

Compliance Assessment Report CAR_NRW0043772

Permit being assessed: GWA000021

For: Caerllwyn Ganol Farm, held by William Mervin Thomas

At: Twyn-Gwyn Road Mynyddislwyn Newport , NP11 7AY.

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

On 13/02/2024, between 10:00 and 12:10.

Parts of permit assessed: All Permit

NRW Lead Officer: Gavin Summerhill, accompanied by: Gavin Dodd.

Report sent to: William Mervin Thomas, Owner, 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-C2 - Emissions and monitoring - Emissions to land	C3 Minor	<ul style="list-style-type: none"> • 1 Management • 1.1 General Management • 1.1.1 The operator shall manage and operate the activities; • a. In accordance with a written management system that identifies and minimises risks of pollution, including those arising from operations, maintenance, accidents, non-conformances, and those drawn to the attention of the operator as a result of complaints; and • 1.1.2 Records demonstrating compliance with condition 1.1.1 shall be maintained. • 1.1.3 Any person having duties that are or may be affected by the matters set out in this

Part of permitted activity assessed (criteria)	Assessment result	Permit condition
		<p>permit shall have convenient access to a copy of it kept at or near the place where those duties are carried out.</p>
<p>WQ-C3 - Emissions and monitoring - Emissions of substances not controlled by emission limits</p>	<p>C2 Significant</p>	<ul style="list-style-type: none"> • 3 Emissions and monitoring • 3.1 Emissions of substances not controlled by emission limits • 3.1.1. Emissions of substances not controlled by emission limits (excluding odour) shall not cause pollution. The operator shall not to be taken to have breached this condition if appropriate measures, including, but not limited to, those specified in any approved emissions management plan, have been taken to prevent or where that is not practicable, to minimise, those emissions.
<p>WQ-D1 - Information - Records</p>	<p>C3 Minor</p>	<ul style="list-style-type: none"> • 4.1 Records • 4.1.1 All records required to be made by this permit shall: (a) be legible; (b) be made as soon as reasonably practicable; (c) if amended, be amended in such a way that the original and any subsequent amendments remain legible, or are capable of retrieval: (d) be retained, unless otherwise agreed in writing by the Environment Agency. • 4.1.2 The operator shall keep on

Part of permitted activity assessed (criteria)	Assessment result	Permit condition
		<p>site records, plans and the management system required to be maintained by this permit, unless otherwise agreed in writing by the Environment Agency. •</p> <p>4.1.3 Records for discharges of waste sheep dip shall include:</p> <p>(a) name, address and NGR of the site where the used sheep dip originated (only applies to mobile sheep dip contractors); (b) daily volumes of undiluted used/waste sheep dip discharged; (c) rates of discharge; (d) location and area of discharge; (e) nature of used dip (marketing authorisation name will suffice); (f) any materials added to dilute or treat the used/waste sheep dip, including water or slurry; (g) for multiple discharges, records demonstrating compliance with only one permitted discharge per designated area of land per year shall be kept.</p>

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

2. What action is required?

Criteria	Action needed	Complete by
WQ-C2	<ul style="list-style-type: none"> A written management system plan needs to be submitted that identifies and minimises risks of pollution, including those arising from operations, maintenance, accidents, non-conformances. 	13/05/2024
WQ-C3	<ul style="list-style-type: none"> An Emissions management plan needs to be submitted. 	13/05/2024
WQ-D1	<ul style="list-style-type: none"> All records for sheep dip waste need to be submitted. 	13/05/2024

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 Tuesday 13th of February 2024, Myself and Gavin Dodd visited Caerllwyn Ganol Farm, Twyn-Gwyn Road, Mynddislwyn, Newport Np11 7AY to undertake a Water Discharge (Sheep Dip) permit inspection on Permit Number GWA000021. We arrived on site at 10.00. The weather conditions were cold with heavy rain. Our Site inspection commenced at 10.15.

Observations

We were met by Mr William Mervin Thomas who identified himself as the permit holder. After our introductions we agreed to a walk around of the site with Mr Thomas present.

