

Compliance Assessment Report CAR_NRW0044089

Permit being assessed: AB3591CP

For: Beic Parcio Wales, held by Beic Parcio Cymru

At: Gethin Woodland Centre, Abercanaid, Merthyr Tydfil, CF48 1YZ.

Type of assessment carried out: Check Monitoring/Sampling, Reason: Routine.

On 02/04/2024, between 11:26 and 11:26.

Parts of permit assessed: 1.1; 3.1.2; 4.3

NRW Lead Officer: Ceri Malone.

Report sent to: Operations@bikeparkwales.com, Operations@bikeparkwales.com, on 08/05/2024.

1. Summary of our findings (full details in section 4)

Part of permitted activity assessed (criteria)	Assessment result	Permit condition
WQ-A1 - Water Quality - Management - General management	Action only (X)	
WQ-C1 - Water Quality - Emissions and monitoring - Emissions to water	Action only (X)	
WQ-C1 - Water Quality - Emissions and monitoring - Emissions to water	Action only (X)	
WQ-C1 - Water Quality - Emissions and monitoring - Emissions to water	C1 Major	3.1.2 The limits given in schedule 3 shall not be exceeded.
WQ-D3 - Water Quality - Information - Notifications	C2 Significant	4.3.1 Natural Resources Wales shall be notified without delay following the detection of: (a) any malfunction, breakdown or failure of equipment or techniques, accident, or emission of a substance not controlled by an emission limit which has caused, is causing or may cause significant pollution;
WQ-D3 - Water Quality - Information - Notifications	C2 Significant	4.3.1 Natural Resources Wales shall be notified without delay following the detection of: (a) any malfunction, breakdown or failure of equipment

Part of permitted activity assessed (criteria)	Assessment result	Permit condition
		or techniques, accident, or emission of a substance not controlled by an emission limit which has caused, is causing or may cause significant pollution;

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

2. What action is required?

Criteria	Action needed	Complete by
WQ-A1	Submit to NRW the written management system required as per 1.1.1 of the permit.	15/05/2024
WQ-C1	Provide NRW with any sampling results from October 2023 until 02/04/2024. Include any assessments produced as a result.	08/06/2024
WQ-C1	Provide NRW with any sampling results since 02/04/2024.	08/06/2024
WQ-C1	Submit details of the investigation described in the initial investigation report which determined the root cause of the breach. Include any investigations or advice provided by Filta Group/SME relating to the breach.	08/06/2024
WQ-D3	Ensure that 4.3.1 of the permit is followed. Update the management system to include NRW notification when required (if this is not yet specified).	15/05/2024
WQ-D3	Ensure that 4.3.1 of the permit is followed. Update the management system to include NRW notification when required (if this is not yet specified).	15/05/2024

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

Check Monitoring/Sampling Report

This CAR form is a result of a routine monitoring sample exceedance from 11:26 on 02/04/2024. Limits set in Schedule 3 "Table S3.1 Point Source emissions to water" of permit EPR/AB3591CP specify that ammoniacal nitrogen emissions shall not exceed 5.45mg/l.

On 03/05/2024 Bike Park Wales provided Natural Resources Wales with an initial investigation

report relating to the breach. A fault with chamber three's blower and a build up of filamentous bacteria is suggested as the root cause of the breach.

Breaches of permit condition:

3.1.2 The limits given in schedule 3 shall not be exceeded.

- *Schedule 3 limit exceedance details:*

Parameter: Ammoniacal nitrogen (expressed as N)

Result: **32.1mg/l**

Limit: Maximum of 5.45mg/l

4.3.1 (a) Notification of any malfunction, breakdown or failure of equipment or techniques

- Failure to notify Natural Resources Wales of a fault with chamber three's blower which was identified on 19/01/2024.

4.3.1 (a) Notification of any malfunction, breakdown or failure of equipment or techniques

- Failure to notify Natural Resources Wales of a build up of filamentous bacteria in chamber one which is stated to have restricted aeration in the tank and resulted in bacteria die off. Initially identified on 08/03/2024 by Bike Park Wales.

Action required by dates specified:

Actions Due by 15/05/2024

- Submit to NRW the written management system required as per 1.1.1 of the permit.
- Ensure that 4.3.1 of the permit is followed. Update the management system to include NRW notification when required (if this is not yet specified).

Actions Due by 08/06/2024

- Provide NRW with any sampling results from October 2023 until 02/04/2024. Include any assessments produced as a result.
- Provide NRW with any sampling results since 02/04/2024.
- Submit details of the investigation described in the initial investigation report which determined the root cause of the breach. Include any investigations or advice provided by Filta Group/SME relating to the breach.

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: Ceri Malone, Environment Officer,
Ceri.Malone@naturalresourceswales.gov.uk

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.