

Compliance Assessment Report CAR_NRW0041765

Permit being assessed: BC0003001

For: GOWERTON WwTW, held by DWR CYMRU CYFYNGEDIG

At: GOWERTON WwTW, VICTORIA ROAD, GOWERTON, SWANSEA, SA4 3AB.

Type of assessment carried out: Check Monitoring/Sampling, Reason: Routine.
On 31/12/2022.

Parts of permit assessed: Monitoring and Reporting conditions

NRW Lead Officer: Catherine Tucker, accompanied by: Sarah Bennett.

Report sent to: CARS Mailbox, CARS Mailbox, on 11/05/2023.

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

Part of permitted activity assessed (criteria)	Assessment result	Permit condition
WQ-D3 - Information - Notifications	C4 No impact	3.3.8 Unless otherwise agreed in writing by Natural Resources Wales, after becoming aware, or following notification that a sample has not been taken on the schedule 3C Monitoring Programme pre-scheduled date, or is lost, or a result for that sample cannot be reported, the operator shall notify Natural Resources Wales of the missed event and the reschedule date as soon as reasonably practicable
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WQ-B3 - Operations - Operating techniques	C4 No impact	2.3.6 (b) The full dose limit in schedule 3 table S3.3b must be exceeded in at least 99% of the specified measurements in any period of 12 consecutive months

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

2. What action is required?

Criteria	Action needed	Complete by
WQ-D3	Ensure that all the scheduled monitoring specified in the permit is carried out and reported.	05/06/2023
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WQ-B3	Investigate the root cause(s) to the failed dose readings and share findings from your internal serious incident review.	05/06/2023

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.

At this time, we do not intend to take any further action.

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

The non-compliance listed above was identified during our annual 2022 data audit. This audit assessed Dŵr Cymru Welsh Water's compliance at all their sewage treatment works and water treatment works with Operator Self Monitoring (OSM) conditions, UV conditions (only applicable at some sewage treatment works) and Urban Waste Water conditions (only applicable at some sewage treatment works).

Non-compliance 1 relates to: Late notification of UWW sample reschedule date for Nitrogen. Date of missed sample 24/02/2022. Date notification received by NRW 14/06/2022 (110 days from original schedule date).

Non-compliance 2 relates to: Late notification of UWW sample reschedule date for Nitrogen. Date of missed sample 02/03/2022. Date notification received by NRW 14/06/2022 (104 days from original schedule date).

Non-compliance 3 relates to: Late notification of UWW sample reschedule date for Nitrogen. Date of missed sample 18/03/2022. Date notification received by NRW 14/06/2022 (88 days from original schedule date).

Non-compliance 4 relates to: Late notification of UWW sample reschedule date for Nitrogen. Date of missed sample 09/04/2022. Date notification received by NRW 04/05/2022 (25 days from original schedule date).

Non-compliance 5 relates to: Late notification of UWW sample reschedule date for nitrogen. Date of missed sample 10/05/2022. Date notification received by NRW 14/06/2022 (35 days from original schedule date).

Non-compliance 6 relates to: Late notification of UWW sample reschedule date for nitrogen. Date of missed sample 13/05/2022. Date notification received by NRW 30/06/2022 (48 days from original schedule date).

Non-compliance 7 relates to: Late notification of UWW sample reschedule date for nitrogen. Date of missed sample 25/05/2022. Date notification received by NRW 17/06/2022 (23 days from original schedule date).

Non-compliance 8 relates to: Late notification of UWW sample reschedule date for nitrogen. Date of missed sample 16/06/2022. Date notification received by NRW 04/08/2022 (49 days from original schedule date).

Non-compliance 9 relates to: Late notification of UWW sample reschedule date for nitrogen. Date of missed sample 22/06/2022. Date notification received by NRW 04/08/2022 (43 days from original schedule date).

Non-compliance 10 relates to: Late notification of UWW sample reschedule date for nitrogen. Date of missed sample 24/06/2022. Date notification received by NRW 04/08/2022 (41 days from original schedule date).

Non-compliance 11 relates to: Late notification of UWW sample reschedule date for nitrogen. Date of missed sample 02/07/2022. Date notification received by NRW 04/08/2022 (33 days from original schedule date).

Non-compliance 12 relates to: Late notification of UWW sample reschedule date for nitrogen. Date of missed sample 19/08/2022. Date notification received by NRW 13/09/2022 (25 days from original schedule date).

Actions – please carry out the actions specified above to comply with permit condition 3.3.8

Non-compliance 13 relates to: The PFET UV, failure of permit condition 2.3.6 which requires at least 99% of readings to meet the full dose limit (adjusted for meter accuracy) in any period of 12 consecutive months. 3.3% of readings in 2022 did not meet the full dose limit. The full dose limit 28.85mJ/cm² has been adjusted as per the assessment guidance to 24.52mJ/cm² to allow for meter accuracy.

We are aware that you identified control issues which may account for the failed dose readings and are due to conduct a serious incident review internally to identify the root cause(s) - as per the action, please confirm the findings of this review and what action(s) you will take to prevent a reoccurrence of this permit non-compliance.

Actions: Please carry out the actions specified above and comply with permit condition 2.3.6

It is an offence under Regulation 38 (2) of the Environmental Permitting Regulations 2016 for a person to fail to comply with or to contravene an environmental permit condition.

Please take the actions required in this report as formal Advice and Guidance intended to bring the discharge back into compliance with the Permit.

Please note: this CAR is dated 31/12/22 as these non-compliances relate to annual 2022 data, however for clarity I carried out the compliance assessment on 11/05/2023.

End.

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.