

Compliance Assessment Report CAR_NRW0042778

Permit being assessed: AN0400801

For: HEOLDDU LEISURE CENTRE BARGOED, held by HEAD OF LIFELONG LEARNING AND LEISURE

At: HEOLDDU LEISURE CENTRE, MOUNTAIN ROAD, BARGOED, MID GLAM, CF81 9GF.

Type of assessment carried out: Site Inspection, Reason: Routine.

On 07/11/2023, between 12:30 and 14:15.

Parts of permit assessed: All parts

NRW Lead Officer: Megan Jones, accompanied by: Gavin Dodd.

Report sent to: Terry Morgan, Facilities Manager, on 18/12/2023.

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

Part of permitted activity assessed (criteria)	Assessment result	Permit condition
WQ-B3 - Operations - Operating techniques	C2 Significant	1.5.7 The discharge shall not be made on more than four occasions per calendar year.
WQ-C1 - Emissions and monitoring - Emissions to water	C2 Significant	1.5.1 The discharge shall not contain more than 0.1 milligrams per litre of total residual chlorine.
WQ-B3 - Operations - Operating techniques	C3 Minor	1.5.9 The rate of discharge shall not exceed 5 litres per second to prevent scouring of the receiving watercourse or damage to its flora and/or fauna.

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

2. What action is required?

Criteria	Action needed	Complete by
WQ-B3	<ul style="list-style-type: none"> Produce an action plan on how you are going to bring the site into compliance with the permit requirements, such as number of discharges, the maximum volume of discharge per year, the rate of discharge and the chlorine level. 	05/02/2024
WQ-C1	<ul style="list-style-type: none"> Produce an action plan on how you are going to bring the site into compliance with the permit requirements, such as 	05/02/2024

Criteria	Action needed	Complete by
	number of discharges, the maximum volume of discharge per year, the rate of discharge and the chlorine level.	
WQ-B3	<ul style="list-style-type: none"> Produce an action plan on how you are going to bring the site into compliance with the permit requirements, such as number of discharges, the maximum volume of discharge per year, the rate of discharge and the chlorine level. 	05/02/2024

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

Site report

I (Megan Jones; NRW Environment Officer), Gavin Dodd (NRW Environment Officer), and two DCWW operatives arrived at Heolddu Leisure Centre on Tuesday 7th November 2023 at 12.30 to conduct a permit inspection regarding the discharge of trade effluent consisting of swimming pool drain down water to the surface water network (Permit Number: AN0400801). The leisure centre manager was also in attendance.

Upon speaking to the leisure centre manager, it was established that the swimming pool had not been emptied to their knowledge. However, during the inspection of the pool plant room, it was noted that the pool staff perform weekly backwashes to do water change of the pool water. The water from the backwashes are then discharged *via* the discharge gully into the surface water system (Fig. 1).



Figure 1. Discharge point/ gully including the trickle discoloured discharge from the white PVC pipe from the heaters (foreground).

When inspecting the discharge point/gully, it was noticed that there was an additional white PVC pipe continually discharging into the gully. Upon further inspection, it was identified that the source of the discharge was arising from condensation build-up from the heaters of the pool water. The permit specifies that only water from the pool is permitted to discharge into this gully, therefore, this is an unpermitted discharge. Furthermore, the water discharging into the gully was discoloured and brown (Fig. 1). Upon inspection of the surface water drains outside of the plant room where the discharge joins the surface water system it was noticed that there was evidence of a misconnection as there was ragging and solid waste present (Fig. 2).



Figure 2. Evidence of ragging in the surface water system outside of the plant room where the discharge gully enters the system.

After receiving the backwash data records from Heolddu Leisure Centre, it was identified that since 23/11/22 to date, there have been 31 backwashes (and subsequent discharges) (see Table 1). The permit holder is permitted to discharge trade effluent consisting of swimming pool drain down water a maximum of four times as stipulated in Condition 1.5.7.

Table 1. Backwash data, with permit breaches highlighted in red (Data received from Terry Morgan on 21.11.2023).

Back Wash Date	Number of discharges in past year	Chlorine Level	Chlorine level over permitted limit (mg/l)	PH Level	Water Temp	Flow	Discharge flow (l/s)
23/11/2022	1	1.89	1.79	7.1	30	130/140m3/h	36.11111111
23/12/2022	2	1.9	1.8	7.5	30	130/140m3/h	36.11111111
10/01/2023	3	1.2	1.1	7.4	30	130/140m3/h	36.11111111
01/02/2023	4	1.2	1.1	7.1	30	130/140m3/h	36.11111111
19/02/2023	5	1.4	1.3	7.2	30	130/140m3/h	36.11111111
03/03/2023	6	1.1	1	7.1	31	131/140m3/h	36.38888889
11/03/2023	7	1	0.9	7.1	31	131/140m3/h	36.38888889
26/03/2023	8	1.6	1.5	7.2	30	130/140m3/h	36.11111111
01/04/2023	9	0.9	0.8	7.1	30	130/140m3/h	36.11111111
22/04/2023	10	0.8	0.7	6.8	30	130/140m3/h	36.11111111
06/05/2023	11	2.9	2.8	7.4	30	130/140m3/h	36.11111111
14/05/2023	12	1.4	1.3	7.2	31	131/140m3/h	36.38888889
05/06/2023	13	1	0.9	7.2	30	130/140m3/h	36.11111111
24/06/2023	14	1.2	1.1	7.1	31	131/140m3/h	36.38888889
02/07/2023	15	1.2	1.1	7.1	30	130/140m3/h	36.11111111
09/07/2023	16	1.47	1.37	7.34	30	130/140m3/h	36.11111111
16/07/2023	17	1.32	1.22	7.1	30	130/140m3/h	36.11111111
23/07/2023	18	1.45	1.35	7.11	30	130/140m3/h	36.11111111
30/07/2023	19	1	0.9	7.15	30	130/140m3/h	36.11111111
07/08/2023	20	2.25	2.15	7.35	30	130/140m3/h	36.11111111
20/08/2023	21	2.32	2.22	7.65	30	130/140m3/h	36.11111111
27/08/2023	22	2.66	2.56	7.24	30	130/140m3/h	36.11111111
10/09/2023	23	1.91	1.81	7.49	30	130/140m3/h	36.11111111
17/09/2023	24	1	0.9	7.3	30	130/140m3/h	36.11111111
24/09/2023	25	1.45	1.35	7.32	30	130/140m3/h	36.11111111
03/10/2023	26	2.45	2.35	7.15	30	130/140m3/h	36.11111111
05/10/2023	27	2.19	2.09	7.41	30	130/140m3/h	36.11111111
15/10/2023	28	2.45	2.36	7.3	30	130/140m3/h	36.11111111
22/10/2023	29	1.93	1.83	7.43	30	130/140m3/h	36.11111111
29/10/2023	30	2.45	2.35	7.23	30	130/140m3/h	36.11111111
18/11/2023	31	2.2	2.1	7.4	30	130/140m3/h	36.11111111

