

## Compliance Assessment Report CAR\_NRW0042684

**Permit being assessed:** AN0322801

For: PONTSTICILL WATER TREATMENT WORKS, held by DWR CYMRU CYFYNGEDIG  
At: PONTSTICILL WATER TREATMENT WORK, PONTSTICILL, MERTHYR TYDFIL,  
WALES, .

**Type of assessment carried out:** Audit, Reason: Routine.

On 16/10/2023, between 12:30 and 14:15.

Parts of permit assessed: all

**NRW Lead Officer:** Callum Murray, accompanied by: Natalie Wrangham.

**Report sent to:** CARS@dwrwymru.com, mailbox, on 20/12/2023.

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

| Part of permitted activity assessed (criteria)        | Assessment result | Permit condition                                                                                                                                                                                                                                                                                                     |
|-------------------------------------------------------|-------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| WQ-D1 - Information - Records                         | C3 Minor          | Condition 8: (a) The Consent Holder shall establish and operate a documented maintenance programme and record all non-routine actions undertaken that may have adversely affected effluent quality. Copies of the programme shall be made available for inspection by the Agency's officers at all reasonable times. |
| WQ-C1 - Emissions and monitoring - Emissions to water | C3 Minor          | Shall consist solely of trade effluent compromising pumped effluent from the Washwater Recovery sump when one of the two second stage washwater recovery bays is at capacity and the other is supernating to the Taf Fechan. The discharge is not permitted.                                                         |

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

## 2. What action is required?

| Criteria | Action needed                                                                                                                                                                                   | Complete by |
|----------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------|
| WQ-D1    | Create and submit a maintenance program for the lagoons and carry out maintenance for the storage lagoons including provision for sampling when discharge in use.                               | 31/07/2024  |
| WQ-C1    | Provide a schedule of works with an achievable time frame to investigate and repair the leak from the contact tank. Continue with the manual dechlorination of the discharge to the Taf Fechan. | 31/03/2025  |

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.

**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

### Site report

On 16/10/2023 Officers Natalie Wrangham and Callum Murray carried out a compliance inspection of Pontsticill Water Treatment Works. The weather was cold and overcast. The works were operational at the time of the visit. The site was inspected for compliance with discharge permits AN0322601, AN0322801 and CB3194FL, and abstraction licence number 21/57/21/0002. The inspection included a guided walkover of the site to check all abstraction and discharge points and associated processes where possible.

Present from Dwr Cymru were Kevin Betts, Lisa Elworthy, Ryan Bowen and Gavin Windham.

This CAR form deals with items relevant to water quality permit AN0322801.

As mentioned in the previous CAR form (CAR\_NRW0039580), a leak from the contact tank has been entering a surface water drain and discharging into the Taf Fechan at an unpermitted discharge point, National Grid Reference SO 05976 11522. Dechlorination is being done manually via a chamber adjacent to the tank. Initially a discharge sample was taken as proof of concept to show the dechlorination process was working, however regular sampling at the discharge location is not being carried out due to health and safety reasons accessing the sampling point.

### Breaches of permit condition

**Condition 3** - states that 'The discharge shall be made in the manner and at the place specified as:

- (a) discharging via 2 concrete channels of 457mm and 1016mm cross section;  
(c) at National Grid Reference SO 06032 11598 & SO 05999 11558 respectively

There is a discharge at National Grid Reference SO 05976 11522, an unpermitted discharge point. This is due to the ongoing leak in the potable water contact tank as previously identified and reported.

#### **Condition 8 -**

(a) The consent holder shall establish and operate a documented maintenance program and record all non-routine actions undertaken which may have adversely affected effluent quality. Copies of the programme shall be made available for inspection by the Agency's officers at all reasonable times.

There is currently no ongoing maintenance program for the lagoons. DCWW representatives explained that there have previously been access issues for machinery due to a poorly maintained access track. An access track has been partially installed, however further work is required to improve access and to begin maintenance on the lagoons. On the day of inspection DCWW representatives advised that there was to be an imminent and prolonged road closure to take place in the area which may prevent heavy machinery and HGV's accessing the site.

#### **Actions required**

- Create and submit a maintenance program for the lagoons and carry out maintenance for the storage lagoons including provision for sampling when discharge in use. To be provided to NRW by **31/07/2024**
- Provide a schedule of works to investigate and repair the leak from the contact tank. Continue with the manual de-chlorination of the water. To be provided to NRW by **31/03/2025**

A long deadline has been allocated to these actions due to logistical issues with delivering heavy plant to site. This is due to a road closure of the main access to the WTW, scheduled to last several months. The other access route is not suitable for HGV's due to a height restriction.

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.