

Compliance Assessment Report CAR_NRW0042151

Permit being assessed: CM0107601

For: HENLLAN STW, held by DWR CYMRU CYFYNGEDIG

At: ,, ,.

Type of assessment carried out: Check Monitoring/Sampling, Reason: Routine.

On 17/07/2023 - 24/07/2023.

Parts of permit assessed: 3.1.2 The limits given in schedule 3 shall not be exceeded

NRW Lead Officer: Amy Chisnell.

Report sent to: CARS Mailbox, CARS Mailbox, on 25/07/2023.

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	Assessed (A)	

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

2. What action is required?

No action required.

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

On 7th July 2023 an escalation for high ammonia was made internally within DCWW following an OSM sample. Escalated with an in situ ammonia reading of 14mg/l. NRW were made aware via an OPNOT (operational notification).

The permit limit for ammonia is 10mg/l. The result from the sample taken on 7th July 2023 was 12.18mg/l. Other results were compliant with the permit.

A waiver request was received by NRW on 14th July, outlining potential exceptional circumstances and detailing possible reasonings behind the sample failure.

Henllan WwTW (Waste water Treatment Works) received an incoming discharge which

they were not bound to receive and this had an temporary impact on the treatment capability. This discharge was believed to be milk. A photograph of the influent is included below.



When DCWW arrived at Henllan WwTW, they found that there was a white substance entering the sewage works. This appeared to have been entering for several hours already and had impacted the treatment process.

The flow was dropping off as the supervisor arrived at site and had stopped by the time they left, and therefore the networks team were unable to trace the source as they can only do this effectively when the flow of contamination remains strong. However DCWW are currently keeping a log of any unusual influent and should be able to mobilise quickly if they have a similar incident so they can find the source.

Previous catchment investigations carried out by DCWW have found no trade effluent discharges. Due to the rural area of the location, the effluent is suspected to be dairy. This would have a high organic loaded relative to 'normal' sewage and as such will have overloaded the WwTW biological capacity. Dairy type effluent can inhibit nitrifying bacteria and as such while carbonaceous treatment remains effective, albeit with slightly elevated results, ammonia treatment is significantly impacted.

The response from DCWW to manage the WwTW involved tankering the effluent away to an alternative WwTW to allow the dissolved oxygen levels and the microbiology to recover at Henllan.

The crude sample from the works was collected and analysed and the results can be seen

in the table below. The COD concentration received by the works on 7th July was over twice the average seen in samples collected during the previous 12 months, equally the BOD result was more than 1.5 times above the average. This is a significant change which would have impacted the WwTW ability to effectively treat the loading. While the ammonia concentration itself was not as significantly raised itself, the increase in COD loading will have affected the biology of the aeration lane and negatively impacted the nitrifying bacteria.

Determinand	7th July 2023	Average for previous 12 months	% increase on average
pH	6.9	7.8	n/a
BOD	450	238.9	88.3
COD	1188	585.5	102.9
Ammonia	48.7	37.3	30.6
Solids	356	262.4	35.7
Total P	9.88	7.2	37.8

NRW accept the claim that 3rd party influent impacted Henllan WwTW and led to the elevated ammonia result in the final effluent. Henllan WwTW was not bound to receive the effluent as falls under the EPR (Environmental Permitting Regulations), regulation 38(1) regime (b): "the undertaker was not bound to receive the discharge into the sewer or works"

NRW suggest that DCWW should send letters out to potential sources within the catchment regarding this incident to help to prevent the works from receiving this discharge again. Should there any further such incidents, NRW will have to consider them in terms of foreseeability, and on their own merits.

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.