

Compliance Assessment Report CAR_NRW0042395

Permit being assessed: AN0295601

For: CEFN CARNAU UCHAF THORNHILL, held by Elysium Healthcare No.3 Limited
At: CEFN CARNAU UCHAF, THORNHILL, CAERPHILLY MOUNTAIN, ,, CF82 1LY.

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

On 23/08/2023, between 13:45 and 14:25.

Parts of permit assessed: All Permit

NRW Lead Officer: Gavin Summerhill, accompanied by: Megan Jones.

Report sent to: George Reilly, Maintenance Team, on 14/09/2023.

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	C3 Minor	<ul style="list-style-type: none"> 11 - The works shall be operated and maintained in accordance with good operational practice such that: <ul style="list-style-type: none"> (a) it remains fully operational except at times of unavoidable mechanical or electrical breakdown which shall be attended to, and the Agency informed of the failure, as soon as practicable after the failure;

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	<p>Waste transfer notes and maintenance logs need to be submitted.</p> <p>The build up of Solids around the Package Treatment Plant needs to be removed.</p>	13/11/2023

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.

We are currently considering taking enforcement action against you for the non-compliance recorded above. We will contact you in due course.

4. Details of our assessment

Site Report

On Wednesday 23rd August 2023 Myself and Megan Jones visited Cefn Carnau Uchaf, Thornhill, Caerphilly Mountain CF83 1LX to carry out a permit inspection on their Package Treatment Plant. Permit Number AN0295601. We arrived on site at 13.45. The weather conditions were dry, warm and overcast. Our Site inspection commenced at 13.50.

Observations

We proceeded to identify the location of the Package Treatment Plant. Please see Photo 1 below.

Package Treatment Plant (Photo 1)



After identifying the location of the Package Treatment Plant we checked the sample point location at NGR ST16168496. We confirmed that this was inaccurate as stipulated by the permit and the correct sample point is located at NGR ST1615784980. (Inaccurate by approx 15m)

We lifted the lid on the first/second chamber and identified a substantial amount of solid waste within the chamber. This is expected as it is the primary chamber. A slight odour was present. Please see Photo 2 below.

First/Second Chamber (Photo 2)



We lifted the lid on the third/fourth chamber and could see that the amount of solid waste was slightly less than the first/second chamber. A slight odour was still present. Please see Photo 3 below.

Third/Fourth Chamber (Photo 3)



We lifted the lid on the fifth/sixth chamber and could see that the amount of solid waste had greatly reduced but there was still solid carry over from the third/fourth chamber. There was still a slight odour present. The Bio-media within this chamber was functioning as designed reducing the amount of solid carry over. Please see Photo 4 below.

Fifth/Sixth Chamber (Photo 4)



We lifted the lid on the seventh/eighth chamber and could see that there was no solid carry over from the fifth/sixth chamber. There was no odour. Please see Photo 5 below.

Seventh/Eighth Chamber (Photo 5)



We lifted the cover on the sample point chamber and could see that the waste water was running clear with no odours and free from any solids. Please see Photo 6 below.

Sample Point Chamber (Photo 6)



We then proceeded to check the discharge point at NGR ST16088506. Discharge via a pipe to a nearby pond then to a tributary of the Scouring Brook. We confirmed the discharge point was accurate and that the pond showed no signs of pollution. The water was clear with no odours present. The Scouring Brook was clear with no odours present.

At this point we spoke with a member of staff who identified himself as George. We had a discussion with George regarding any concerns or problems with the Package Treatment Plant as we could see what looked like a build up of solids around the Package Treatment Plant. George advised that a blockage had occurred recently which required a call out Atac to remove the blockage which resulted in overspill near the Package Treatment Plant. George advised that this would be cleaned up. Please see Photo 7 below.

Build up of solid waste from recent blockage (Photo 7)



We continued our discussion with George and asked him if any maintenance Schedules, Waste Transfer Notes or any other relevant paperwork regarding the Package Treatment Plant was available. George advised that all paperwork was available and would email this over to Megan Jones.

We left site at 14.25

Breaches of permit condition:

- **11** The works shall be operated and maintained in accordance with good operational practice such that:
- **(a)** it remains fully operational except at times of unavoidable mechanical or electrical breakdown which shall be attended to, and the Agency informed of the failure, as soon as practicable after the failure;

Justification

Following the recent blockage which may have caused significant pollution the Permit

Holder failed to notify Natural Resources Wales.

Action required by date specified:

- Waste transfer notes and maintenance logs need to be submitted.
- The build up of Solids around the Package Treatment Plant needs to be removed.

The above actions are required by the 13th November 2023.

Other advisory comments:

- The National Grid Reference of the sample point on the permit is inaccurate by approximately 15m. We may need to vary this permit at a later date.

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:

Gavin Summerhill (Environment Officer)

gavin.summerhill@cyfoethnaturiolcymru.gov.uk

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.