

## Compliance Assessment Report CAR\_NRW0042098

**Permit being assessed:** CM0081001

For: TY GWYN WWTW BUCKLEY, held by DWR CYMRU CYFYNGEDIG

At: TY GWYN WWTW, BUCKLEY, Wrexham, Flintshire, CH7 4JF.

**Type of assessment carried out:** Check Monitoring/Sampling, Reason: Routine.  
On 06/07/2023.

Parts of permit assessed: Emissions

**NRW Lead Officer:** Sally Sheehan.

**Report sent to:** CARS Mailbox, CARS Mailbox, on 12/07/2023.

### 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	C4 No impact	Table S3.1 emissions to water. Total Iron Max 8000ug/l Sample 15400ug/l. Suspended Solids Max 90mg/l Sample 93mg/l.

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	Ensure that improvements are made to prevent the routine maintenance of the high rate filter bed having an impact on the final effluent.	Already completed

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

Natural Resources Wales received a self report notification from Dwr Cymru, on 5 June 2023, to say that the final effluent from Ty Gwyn Sewage Treatment Works (STW) may have exceeded or failed the emission limits set out in the permit.

Following laboratory analysis, results confirmed that the sample had failed for the following limits:

Total Iron Permit Max Limit 8000 ug/l sample result 15400 ug/l

Suspended Solids Permit Max Limit 90mg/l sample result 93mg/l

Dwr Cymru have explained that at the time of this failure the high rate filter beds (HRF) were undergoing routine maintenance. They believe this to be the cause of the high iron and suspended solids in the effluent. They said: *In order to safely carry out the maintenance, the HRF had to stopped for a short period, and flows would be switched off while work was undertaken. However there is an interim point where flows are returned to the filter while the arms are stationary prior to them beginning to rotate again. This frequently happens when the filter arms of the HRF require cleaning to ensure even distribution of effluent across the filter and therefore good treatment of ammonia. This is a planned maintenance task which is routinely carried out with no impact being seen on the final effluent quality, as such the maintenance work at this time was undertaken without further mitigation being in place. We had no reason to expect the deterioration in sample observed.*

Dwr Cymru have submitted evidence to show that the high solids and iron levels were for a short duration of 1hr 15mins, and at the time the STW was treating low flows of 29.7 litres per second compared to full flows of 124 litres per second. Based on this evidence the failure has been categorised as a CCS 4, meaning that the discharge will have likely had a minor impact to the receiving water course.

Dwr Cymru have confirmed in a local liaison meeting that they have changed the HRF maintenance procedure to ensure this will not reoccur.

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.