

Compliance Assessment Report CAR_NRW0042052

Permit being assessed: CM0077101

For: PENGWERN HALL, RHUDDLAN, NR RHYL,, held by Cambian Whinfell School Limited
At: Cambian Pengwern College, Pengwern Hall, Bodelwyddan Road, Rhuddlan, Rhyl, Denbighshire, LL18 5UH.

Type of assessment carried out: Check Monitoring/Sampling, Reason: Incident Response (Incident number: 2304961).

On 19/07/2023, between 09:00 and 16:00.

Parts of permit assessed: Numerical permit limits

NRW Lead Officer: Amy Chisnell, accompanied by: Sally Sheehan.

Report sent to: Cambian Whinfell School Ltd. , Permit holder , 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	C2 Significant	Discharge of purified domestic sewage

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	Carry out survey to ensure that there are no misconnections or faults with the package plant that may be causing the sewage fungus and update NRW with the findings	31/07/2023

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.

We are currently considering taking enforcement action against you for the non-compliance recorded above. We will contact you in due course.

4. Details of our assessment



A report of sewage fungus covering a 200m stretch of the Pont Robin cut was reported internally within NRW on the 27th June 2023. Sewage fungus is a growth of fungi and/or bacteria that develops in low flows and straight waters that are contaminated with sewage effluent. Sewage fungus usually takes a few days to grow and will become thicker and more extensive over time. The fungus also tends to be thicker if the pollution is more concentrated. Once the source of nutrients feeding it is stopped, will take a few days to disappear. The sewage fungus will deplete the dissolved oxygen in the watercourse and as a result, is a threat to fish and invertebrate species.

The incident was attended the following day, 28th June 2023 and the fungus was located downstream of a discharge pipe, which was found to belong to Pengwern Hall College. Samples were taken upstream of the pipe, which was visually better quality and clear of sewage fungus. Two downstream locations were also sampled to assess the impact on the water quality.

The results show an increase in all determinants at the downstream locations.

The ammonia in the formal sample taken from the package treatment plant final effluent sample point was high but was below the permit limit. All determinants were below the permit limit for the samples taken on 28th June and in the routine sample on 29th June.

NRW revisited the Pont Robin cut on Friday 14th July to check on the fungus in the watercourse and found that the situation had worsened and the fungus could be seen impacting over 1800m of the Pont Robin cut.

A visit was made to site on the 14th July to discuss the issue with the maintenance manager and it was agreed that an investigation and a survey was needed to be carried out by the college and should be started urgently as no action or investigation had been carried out since the previous visit. A CCTV or dye tracing survey should be carried out to rule out any possible misconnections and the package treatment plant should be inspected to ensure it is operating as designed.

We are currently waiting on results from the latest formal sample, taken on the 14th July and will produce a new CAR form for these.

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.