

Compliance Assessment Report

Report ID:
CAR_NRW0035668

This form will report compliance with your permit as determined by an NRW officer

| | | | | | | |
|------------------------------|-------------------------------------|-------------|------------|-----|-------|--|
| Site | VALE BUSINESS PARK STW VALE BUSINES | Permit Ref | BB4002501 | | | |
| Operator/Permit holder | LEL (PROPERTIES) LTD | | | | | |
| Regime | WaterQuality | | | | | |
| Date of assessment | 10/09/2019 | Time in | 14:00 | Out | 14:30 | |
| Assessment type | Report/Data Review | | | | | |
| Parts of the permit assessed | NA | | | | | |
| Lead officer's name | Downes, Damien | | | | | |
| Accompanied by | Lewis, Kirsty | | | | | |
| Recipient's name/position | Karen Tilley / Managing Director | Date issued | 13/09/2019 | | | |

Section 1 – Compliance Assessment Summary

This is based on the requirements of the permit under the Environmental Permitting Regulations or the licence under the Water Resources Act 1991 as amended by the Water Act 2003. A detailed explanation is captured in "Compliance Assessment Report Detail" (Section 2) and any actions you may need to take are given in the "Action(s)" (section 4). This summary details where we believe any non-compliance with the permit has occurred, the relevant condition and how the non-compliance has been categorised using our Compliance Classification Scheme (CCS). CCS Scores can be consolidated or suspended where appropriate, to reflect the impact of some non-compliances more accurately. For more details of our CCS scheme, contact your local office.

| Permit conditions and compliance summary | CCS Category | Condition(s) breached |
|--|--------------|-----------------------|
| E2 - Emissions - Land and groundwater | C3 | NA |

KEY: See Section 5 for breach categories, suspended scores will be indicated as such.

A = Assessed or assessed in part (no evidence of non-compliance), **X** = Action only,

O = Ongoing non-compliance, not scored.

| | | | |
|-----------------------------|---|--|---|
| Number of breaches recorded | 1 | Total compliance score (see section 5 for scoring scheme) | 4 |
|-----------------------------|---|--|---|

If the Number of breaches recorded is greater than zero, please see Section 3 for our proposed enforcement response

Section 2 – Compliance Assessment Report Detail

This section contains a report of our findings and will usually include information on:

- The part(s) of the permit that were assessed (eg. Maintenance, training, combustion plant, etc)
- Where the type of assessment was 'Data Review' details of the report/results triggering the assessment
- Any non-compliances identified
- Any non-compliances with directly applicable legislation
- Details of any multiple non-compliances
- Information on the compliance score accrued inc.
- Details of advice given
- Any other areas of concern
- Any actions requested
- Any examples of good practice
- A reference to photos taken

Site inspection with Natural Resources Wales Officers Damien Downes and Kirsty Lewis on site. Weather conditions dry and fine.

The sewage treatment works was previously inspected on 15th July 2019 and a formal sample taken at the final effluent sample point. During the inspection several issues were noted and report to LEL (Properties) Ltd.

The sample taken on the 15th July 2019 breached the permit condition related to the sites emission limits.

LEL (Properties) Ltd have since undertaken a comprehensive improvement programme with details as follows;

In response to your Compliance Assessment Report dated 15th July 2019, following your inspection and final effluent monitoring sample, you noted that the STW appeared run down and poorly maintained.

Under a Licence agreement held between L.E.L (Properties)Ltd and the owners of the Trading Estate, it is the responsibility of Bruton Knowles, the managing agents, to keep the site and works well maintained and in good working order. They have been using Redwood Environmental Services to carry out a programme of weekly and monthly inspections to ensure that the STW is regularly cleaned and maintained and report any issues found.

It was apparent that there had been a breakdown in this programme. We do understand that as the Discharge Licence holders we should have been taking a more proactive role in monitoring this.

Prior to your inspection, I had been in talks with Redwood and had instructed them to;

- Remove all contaminated pea gravel from the filter beds and replace with new
- Empty, de sludge and deep clean all of the tanks

Following your inspection, I expressed how critical it was that they attend site. In addition, I asked them to provide a report as to why they think the works had failed. They reported the following;

It has been noted that due mainly to the dry sunny weather over the last few months there was a lack of water going into the system and therefore the effluent is much more concentrated. When weekly maintenance is carried out, the rotary arms are jetted. Straight after the jetting the arms start to turn. With the reduction of water in the system the arms are becoming blocked which is stopping rotation.

