

Compliance Assessment Report CAR_NRW0043840

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: 2400396).

On 07/01/2024.

Parts of permit assessed: Conditions 2.3.2(d) & 3.1.4

NRW Lead Officer: Charlotte Rhodes.

Report sent to: DCWW CARS Mailbox, DCWW CARS Mailbox, on 18/04/2024.

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

Part of permitted activity assessed (criteria)	Assessment result	Permit condition
WQ-C1 - Water Quality - Emissions and monitoring - Emissions to water	C3 Minor	Condition 2.3.2(d)
WQ-B2 - Water Quality - Operations - The site	C4 No impact	Condition 3.1.4
WQ-B2 - Water Quality - Operations - The site	C4 No impact	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	Refer to Actions in CAR_NRW0043826. Note that this is not "Already Completed" but managed via that CAR instead.	Already completed
WQ-B2	Refer to Actions in CAR_NRW0043826. Note that this is not "Already Completed" but managed via that CAR instead.	Already completed
WQ-B2	Please explain why telemetry data is available and provided in incident storyboards during this period but the data request 1947 was not able to be fulfilled?	20/05/2024

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.

At this time, we are issuing you with a warning for the non-compliance recorded above. Warnings may influence future enforcement response for continued or further non-compliance.

This statement does not stop us from taking additional enforcement action if further relevant information comes to light or offences continue.

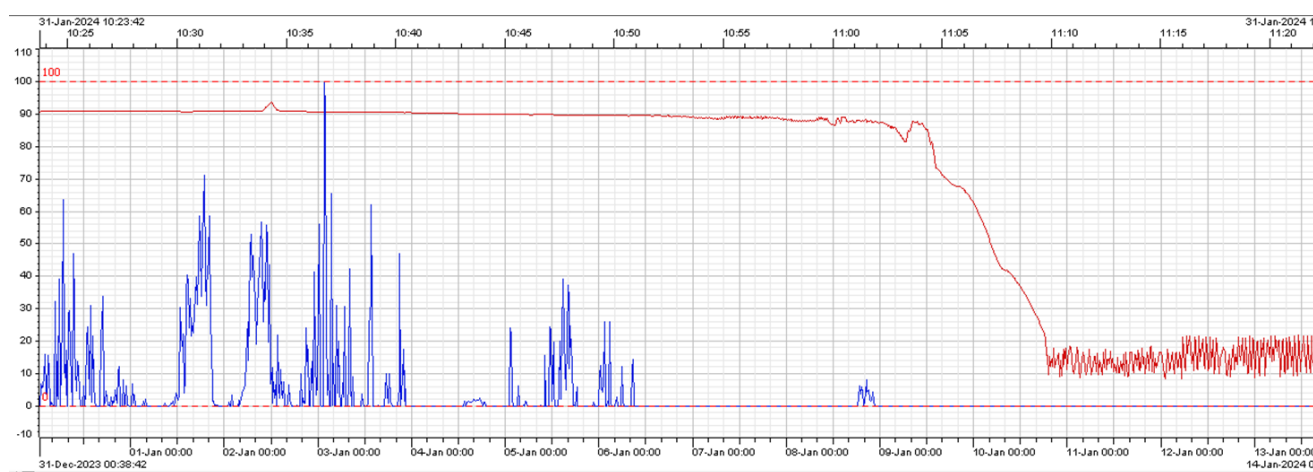
4. Details of our assessment

On 7th January 2024, an incident report via WATPOL was received by NRW regarding a discharge of sewage matter from Llysworney Sewage Pumping Station, WIRS reference 2400396. Weather at the time of the incident was mostly dry, with just 0.2mm of rain during each morning of the 7th and 6th, intermittent light rain during the 4th and the most recent heavy rain having been 4 days previous on the 3rd. This is based on data from the nearest rainfall gauge located at Cowbridge Wastewater Treatment Works which is within this same catchment.

Photos and ammonia results from the date of the incident (table below) were submitted by DCWW in addition to an Incident Storyboard which was received on 31/01/2024.

Sample taken	Location	Result
Ammonia Parts Per Million	Outfall	2.01
Ammonia Parts Per Million	Downstream 30m	0.48
Ammonia Parts Per Million	Downstream 70m	0.22

Included within the storyboard was telemetry data pertaining to the incident with the following statement: *"the station stayed high for about 3-4 days following heavy rainfall and the previous storm weather on the 1st January. Ground water levels would have been saturated, resulting in increased infiltration on the network. The other 2 pumping stations, Llandow and Colwinston, that pump into this catchment, would also have been passing maximum flow, resulting in an increased spill duration."*



Photos submitted in the storyboard (e.g. below) showed flows overwhelming the screens (left) and consequent escape of tissue paper/rag into the watercourse (right), though the hay bales evident in the

photos were reportedly not placed by DCWW.



In its conclusion ground water infiltration and hydraulic overload was identified as the cause, however it was acknowledged that this is an ongoing issue and the frequency of events warranted further investigation: *"Although the asset did spill due to previous storm weather and increased ground water infiltration, there is clear visual impact to the watercourse. Ammonia samples were low, and the debris was mostly just toilet paper which would float to the top and bypass the screening arrangement. The debris in the watercourse was cleaned up the following day. This meant that the lasting impact was very low. Because this asset utilises a static screen, prolonged spill events can mean that the screen blinds, resulting in poorer performance from the asset. Ongoing investigations into infiltration on both the Llysworney and Llandow catchment will help alleviate the frequency of spill events and their duration."*

A data request submitted to DCWW for spill data from this asset for the date range 06/12/2023 – 10/01/2024 to cover multiple incidents was not fulfilled; DCWW's response on 16/02/2024 stated that *"the monitor at this asset is in communications failure and so the data requested is missing (data request 1947)"* due to poor connection/signal in the area. However, telemetry was provided in the storyboards for both incidents so this leaves some confusion - Action below. Without this data, determining the overall impact from these incidents and this poorly performing asset is challenging and thus NRW have decided that this is not within permitted activity, **non-compliant** with the following conditions:

- **Condition 2.3.2(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** – 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.

This incident followed a similar occurrence on 11/12/2023 which was attended by an NRW Officer – report reference CAR_NRW0043826 – and a subsequent occurrence (WIRS 2402451) was reported on 18/02/2024 for which a separate report will be completed, however this identified a specific root cause. Regardless, this pattern shows there is a recurring problem at this asset which has the potential to escalate and increase in environmental impact over time if not addressed and as such, a **Warning** has been issued through this CAR for ongoing gross infiltration issues which must be resolved.

Actions

The actions requested within **CAR_NRW0043826** refer to screen maintenance and investigating and resolving the known issues with this asset regarding data monitoring, and have a deadline of 05/07/2024 and thus shall not be repeated within this report.

However, **please explain why telemetry data is available and provided in incident storyboards during this period but the data request 1947 was not able to be fulfilled.**

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.