The amount of water permitted to be discharged per time is 175 m³ (4 times maximum per year which equates to 700 m³). Upon receipt of the backwash data, it was identified that 82.5 m³ of pool water is discharged per backwash, which, based on the backwash records of there being 31 backwashes in the past year equates to a discharge total of 2557.5 m³ (Fig. 3). The above figures are based on one calendar year.

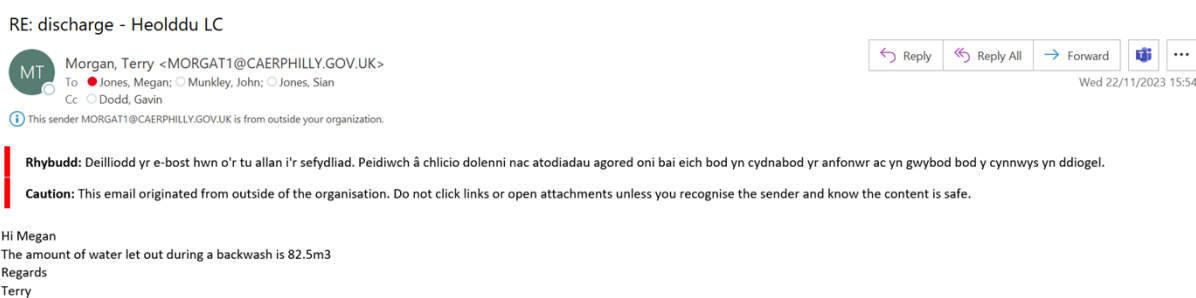


Figure 3. Screenshot of email from CCBC stating that each discharge consists of 82.5 m³.

Furthermore, the reported flow rate of discharge from the backwash data was 130-140 m³/h, which translates to 36.11-36.39 l/s (Table 1). The permitted discharge flow rate is 5 l/s; the actual flow rate is more than 7 times over the permitted flow rate.

As part of the permit, the composition of the discharges need to fall outside specified limits (<0.1mg/l chlorine, pH 6-9 and <31°C). Although the temperature and pH levels of the discharge are satisfactory, the chlorine level has consistently been in breach of the composition limits outlined within the permit, ranging from 0.7 – 2.8 mg/l over the amount specified in the permit (Table 1).

The inspection ended at 14.47.

Breaches of permit

1.5.7 The discharge shall not be made on more than four occasions per calendar year.

Justification: Evidence has been provided (23/11/2023 – 18/11/2023) which show that water has been discharged 31 times. The volume of discharge is 82.5 m³ per backwash, which has occurred 31 times in the past calendar year. The permitted maximum amount per year is 700 m³ whereas, the current amount that has been discharged in the past year is 2,557.5 m³.

1.5.1 The discharge shall not contain more than 0.1 milligrams per litre of total residual chlorine.

Justification: The reported chlorine level at the time of the discharge is reported to be between 0.8 – 2.9 mg/l, which is 0.7 – 2.8 mg/l over the permitted amount. Furthermore, the discharge composition of chlorine has consistently been in breach of the permit.

1.5.9 The rate of discharge shall not exceed 5 litres per second to prevent scouring of the receiving watercourse or damage to its flora and/or fauna.

Justification: The reported flow rate of the discharge is between 36.11-36.39 l/s which is significantly over the permitted flow rate.

Actions required by specified date

- Produce an action plan on how you are going to bring the site into compliance with the permit requirements, such as number of discharges, the maximum volume of discharge per year, the rate of discharge and the chlorine level.

These actions are required by Monday 5th February 2024.

Other advisory comments

- The misconnection between the toilet facilities and the surface water system needs to be rectified immediately to cease the discharge of raw sewage into the River Rhymney. Evidence needs to be provided of actions taken to resolve this issue.

Contact details

If you have any queries regarding this CAR form or to provide an update on any actions above, please contact me using the following details: Megan Jones, Environment Officer, megan.jones@cyfoethnaturiolcymru.gov.uk, 03000 65 4542.

If we do not receive the information requested within specified deadline and have not been informed as to why there is a delay then we may serve a Regulation 60 Notice requiring the information under Environmental Permitting (England and Wales) Regulations 2016.

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.