Over the last few weeks Redwood have been in regular attendance and carried works as requested;

- A de sludge and deep clean of the inlet chamber
- Primary tank emptied and washed down
- Rotating distributor mechanism and arms jet washed and cleaned, stones turned over and washed down
- Old pea gravel removed from filter beds and replaced with new
- Confined space entry into the humus tank, sludge removed using a vac tanker and walls pressure washed

Whilst carrying out these works it was noted that the valve on the primary tank was no longer operational. I instructed Redwood to replace, in addition I have requested an inspection to be carried out on all tanks to ensure that all valves are or will be made completely operational.

Going forward, Bruton Knowles will continue to work with Redwood to carry out the weekly and monthly maintenance. We will closely monitor the actions and will meet with Redwood on site when they are doing the weekly Monday clean.

We will carry out additional checks during the week which will be diarised and be in regular contact with Redwood to remedy any issues.

In view of the situation we felt it would be beneficial to get another opinion on the workings of the STW. We requested a site inspection and report from Egan Waste Services, they attended site on the 26th July 2019 and again on the 9th August 2019 with Stuart Fisher, consultant.

They state that the works and plant appeared in reasonable condition for its age and noted the improvement that had taken place to the site between the inspection dates. They report that the plant is capable of producing a compliant effluent but there is, particularly in wet weather, a problem with the flooding of the treatment units due to the rate of recycled effluent to the inlet chamber.

The inlet tank where sewage arrives from the outer pumping stations of the Trading Estate and the Vale Business Park and the internal pumping station, at the time of inspection, was inundated with incoming flow most of which appeared to come from the internal pumping station. This resulting in the primary tank being surcharged as the pipework to the biological filter could not cope with the flow.

The distribution arms are now turning freely with a good distribution of sewage over the stone.

Again it was noted that the de sludge valve on the primary tank was not opening/closing – This is now in working order.

A pipe has been put in place directed on to the filter, the flow from this pipe has caused ponding (flooding) of the immediate area resulting in no treatment for that part of the filter – This pipe has now been blocked up.

In summary, the fine tuning of the recycling of effluent is crucial to the process.

- Redwood will look at regulating the pumps on the Trading Estate to see if by doing this they can reduce the volume going in to the plant
- We have altered the timer to regulate the flow form the internal pump
- Monday 2nd September Redwood are due to empty and clean the inlet tank, a repair will be done to a valve which will allow us to control the release of water on to the filter beds which will ease the amount of flow in to the primary tank.

Both the Vale Business Park and the Trading Estate would benefit from a full drainage investigation to locate the sources of water ingress.

Regular good maintenance is also crucial.

Redwood will continue under the contract they have with Bruton Knowle. In addition to this L.E.L (Properties)Ltd will be using the services of Egan Waste to carry out quarterly inspections, followed by a report to me, to ensure that the maintenance programme is being carried out satisfactorily. They will also undertake quarterly inspections to clean waste from the pump station on the Vale Business Park over to the STW.

During a further site inspection, it was noted that there was an issue with ponding next to the raised manhole. This has been dealt with.

We trust this report meets with your requirements. Attached are some photographs of how the site looks today **END**

Site Inspection Observation 10th September 2019

A routine sample was taken by our monitoring team mid-August and this was compliant, for this reason I did not take a further sample.

It was evident that the compliant sample was an indicator that all the improvement works to date have had a positive impact on the overall performance of the works.

Actions

I did however note that there was evidence of continued spills of sewage from the inlet to ground that will require attention;

- this will require adequate containment control measure during high flows – possible bunding.
- investigation to identify route cause analysis of the excessive flow to the works.

The filter bed appeared to operate well, however the flow was not distributing evenly from the arms and there was excessive moss growth.

Breach of permit condition

- Compliance Classification Scheme breach for E3 (Emissions to land) Category 3 –

This result, together with all other results taken for permit monitoring, will form part of the public register held by Natural Resources Wales and are available for inspection by any member of the public.

