

Compliance Assessment Report CAR_NRW0041655

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 31/12/2022.

Parts of permit assessed: relevant conditions

NRW Lead Officer: Natalie Wrangham.

Report sent to: CARS@dwrcymru, mailbox, on 17/04/2023.

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

Part of permitted activity assessed (criteria)	Assessment result	Permit condition
WQ-A1 - Management - General management	Action only (X)	
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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	Update on the investigations under job number 47917067 to determine operational fault issue.	17/05/2023
WQ-A1	Investigation into why there is no magflow recorded on 6th September 2022 22:15-23:00 where inlet level has been exceeded.	17/05/2023
WQ-A1	In accordance with condition 13(f) we request that you carry out efficacy monitoring. We would like to see at least 5 samples taken during the operation of the UV storm treatment. Results should be submitted with the Bathing water compliance report for 2023	31/12/2023

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

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 31.12.22 as the assessment relates to annual 2022 data, however for clarity the officer has concluded the compliance assessment on 11.04.23.

The Bathing Water Compliance report and associated data was submitted via email to the NRW Operator Self-Monitoring inbox on 20.10.2022.

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 11.04.2022 and 30.09.2022 which is between the reporting period of 4-days prior to Good Friday until the 30th September 2022.

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

The compliance report entitled 'Compliance UV2022' describes six occasions of data discrepancies with explanations and actions. We are in agreement that data logged on 1st July 2022 9:30-12:45 and 6th July 2022 9:45-10:15 we accept the explanation of anomalous data.

However the following discrepancies warrant additional explanation:

- 11th May 2022 10:15 – 11:15 – No channel 1 data
- 5th June 2022 20:30 – 6th June 2022 00:45 – No channel 1 data
- 29th June 2022 00:30 – 03:15 – No channel 1 data
- 5th September 2022 21:30 – 6th September 2022 01:15 – No channel 1 data
- 6th September 2022 22:15 – 23:00 – Inlet level exceeded but no Magflow reading

For the first 4 periods identified above DCWW state:

'The inlet penstock to channel 1 has been experiencing intermittent closing/sealing issues throughout the bathing season allowing flow through. Under normal operation eg during a storm event all channel inlet penstocks are at 20% open, this allows all 3 channels to fill and submerge the UV lamps/banks. The UV system then decides which two UV channels will operate under a duty/assist configuration and closes the selected standby channel, the remaining channels open to 100% and the UV system initiates to maximum power & UV

irradiation dose. The standby channel remains full of storm water in case it is required for immediate operation. During this warm up process it is normal to see small amounts of flow spilling over all the individual channel weirs until the UV system confirms it's in storm conditions. However flow has continued to pass through this channel. **Action:** Ongoing investigation by ICA (Instrument, Control & Automation) technician and SOT (Senior Operational Technology) Analyst under the job number No. 47917067. Investigation requires the UV system to operate to fault find.' **There are no recorded UVNOT or OPNOTs for this fault.**

There is no explanation given for the data recorded on 6th September 2022 22:15-23:00.

Actions

1. Update and explanation of the investigations under job number 47917067 to determine operational fault issue by 17/05/2023
2. Any action required following the investigation, and where identified, timescales and status of repairs for operational or other fault determined by investigation above by 17/05/2023
3. Investigation into why there is no flow recorded by the magflow meter on 6th September 2022 22:15-23:00 where inlet level has been exceeded by 17/05/2023
4. Report faults with UV system via the correct procedure to NRW - ongoing
5. In accordance with condition 13(f) we request that you carry out efficacy monitoring in 2023. We would like to see at least 5 samples taken during the operation of the UV storm treatment. Results should be submitted to the NRW OSM mailbox with the Bathing Water Compliance Report for 2023 by 31/12/2023

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.