

Compliance Assessment Report CAR_NRW0043826

Permit being assessed: BP0298901

For: Llysworney SPS, held by DWR CYMRU CYFYNGEDIG

At: Nr Moat Farm, Llysworney, Cowbridge, CF71 7NQ.

Type of assessment carried out: Audit, Reason: Incident Response (Incident number: 2309537).

On 11/12/2023, between 15:00 and 17:00.

Parts of permit assessed: All

NRW Lead Officer: Alexander Grainger.

Report sent to: DCWW CARS Mailbox, DCWW CARS Mailbox, on 03/04/2024.

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	C3 Minor	Condition 2.3.2 (d)
WQ-B2 - Operations - The site	C4 No impact	Condition 3.1.4

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	Maintain asset screens to ensure that they carry out effective screening of effluent.	05/07/2024
WQ-B2	Investigate and resolve the known issues with the asset regarding data monitoring to ensure if data is requested in the future, that it is able to be reviewed.	05/07/2024

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 compliance report is in response to a publicly reported pollution dated 11/12/2023 for Llysworney SPS (WIRS 2309537). Upon arrival to site at 15:00, the asset was discharging into the brook and appeared to have been discharging for some time. This was evident

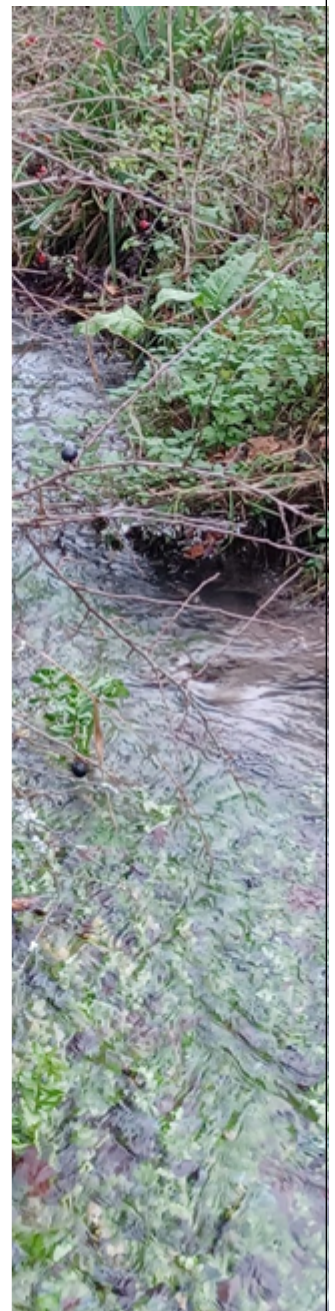
from the amount of sewage fungus growth, sewage debris and discolouration in the stream around the outfall. An evidence sample was taken which was analysed by NRW Analytical Services, the results were:

Ammonia: 2.08mg/l

BOD: 15.3mg/l

Suspended solids: 17.5mg/l

The condition of the asset / discharge point can be seen from the day in the following pictures:



No upstream or downstream samples were taken due to accessibility. The visual impact

from the discharge was mostly local as seen in the pictures with a lot of the debris being caught up in the vegetation. DCWW have stated in an email that there is a static screen before the storm tanks which does screen some of the debris but loses effectiveness if it blinds with too much debris.

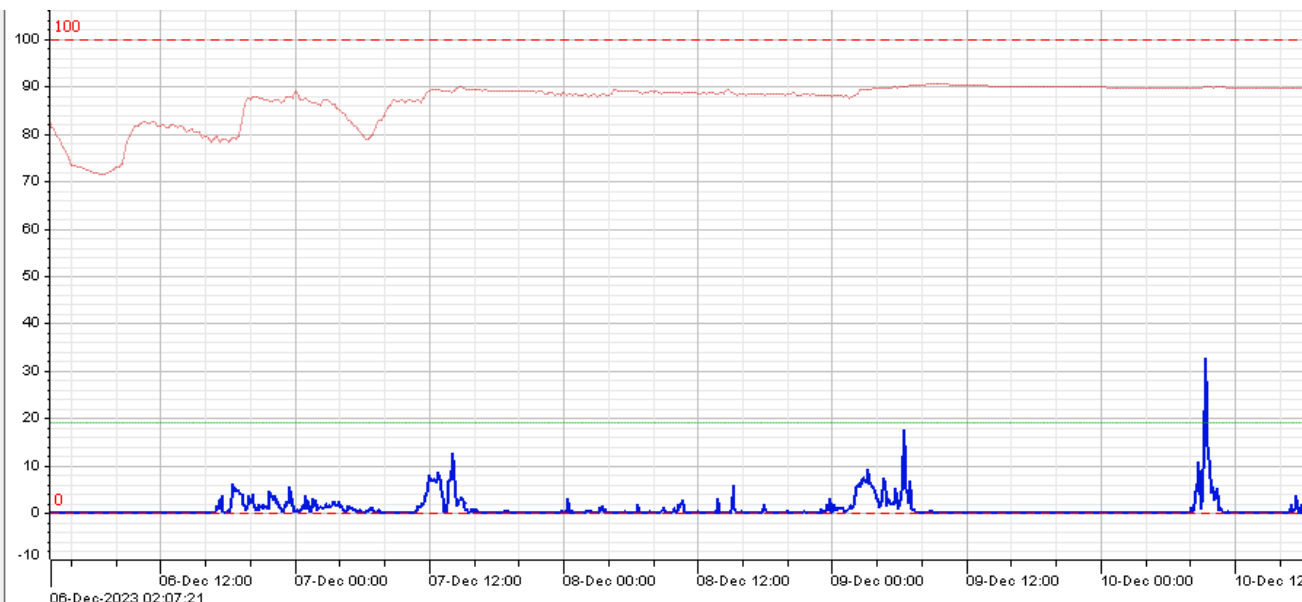
We remained on site for 2 hours until 17:00 as we were told that DCWW were going to meet us there but they did not show up, therefore, a call was made to leave site as there was a sample that needed to be taken back for analysis.

The storyboard issued by DCWW stated that this discharge was a result of recent rainfall and ground infiltration on the sewer network and that the storm storage on site was being fully utilised. (See below graph from DCWW from 07/12/2023)

Red = storm tank level (spills at 90%)

Blue = rainfall

Green = pump flow (L/s)



Following the incident, NRW submitted a data request to DCWW for spill data from the SPS for the date range of 06/12/2023 – 10/01/2024 due to multiple incidents occurring within this time frame. DCWW responded with “Unfortunately the monitor at this asset is in communications failure and so the data requested is missing (data request 1947)” on 16/02/2024 and this was explained that this is due to the poor connection / signal in the area.

With no spill data to determine the overall impact from the spilling asset, NRW have decided that this is not within permitted activity and therefore non-compliant in line with the following permit conditions:

- **Condition 2.3.2 (d):**
 - (d) The discharge shall not be comminuted or macerated and shall have passed through screens as specified and shall not contain a significant quantity of solid matter with a particle size greater than any indicated. All

screenings shall be removed from the discharge.

- **Condition 3.1.4**

- 1. The operator shall take appropriate measures to ensure that the event recorder remains fully operational at all times within the reference period specified in table S3.1. Any failures shall be remedied as soon as reasonably practicable.

As a result of non-compliance, the following actions are required:

1. Maintain asset screens to ensure that they carry out effective screening of effluent.
2. Investigate and resolve the known issues with the asset regarding data monitoring to ensure if data is requested in the future, that it is able to be reviewed.

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.