Contact details: If you have any queries regarding this Compliance Assessment Report (CAR) form or to provide an update on any actions above, please contact me using the following details: Damien Downes, Environment Officer, damien.downes@naturalresourceswales.gov.uk, 0300 065 3476

EPR Compliance Assessment Report

**Report ID:
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| | | | |
|------------------------|--|------------|------------|
| Site | VALE BUSINESS PARK STW VALE BUSINES | Permit Ref | BB4002501 |
| Operator/Permit holder | LEL (PROPERTIES) LTD | Date | 10/09/2019 |

Section 3 – Enforcement Response

You must take immediate action to rectify any non-compliance and prevent repetition. Non-compliance with your permit conditions constitutes an offence and can result in criminal prosecutions and/or suspension or revocation of a permit. Please read the detailed assessment in Section 2 and the steps you need to take in Section 4 below.

Other than the provision of advice and guidance, at present we do not intend to take further enforcement action in respect of the non-compliance identified above. This does not preclude us from taking enforcement action if further relevant information comes to light or advice isn't followed.

Section 4 – Action(s)

This section summarises the actions identified during the assessment along with the timescales for when they will need to be completed.

| Criteria Ref. | CCS Category | Action required/advised | Due Date |
|---------------------|--------------|-------------------------------------|------------|
| See Section 1 above | | | |
| E2 | C3 | Investigate to identify route cause | 31/10/2019 |

Section 5 – Compliance notes for the Operator

To ensure you correct actual or potential non-compliance we may

- Advise on corrective actions verbally or in writing
- Require you to take specific actions verbally or in writing
- Issue a notice
- Require you to review your procedures or management system
- Change some of the conditions of your permit
- Decide to undertake a full review of your permit

Any breach of a permit condition is an offence and we may take legal action against you

- We will normally provide advice and guidance to assist you to come back into compliance either after an offence is committed or where we consider that an offence is likely to be committed. This is without prejudice to any other enforcement response that we consider may be required.
- Enforcement action can include the issue of a formal caution, prosecution, the service of a notice and/or suspension or revocation of the permit.

See our Enforcement and Civil Sanctions guidance for further information

This report does not relieve the site operator of the responsibility to

- Ensure you comply with the conditions of the permit at all times and prevent pollution of the environment
- Ensure you comply with other legislative provisions which may apply

Non-compliance scores and categories

| CCS category | Description | Score |
|--------------|--|-------|
| C1 | A non-compliance that could have a major environmental effect | 60 |
| C2 | A non-compliance which could have a significant environmental effect | 31 |
| C3 | A non-compliance which could have a minor environmental effect | 4 |
| C4 | A non-compliance which has no potential environmental effect | 0.1 |

Operational Risk Appraisal (Opra) - Compliance assessment findings may affect your Opra score and/or your charges. This score influences the resource we use to assess permit compliance.

Section 6 – General information

Data protection notice

The information on this form will be processed by the Natural Resources Wales (NRW) to fulfil its regulatory and monitoring functions and to maintain the relevant public register(s). The NRW may also use and/or disclose it in connection with:

- Offering/providing you with its literature/services relating to environmental matters
- Consulting with the public, public bodies and other organisations (eg. 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 its service
- Freedom of Information Act/Environmental Regulations request

The NRW may pass it on to its agents/representatives to do these things on its behalf. You should ensure that any persons named on this form are informed of the contents of this data protection notice.

Disclosure of information

The NRW will provide a copy of this report to the public register(s). However, if you consider that any information contained in this report should not be released to the public register(s) on the grounds of commercial confidentiality, you must write to your local area office within fifteen working days of receipt of this form indicating which information it concerns and why it should not be released, giving your reasons in full.

Customer charter

What can I do if I disagree with this compliance assessment report?

If you are unable to resolve the issue with your site officer, you should firstly discuss the matter with officer's line managers using the informal appeals procedure. If you wish to raise your dispute further through our official Complaints and Commendations procedure, phone our general enquiry number 0300 065 3000 (Mon to Fri 08.00 – 18.00) and ask for the Customer Contact team or send an email to enquiries@naturalresourceswales.gov.uk. If you are still dissatisfied you can make a complaint to the Public Services Ombudsman for Wales. For advice on how to complain to the Ombudsman phone their helpline on 0845 607 0987.

Welsh Language

If you would like this form in Welsh please contact your Regulatory Officer.