

Compliance Assessment Report CAR_NRW0043126

Permit being assessed: AB0046101

For: Llanellen Wastewater Treatment Works, held by DWR CYMRU CYFYNGEDIG
At: B4269 Llanellen to Llanfoist, Llanellen, Monmouthshire, NP7 9HT.

Type of assessment carried out: Check Monitoring/Sampling, Reason: Routine.
On 19/07/2023.

Parts of permit assessed: Monitoring, reporting & notifications conditions

NRW Lead Officer: Peter Jones.

Report sent to: Richie Ingles, Senior Process Scientist, on 18/03/2024.

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

Part of permitted activity assessed (criteria)	Assessment result	Permit condition
IR3A - Emissions and monitoring - Emissions to water, air or land	C2 Significant	2. The quality and quantity of effluent shall not exceed the following maximum (amended to 95% in 1985 schedule) values: BOD 65mg/l.

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

2. What action is required?

Criteria	Action needed	Complete by
IR3A	Improve operations	Already completed

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

Re-issued

This an amended version of the CAR form originally sent to you on the 8 August 2023 for a

breach of condition 2 of the permit.

There was an error in the categorization. It had initially been classed as a category 3 breach, but this should have read as a category 2 breach of the permit condition.

We are reissuing the compliance form to escalate the category based on legacy guidance OI238_03. There was an initial permitted exceedance in August 2022, then the result of 151 mg/l in July 2023 is the 2nd exceedance for BOD at this site within the last 12-month period. This would be the 1st failure, therefore a Category 2.

Results summarised below:

- BOD result of 97mg/l 09/08/2022
- >151mg/l on 19/07/2023

Table of results submitted by DCWW below:

Sample checked with the laboratory and result confirmed.

This is the 2nd exceedance for BOD at this site within the last 12-month period:

SPT NO	SAMPLE POINT	SAMPLE DATE/TIME	LAB REF NO	PC	85 BOD ATU mg/L		
					Result Val	Result Qual	Result Status
42030	Llanellen WWTW	19/Jul/23 08:44	7658316	SM	151	>	A
42030	Llanellen WWTW	17/May/23 10:21	7596847	SM	11		A
42030	Llanellen WWTW	17/Mar/23 09:04	7544346	SM	6		A
42030	Llanellen WWTW	03/Oct/22 08:40	7394252	SM	5		A
42030	Llanellen WWTW	09/Aug/22 11:10	7341679	SM	97		A

Based on the LuT and the site's sampling frequency, this result is classed as a LuT Failure.

DCWW did not increase monitoring after the failure on the 19/07/2023 - shortfall of 4 samples in 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.