

## Compliance Assessment Report CAR\_NRW0045565

**Permit being assessed:** AC0138101

For: MONMOUTH SERVICE AREA STW A40 NEAR, held by EURO GARAGES LIMITED  
At: MONMOUTH SERVICE AREA STW A40 N, A40 NEAR MONMOUTH, NEAR MONMOUTH, NEAR MONMOUTH, NEAR MONMO.

**Type of assessment carried out:** Site Inspection, Reason: Incident Response (Incident number: 2410853).

On 26/06/2024, between 11:00 and 12:00.

Parts of permit assessed: Discharge, plant, management

**NRW Lead Officer:** Alastair Krzyzosiak, accompanied by: Simon Worrall.

**Report sent to:** Euro Garages Limited, Permit Holder, on 04/11/2024.

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

Part of permitted activity assessed (criteria)	Assessment result	Permit condition
WQ-C1 - Water Quality - Emissions and monitoring - Emissions to water	C3 Minor	8
WQ-A1 - Water Quality - Management - General management	C2 Significant	Various possible breaches affecting Conditions 4, 5, 7

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	Test results for BOD, Ammonia and Suspended Solids were provided for March, June and September 2024. The September results show a minor permit breach for Ammonia (12mg/l recorded, permit limit is 11mg/l). Investigate reasons for breach.	04/12/2024
WQ-A1	Action points listed below. Information has not been provided as requested in various emails over the last several months.	04/12/2024

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.**

**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**

**Contains a WARNING**

**ACTIONS REQUIRED**

**DEADLINE: 4<sup>th</sup> DECEMBER 2024**

##### **Background**

I attended the site on 26<sup>th</sup> June 2024 to carry out an inspection of the sites sewage treatment plant (permit reference AC0138101). Concerns had been raised with NRW over elevated levels of Phosphate in waterbodies downstream of the discharge from the service station. A CAR was not initially issued as additional information was requested. In the weeks following the site inspection, the response I have received from the permit holder has been poor, and information I have requested has repeatedly not been provided. In my email correspondence with site managers and RA Dalton (the service provider dealing with the sewage plant and infrastructure) I have made several attempts to set deadlines, and explained the consequences of non-compliance. I have still not been provided with the information I need.

This CAR is now required to:

- Make a record of the site visit.
- Record the lack of progress to date.
- Reiterate the information requests I have made via email.
- Record what information has been provided.
- Set out what requirements have still not been met and which information has still not been provided. Required actions are set out in **BOLD** below. **Evidence of the completed actions must be provided.**
- Explain what will happen if progress is not made by the deadline set out in this CAR.

##### **General Maintenance**

NRW have previously attended the site and made requests for the site to be better maintained to allow access for sampling and inspections (as recorded on previous CARs). As of 26<sup>th</sup> June 2024, this had not been done. There was a significant amount of vegetation, including trees, growing

around the treatment plant.

**ACTION 1: Vegetation growing on and immediately adjacent to the plant must be cleared.**

**ACTION 2: A clear access pathway must be maintained at all times to the sampling point, and discharge point into the nearby watercourse.** This is a requirement of the permit (Condition 4).

**ACTION 3: The sample point must be clearly marked.** At present it is not clear or obvious where the sample point is. This is a requirement of the permit (Condition 4).

**Evidence that ACTIONS 1 – 3 have been completed must be provided.**

### Permit Queries

Condition 6 of the permit states:

- The volume of the discharge shall be calculated using the total running time and the calibrated pumping efficiency of the pumps located at the inlet to the sewage treatment works
- A record of the total running time of the inlet pumps shall be maintained by the consent holder and kept available for inspection
- The pumps shall be calibrated and maintained on a regular basis. The consent holder shall keep a record of the calibration results available for inspection.

On 26<sup>th</sup> June 2024, as per the permit, I asked for evidence of the following to be provided:

- Demonstration of the current volume of the discharge, including daily totals (cubic meters per day)
- Rate of discharge (Litres per second).
- Records/logs of the running times of the pumps, and calibration results, as described above.
- Service / maintenance logs showing Biological Oxygen Demand (BOD), Ammonia, Suspended Solids.

Test results for BOD, Ammonia and Suspended Solids were provided for March, June and September 2024. The September results show a minor permit breach for Ammonia (12mg/l recorded, permit limit is 11mg/l).

The remaining information requested above has not been provided in the format set out in the permit. **ACTION 4: Provide all of the outstanding information requested above (including the next set of test results for BOD, Ammonia and SS). If the information is not available in the format stipulated in the permit conditions, explain why.**

If the infrastructure on site has changed since the permit was written, and these conditions are no longer compatible with the infrastructure on site, a permit variation may be needed to allow NRW to regulate the site. We must be able to easily assess compliance with the Daily Flow limit (38m<sup>3</sup>/day).

**Water Bills / Daily Flow**

In an attempt to better understand the daily flow rate and daily discharge on site, and to help assess if this is being exceeded, on 26<sup>th</sup> June 2024 I requested a recent water bill for the whole site served by the treatment plan (including the hotel). After multiple emails, I am still unable to understand water use at the site. A water bill provided covers from 11th June to 10th July, totalling £2561.88. Based on DCWW's standard charges, this appears to result in a total of 58.25m<sup>3</sup> p/day. I have queried if potentially the charge rate is different to the standard published charges, or if there are additional charges which may help to explain the discrepancy. No explanation has been provided. At present, there remains a large discrepancy between the Daily Flow limit (38m<sup>3</sup>/day) and what appears to be the flow rate based on the water bill.

On 1<sup>st</sup> October 2014 I was informed that I would be provided with daily water readings. I also requested water bills going back to January 2024 so I could better understand water use at the site over a longer period of time.

At the time of writing, I have received no further water bills, and the only readings I have received are as follows:

Monmouth NP25 4BR - Meter Readings					
Date	Meter 1	Daily Consumption	Meter 2	Daily Consumption	Total Site Consumption
22.10.2024	48778				
23.10.2024	UNABLE TO TAKE				
24.10.2024	48802		33366		
25.10.2024	48813	11m <sup>3</sup>	33374	8m <sup>3</sup>	19m <sup>3</sup>

**ACTION 5: Provide the missing water bills, and provide the missing daily water meter readings. Continue to provide these for at least the next month on a weekly basis (4<sup>th</sup> December 2024).**

**ACTION 6: Explain why meter readings have not been provided to date.**

**ACTION 7: If the chamber where the meter is located is prone to flooding, the meter will need to be moved to a more appropriate location so it can be accessed in all conditions. It should be pumped out to take readings if it can't be moved before it floods again. Clarification of this to be provided, with evidence showing any actions completed to move the meter if needed.**

**ACTION 8: Confirm if the services on both side of the dual carriageway are connected to the treatment plant on the north side, and if not, explain how the wastewater/sewage is managed on the South side?**

**Deadline and Enforcement**

Failure to comply with the actions set out above will result in further enforcement. In my email correspondence, I have already made several references to NRW's enforcement options. Several options are available to us, including revocation of the permit. If the permit is revoked, it will become illegal to operate a discharge from the site. This would incur the cost of tankering away the effluent to a regulated facility until a satisfactory long-term solution was found. A new permit would only be issued if we were satisfied that the site could be managed in line with the permit conditions. At present, it is not clear that this is the case.

We can also serve notices, requiring you to supply specified information, or carry out works. Failure to comply with notices is an offence and could result in fines and a criminal conviction.

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](mailto: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](mailto: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.