

## Compliance Assessment Report CAR\_NRW0043717

**Permit being assessed:** CM0077101

For: PENGWERN HALL, RHUDDLAN, NR RHYL,, held by Cambian Whinfell School Limited  
At: Cambian Pengwern College, Pengwern Hall, Bodelwyddan Road, Rhuddlan, Rhyl,  
Denbighshire, LL18 5UH.

**Type of assessment carried out:** Check Monitoring/Sampling, Reason: Incident Response  
(Incident number: 2304961).

On 06/03/2024, between 09:00 and 17:00.

Parts of permit assessed: Numerical permit limits

**NRW Lead Officer:** Amy Chisnell.

**Report sent to:** Cambian Whinfell School Ltd. , The Operator, on 22/03/2024.

### 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	Numerical permit limits
WQ-C1 - Emissions and monitoring - Emissions to water	Ongoing (O)	Discharge of purified domestic sewage

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	Ensure the package treatment plant is operating correctly and is treating the effluent to the standards outlined in the permit.	05/04/2024
WQ-C1	Carry out investigation to locate the misconnection(s) and ensure that they are connected to a treatment system. Please provide an update of your investigation by the action deadline.	05/04/2024

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

This is a follow up to CAR\_NRW0043377 & CAR\_NRW0043527.  
This CAR form serves as a warning letter.

Following sample result failures for Ammonia and Biological Oxygen Demand (BOD) for the routine sample taken from the package treatment plant on the 1st February 2024 and the BOD failure from the sample taken on the 12th February 2024, a further set of samples were taken by Natural Resources Wales on 6th March 2024.

You have serviced the package treatment plant in the period between the 12th February and the 6th March 2024.

The sample taken, on 6th March, from the package treatment plant has failed the permit limits for:

Ammonia - result 36.1 mg/l compared to the permit limit of 20 mg/l. This is considered as a category 3

Suspended Solids - result 56 mg/l compared to the permit limit of 50 mg/l. This is considered as a category 4

BOD - result 94.7 mg/l compared to the permit limit of 35 mg/l. This is considered as a category 2

These permit limits have been set to prevent significant deterioration in the receiving water course quality.

The outcome is a warning letter as opposed to a formal caution due to the actual impact on the water course, which can be seen in the sample results below:

Parameter type	Unit	U/S	FE	Drain	D/S	CCS
0085/BOD ATU	mg/l	3	94.7	62.9	3	2
0092 / COD as O2	mg/l	14	225	172	20.4	
0111 / Ammonia(N)	mg/l	0.5	36.1	13.4	0.5	3
0116 / N Oxidised	mg/l	2.38	1	1	2.4	
0117 / Nitrate-N	mg/l	2.28	0.9	0.9	2.3	
0118 / Nitrite-N	mg/l	0.1	0.1	0.1	0.1	
0135/Sld Sus@105C	mg/l	7	56	41	10	4
0172 / Chloride Ion	mg/l	61.7	145	100	59.6	
0180 / Orthophosphat	mg/l	0.5	2.97	2.3	0.5	
3683 / N Inorganic	mg/l	2.88	37.1	14.4	2.9	

**Action: investigate the cause of these permit failures and ensure that treatment is achieved to the standard outlined in the permit.**

**Action: arrange and carry out investigations into the misconnections to the drain that feeds into the Pont Robin cut.**

Please provide NRW with an update to these investigations, no later than **5th April 2024**.

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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.