

Compliance Assessment Report CAR_NRW0039456

Permit being assessed: AN0280002

For: COG MOORS STW CDIFF RD DINAS POWYS, held by DWR CYMRU CYFYNGEDIG

At: COG MOORS STW, CARDIFF ROAD, DINAS POWYS, BARRY, CF64 5RP.

Type of assessment carried out: Report/Data Review, Reason: Routine.

On 31/12/2021.

Parts of permit assessed: Relevant conditions

NRW Lead Officer: Hannah Jenkins.

Report sent to: CARS Mailbox, CARS Mailbox, on 29/04/2022.

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	C3 Minor	11.2
WQ-A1 - Management - General management	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	Provide evidence that the weir flow and magflow monitors are calibrated and operating effectively to record flow readings accurately	17/05/2022
WQ-A1	Please provide the conclusion to the investigation as to why the Magflow meter was removed from the maintenance schedule 24.04.2015 as reference in the response to the 2020 Compliance Assessment (CAR_NRW0037903) provided by Faye Ward.	17/05/2022
WQ-D1	In accordance with Condition 13 please provide an up to date copy of the QMS system and maintenance programme relevant to the operation and maintenance of the UV plant and associated infrastructure, including all non-routine actions which may have been taken from 2020 to date.	17/05/2022

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**2021 Bathing Water Return Compliance Assessment**

As part of the routine audit we have reviewed data submitted as required by environmental permit AN0280002 for the discharge of settled storm treatment with UV disinfection under certain conditions during the Bathing Water Season. *Please note:* this CAR is dated 31.12.21 as the assessment relates to annual 2021 data, however for clarity the officer has concluded the compliance assessment on 29.04.22.

The Bathing Water Compliance report and associated data was submitted via email to the NRW Operator Self-Monitoring inbox on 28.10.2021. The raw data was submitted 04.03.22 on request to enable compliance checks to be made against permit conditions.

Conditions considered compliant under normal operating conditions relating to compliance reporting:

14. the report was submitted promptly and within 2 months of the end of the reporting period.

11.1: Data was provided for the operation of the UV plant between 29.03.2021 and 30.09.2021 which is between the reporting period of 4-days prior to Good Friday until the 30th September 2021.

For future submissions please provide the full data submission as has been previously agreed with NRW.

Observations and queries with actions following analysis of the data return:

The compliance report entitled 'Compliance UV2021' describes two occasions of data anomalies with explanations and actions to minimise reoccurrence.

The periods were 12.05.2021 23:30 to 13.05.2021 06:45 and 21.05.2021 00:30 to 21.05.2021 14:45.

Following inspection of the data alongside this report, we accept that the data and explanation for the 21st May is satisfactory and agree that this appears to be spurious data. However, the explanation for the data discrepancies between 12th May 23:30 and 13th May 06:45 where it appears that a proportion of the flow was not being treated via the UV plant, is not satisfactory. There is a discrepancy of between around 400 - 700 l/s in the flow readings of the Magflow and combined weir flow readings for over 7 hours before channel 1 then appears to operate normally, and the weir flow device provides readings from 7am for the remainder of the storm period. The level sensors appear to read within normal range

over the whole period from 12.05.2021 23:30.

This has recorded as a breach of permit condition 11.2. and has been categorised as C3 non-compliance. Should you wish to provide further evidence to show UV treatment was occurring through channel 1 or 3 during this period or further explanation for no flows from the weir flow data for Channel 2 or 3 we will consider it.

Actions required as listed in Section 2:

Further to the data discrepancies from the 2021 dataset and the submission made in response 2020 Compliance Assessment (CAR_NRW0037903), please provide evidence that the weir flow and magflow monitors have been suitably calibrated and operating effectively to accurately record flow readings.

Please provide the conclusion to the investigation as to why the Magflow meter was removed from the maintenance schedule 24.04.2015 as stated in the response to the 2020 Compliance Assessment (CAR_NRW0037903) provided by Faye Ward.

In accordance with Condition 13 please provide an up to date copy of the QMS system and maintenance programme relevant to the operation and maintenance of the UV plant and associated infrastructure, including all non-routine actions which may have been taken from 2020 to date. *Please note* - if it is impractical to provide a copy of the QMS system as requested, please contact the officer to arrange for inspection of the document(s) at a Dwr Cymru office or site.

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.