We questioned Mr Thomas with regards to the type of sheep dip that was used on site and the storage method and storage location. Mr Thomas advised that the sheep dip was stored in a lockable outbuilding inside a freezer. (Please see Photo 1 below)

Mr Thomas advised that there was currently only one five litre container on site that was a quarter full. (Please see Photo 2 below)

Location and storage method of sheep dip (Photo 1)



Sheep dip (Photo 2)



We continued our site inspection. We asked Mr Thomas to identify the location where the sheep dip activity is conducted. The location was a closed off area approximately 250 metres away from any watercourse. (Please see Photo's 2 and 3 below)

Location of sheep dip activity (Photo 2)



Location of sheep dip activity (Photo 3)



We continued our discussion with Mr Thomas regarding the sheep dip process. Mr Thomas advised the sheep dip is conducted once per annum in the month of October. Approximately 1100 sheep that produces approximately 1200 litres of discharge that is spread onto a designated field. This field is approximately 150 meters away from any watercourse. We checked the National Grid Reference ST 18371 93170. We confirmed this was accurate as stipulated by the permit. (Please see Photo's 4 and 5 below)

Designated field for sheep dip discharge Photo 4



Designated field for sheep dip discharge Photo 5



Mr Thomas advised the sheep are then re located to a designated field following the treatment process and remain in this field for up to three days. The field is adjacent to a stream that runs on the boundary of Ty llwyd quarry. (Please see Photo's 6 and 7 below)

Containment field for sheep following sheep dip activity Photo 6.



Containment field for sheep following sheep dip activity Photo 7.



We had a discussion with Mr Thomas regarding maintenance schedules and records. At this point Mr Thomas advised there was no written management system in place and all record keeping with regards to the permit was limited. We advised Mr Thomas that to comply with the permit a written management system that identifies and minimises risks of pollution, maintenance, accidents, incidents need to be in place.

This concluded our permit inspection. We left site at 12.10.

Breaches of permit condition:

- **1 Management**
- **1.1 General Management**
- **1.1.1** The operator shall manage and operate the activities;
 - a. In accordance with a written management system that identifies and minimises risks of pollution, including those arising from operations, maintenance, accidents, non-conformances, and those drawn to the attention

of the operator as a result of complaints; and

- **1.1.2**

Records demonstrating compliance with condition 1.1.1 shall be maintained.

- **1.1.3**

Any person having duties that are or may be affected by the matters set out in this permit shall have convenient access to a copy of it kept at or near the place where those duties are carried out.

Justification

No written management system plan in place. No records maintained.

- **3 Emissions and monitoring**

- **3.1 Emissions of substances not controlled by emission limits**

- **3.1.1.** Emissions of substances not controlled by emission limits (excluding odour) shall not cause pollution. The operator shall not to be taken to have breached this condition if appropriate measures, including, but not limited to, those specified in any approved emissions management plan, have been taken to prevent or where that is not practicable, to minimise, those emissions.

Justification

Sampling was carried out on the 2nd of January 2024 for a reported incident nearby. Samples taken from the stream near the top of the farm site identified high levels of chemical found in sheep dip. There operator has no emissions management plan in place.

- **4.1 Records**

- **4.1.1 All records required to be made by this permit shall:**

- (a) be legible;
- (b) be made as soon as reasonably practicable;
- (c) if amended, be amended in such a way that the original and any subsequent amendments remain legible, or are capable of retrieval;
- (d) be retained, unless otherwise agreed in writing by the Environment Agency.

- **4.1.2** The operator shall keep on site records, plans and the management system required to be maintained by this permit, unless otherwise agreed in writing by the Environment Agency.

- **4.1.3** Records for discharges of waste sheep dip shall include:

- (a) name, address and NGR of the site where the used sheep dip originated (only applies to mobile sheep dip contractors);
- (b) daily volumes of undiluted used/waste sheep dip discharged;
- (c) rates of discharge;
- (d) location and area of discharge;
- (e) nature of used dip (marketing authorisation name will suffice);
- (f) any materials added to dilute or treat the used/waste sheep dip, including water or slurry;
- (g) for multiple discharges, records demonstrating compliance with only one permitted discharge per designated area of land per year shall be kept.

Justification

No records available.

Action required by date specified:

- A written management system plan needs to be submitted that identifies and minimises risks of pollution, including those arising from operations, maintenance, accidents, non-conformances.
- An Emissions management plan needs to be submitted.
- All records for sheep dip waste need to be submitted.

The above actions are required by the 13th of May 2024.

Other advisory comments:

- To prevent any pollution of any watercourses nearby, ensure sheep are kept away from these areas for a time period of 48 hours after being dipped.

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.