

Compliance Assessment Report CAR_NRW0042467

Permit being assessed: AF4020601

For: ST MELLONS RHYMNEY VALLEY NURSERIES, held by HAYGROVE LIMITED

At: BEGAN ROAD, OLD ST MELLONS, CARDIFF, ., CF3 6XL.

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

On 13/09/2023, between 11:00 and 11:27.

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 a 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 land from above ground infrastructure (Permit Number: AF4020601). 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) through stone filtration to then be discharged to land. The weather conditions at the time of the inspection was warm, sunny and dry.

Initially, the location of the primary and secondary chambers were located (Fig. 1) and inspected (Fig 2 and 3, respectively). The primary chamber contained a combination of liquids and solids whereas only liquids were observed in the second chamber. There was an electrical unit for the pump, but no warning beacon. When next to this electrical unit there was no noise indicative of there being an electricity supply, so unable to confirm whether electricity was supplied.



Figure 1. Location of primary and secondary chambers.



Figure 2. Inside of chamber 1.



Figure 3. Inside of chamber 2.

We then located the area where effluent is filtered through stones (Fig. 4) and inspected the top of the filtration system (Fig. 5).



Figure 4. Location of the filtration system.



Figure 5. Top view of stone filtration system.

We then located the effluent sampling point and checked to see whether the NGR was correct as *per* the permit (ST 22590 83520). The location of the sampling point was incorrect, with the accurate NGR being ST 22587 83491 (Fig. 6).



Figure 6. Accurate NGR of effluent sampling point.

The effluent was found to be clear, with no odour and no evidence of solids (Fig. 7). Although, the flow was minimal, likely due to the secondary chamber not being full enough to activate the pump.



Figure 7. Final effluent sampling point.

We then walked over the wooded area where the effluent is discharged to land. There was no evidence of sewage liquor or solids or sewage fungus underfoot.

The inspection ended at 11.27.

We were informed that this treatment plant serves a maximum of 30 people but this is variable due to seasonal staff. We were also informed that there was a pump failure on 15.02.2022 and were alerted to this due to high levels of sewage, this pump was replaced by in-house maintenance staff. The pump also malfunctioned due to a blockage within the pump on 09.06.2023 as well as multiple other occasions, which was cleaned by in-house maintenance staff; based on the maintenance records, this seems to be a regular issue where the pump needs to be cleaned.

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 consistent 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 a 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.