to access it.



Figure 1. Location of the treatment plant.



Figure 2. Primary receiving chamber.



Figure 3. Secondary chamber (foreground), aeration chamber (far left) and settlement chamber (far right).



Figure 4. Bioreactor tower.

There was no external evidence of malfunctioning around the treatment plant (i.e. solids, rags etc.). The control panel was secure with a warning light beacon, however, the light was not on to indicate that there was an issue (Fig. 5). There was noise indicative of electricity being supplied to the control panel.

We then went to inspect the point where the plant discharges into the River Rhymney where the NGR was also checked to identify whether the NGR on the permit was correct (ST 22955 83922). The NGR was incorrect and the accurate NGR of the discharge/ monitoring point was ST 22907 83907 (Fig. 6). The discharge point was clearly identifiable with a wooden post and although on a steep bank, was accessible. The final effluent was clear and odourless, there was no evidence of solids, sewage fungus or rags in the surrounding area of the discharge point (Fig. 7). The point where the effluent joined the river was clear and absent of discolouration.



Figure 5. Control panel with warning light present but not alight.



Figure 6. Discharge point.



Figure 7. Clear effluent discharging from treatment plant.

Inspection ended at 11.47.

We were informed that this treatment plant serves a maximum of 35 people but this is variable due to seasonal staff on site. We were also informed that there was a pump malfunction on the 27.01.2023 due to a blockage and was resolved by in-house maintenance staff.

It was confirmed by Johnny Mada and Paul Magor that no external contractors have ever been to service the plant although the waste is regularly emptied by Wales Environmental Limited on an as and when basis but often 3-4 times a year.

Actions required by specified date

- Due to the issues regarding the functioning of the plant and to protect from future pollution issues occurring, a full service and inspection of the plant needs to be conducted by an external certified servicing contractor and submit this report to NRW upon completion.
- The accurate NGR of the sampling point needs to be updated on the permit.

These actions are required by Wednesday 25th October 2023.

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: Megan Jones, Environment Officer, megan.jones@cyfoethnaturiolcymru.gov.uk, 03000 65 4542.

If we do not receive the information requested within specified deadline and have not been informed as to why there is a delay then we may serve a Regulation 60 Notice requiring the information under Environmental Permitting (England and Wales) Regulations 2016.

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.