

Compliance Assessment Report CAR_NRW0043801

Permit being assessed: AN0393102

For: WESTWAY DISTRIBUTION CENTRE (TESCO), held by TESCO DISTRIBUTION SUPPORT

At: WESTWAY DISTRIBUTION CENTRE, GWENT EUROPARK, LLANDEVENNY, MAGOR, .

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

On 16/02/2024, between 09:24 and 11:32.

Parts of permit assessed: All Permit

NRW Lead Officer: Gavin Summerhill.

Report sent to: Terry Hooper, Tesco Employee, on 22/03/2024.

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 | <ul style="list-style-type: none"> A detailed site plan identifying both the sample point location and discharge point location needs to be submitted. (Please include photographs and NGR's) | 24/04/2024 |
| WQ-D1 | <ul style="list-style-type: none"> Waste transfer notes and maintenance logs need to be submitted. | 24/04/2024 |

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 Friday 16th February 2024 I visited Tesco Distribution Centre, Westway, Europark, Caldicot NP26 3TS to carry out a permit inspection on their Trade Effluent Site Drainage. Permit Number AN0393102. I arrived on site at 9.24. The weather conditions were sunny and cold. My Site inspection commenced at 9.30.

Observations

I proceeded to check the sample point as stipulated by the permit at National Grid Reference ST 40202 86359. (I could not establish the sample point at this location)

I proceeded to check the discharge point as stipulated by the permit at National Grid Reference ST 40203 86366. (I could not establish the discharge point at this location)

I had a discussion with the security guard on site and asked who I would need to speak to with regards to the Trade Effluent Site Drainage Permit. The security guard advised Terry Hooper would be the person required. Mr Hooper was not on site the day of my visit.

Action required by date specified:

- Waste transfer notes and maintenance logs need to be submitted.
- A detailed site plan identifying both the sample point location and discharge point location needs to be submitted. (Please include photographs and NGR's)

The above actions are required by the 24th April 2024.

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.