

Compliance Assessment Report CAR_NRW0042970

Permit being assessed: AN0280003

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 07/12/2023.

Parts of permit assessed: Conditions 1 & 2

NRW Lead Officer: Charlotte Rhodes.

Report sent to: Andy Knowles, Advanced Digestion Operations, on 07/12/2023.

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

Part of permitted activity assessed (criteria)	Assessment result	Permit condition
WQ-B1 - Operations - Permitted activities	Action only (X)	
WQ-C1 - Emissions and monitoring - Emissions to water	Action only (X)	

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

2. What action is required?

Criteria	Action needed	Complete by
WQ-B1	confirm whether the settled primary effluent you mention was transferred to the storm tanks and kept there? If not, why not?	21/12/2023
WQ-C1	clarify what "AV007 opens emergency penstock" means exactly; does this penstock go into the storm tanks or directly to the storm outfall?	21/12/2023

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.

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

On Thursday 7th December 2023, an OPNOT was sent from DCWW SmartHub to NRW Incident Communication Centre stating that an unplanned event had taken place at Cog Moors WwTW, details as below, environmental impact was deemed as minimal:

Brief Outline: **Unplanned mains power failure last night at 19:30 06/12/23, Main s power back online 20:30 6/12/23**
Remedial Action: **Site responded as designed for main failure.**

Officer C Rhodes sent initial queries regarding the event via email on Thursday, December 7, 2023 11:24 AM - seen in black text below.

DCWW Operative Andy Knowles responded via email at 12:29 - with responses in red as below:

Following on from the below OPNOT, could you please confirm the below:

- *Exactly what happened (pumps affected or whole treatment process?) **Main Power Outage which caused inter stage to back up.***
- *If it resulted in any untreated discharge etc.? **to protect the works, AV007 opens emergency penstock for a1 hour and settled primary effluent to be discharged via the storm.***
- *What actions were taken as part of the response "as designed"? **please see above this is part of our design Which was only for 1 Hour until issues was rectified. In the design this protects all works from flooding and discharging to local water course.***

In a previous CAR, NRW0039980, when asked about the site running in 'bypass mode' and flow running flow either passing through or bypassing the storm tanks prior to discharge, the DCWW response states *"effluent passed into the storm tanks but nothing was discharged from the storm tanks to the receiving watercourse, the effluent was returned to the head of the works and processed as normal after the event."*

We therefore wish to respond with the following questions/**Actions**:

1. Can you confirm whether the settled primary effluent you mention was transferred to the storm tanks and kept there? If not, why not?
2. Additionally, please clarify what **"AV007 opens emergency penstock"** means exactly; does this penstock go into the storm tanks or directly to the storm outfall?

Please provide answers to the questions above by **Thursday 21st December 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.