

## Compliance Assessment Report CAR\_NRW0042147

**Permit being assessed:** BG0036801

For: LLANYCHAER STW, held by DWR CYMRU CYFYNGEDIG

At: LLANYCHAER STW, UNKNOWN, UNKNOWN, UNKNOWN, UNKNOWN.

**Type of assessment carried out:** Report/Data Review, Reason: Other.

On 04/07/2023.

Parts of permit assessed: Monitoring and Reporting Conditions

**NRW Lead Officer:** Caryl Brace.

**Report sent to:** CARS@dwrwymru.com, CARS mailbox, on 15/03/2024.

### 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	2. The quality and quantity of effluent shall not exceed the following maximum values. Biochemical Oxygen Demand (+ATU) over 5 days at 20 degrees C 39 milligrams per litre

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	Improve operations	14/08/2023

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.

**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

Please advise the reason behind this failure

Email received from DCC on 17 August 2023.

"In response to CAR\_NRW0042147.

Llanychaer is a small conventional sewage works which comprises of one dortmund primary settlement tank, one biological percolating filter, one dortmund final settlement tank and two sludge holding tanks with ancillary mechanical equipment (e.g a muncher unit, recirculation pump and sludge pumps etc.) and is a small single stream treatment process. The works serves the small hamlet of Llanychaer and with a resident population of approximately 91peq.

In dry weather the incoming flow to Llanychaer drops well below FPF of 1.2l/s and the site can be heavily reliant on the recirculation system. This system is manual and managed by an operator during the site visits based on the incoming flow and the weather forecast. On the 23/06/2023 the operator attended site and left the recirc pump off due to the forecast of heavy rain and thunderstorms over the weekend. However, this weather did not materialise and there was limited flow going into the works over the weekend causing the biofilter rotation to fail and the sample to deteriorate due to not getting sufficient treatment. The OSM sample was taken on the Monday after the weekend (26/06/2023) before the operators daily visit which would have picked up any of these issues. When the operator attended and turned the recirc back on later that day the sample quickly recovered. As the biofilter stopped turning over the weekend we would have expected there to be a biofilter failure alarm which would have prompted a reactive site visit, however this did not alarm out as we later discovered that the biofilter rotation sensor was faulty.

Since the failure on the 26/06/2023 we have put a number of actions in place to help improve site operations, these include;

- Fixing the biofilter rotation sensor to ensure it does alarm out when the rotation fails and a review of the alarm priority.
- Increased operational site visits to daily (Monday – Friday).
- Investigating the feasibility of installing an automated recirc system - investigations currently ongoing.
- Proactive approach to the replacement of the biofilter waterwheels to ensure they were changed before any failures occurred to the biofilter.
- Modified the desludging pipework to improve desludging operations (not directly linked to this sample failure but will help improve site operations).

If you have any further questions please get in touch."

This Car form is being re issued owing to re categorisation in line with guidance as advised by NRW Regulatory Approaches Team.

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.