

Compliance Assessment Report CAR_NRW0044269

Permit being assessed: AN0391001

For: Llangybi STW Llangybi Usk Settled Storm, held by DWR CYMRU CYFYNGEDIG
At: Track past Vine Tree Cottage, Llangybi, Usk, NP15 1NP.

Type of assessment carried out: Site Inspection, Reason: Routine.

On 09/04/2024, between 10:00 and 10:45.

Parts of permit assessed: Whole permit

NRW Lead Officer: Peter Jones, accompanied by: Emma Dulson.

Report sent to: cars@dwrwymru.com, cars mailbox, on 22/05/2024.

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

Part of permitted activity assessed (criteria)	Assessment result	Permit condition
WQ-B3 - Water Quality - Operations - Operating techniques	C2 Significant	2.3.1
WQ-B3 - Water Quality - Operations - Operating techniques	C2 Significant	2.3.1 (b)
WQ-B3 - Water Quality - Operations - Operating techniques	C2 Significant	2.3.1 (c)
WQ-C1 - Water Quality - Emissions and monitoring - Emissions to water	C2 Significant	3.1.1

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

2. What action is required?

Criteria	Action needed	Complete by
WQ-B3	Investigate reason for incorrect weir setting and apply for permit variation	31/08/2024
WQ-B3	Investigate problem and identify solution	31/08/2024
WQ-B3	Investigate problem and identify solution	31/08/2024
WQ-C1	Identify problem and implement solution.	31/08/2024

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 inspection to the site inspection carried out on the 27 November 2023, during which several issues were highlighted with the storm discharge.

At the time of the inspection, it was raining. Emma Dulson, NRW permitting Officer and Peter Jones, Environment Officer carried out the inspection.

On arriving on site, it was immediately apparent effluent had flooded areas of the site and the works was no longer operating effectively, due to effluent backing up through the system. This is the third site visit where the works has not been operating correctly due to the system backing up. (CAR forms NRW0039386 & NRW0042817) Resulting in the unauthorised discharge of sewage effluent to surface and ground water, a breach of the permit conditions and an offence under the Environmental Permitting Regulations 2016.

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Permit condition 2.1 permitted activity states:

The only activity authorised by the permit is the activities specified in schedule one table S 1.1.

The discharge of settled storm sewage via point of discharge.

Currently there are no storm tanks at Llangybi sewage treatment works. All effluent entering the sewage treatment works is passed into the primary settlement tanks. Effluent leaving the primary settlement tanks flows to the RBC or is discharged to the storm channel when flows exceed 9.7 l/s. The storm effluent then flows to the discharge wet well beneath the site control room where it combines with the final effluent before being discharged to the river Usk.

At the time of the inspection sewage effluent from the works was backing up from the outlet. Effluent had discharged from the manhole to the rear of the control room, the humous tank was overflowing and effluent was pooling in the parking area. The sampling point was submerged, and effluent was flowing across the control room floor.

Permit condition 2.3 operating techniques, schedule 3, states the weir overflow setting should be 5.3 l/s. The existing overflow for storm effluent has been set at 9.7 l/s. This is a breach of permit condition 2.3.1 (a) (ii).

There was a storm overflow weir, with an overflow setting of 5.3 l/s at the works intake. However, this was found to have no practical use due to the storm flow re-joining the main effluent channel before entering the primary settlement tanks. On the previous visit it was noted this weir was damaged and required repairs. However, it has since been removed.

Condition 2.3.1 (b) states the off-line storm storage must be fully utilised before a discharge occurs and the offline storm will only fill when the flows exceed 5.3 l/s.

As previously stated, there is no offline storage at the works, the primary settlement tanks are currently used to hold storm effluent and discharges occur when the flow exceeds 9.7 l/s. The settled storm storage volume requirement set out in the Table 3.3 is 77.3 m³. The

current works layout does not provide the required 77.3 m³ of settled storm storage as set out in schedule 3. This is a breach of the permit condition.

Condition 2.3.1 (c) sets out the online storage must be fully utilised before a discharge occurs. The storage requirement is 77.3m³. The current works layout does not provide the required 77.3 m³ of settled storm storage as set out in schedule 3. This is a breach of the permit condition.

Permit condition 3.1.1 (a), schedule 3.1, states the point of discharge shall take place at ST 38477 96090. Currently sewage effluent is being discharged from the humus tank, storm drain and sampling point. This is a breach under permit condition 3.1.1 and an offence under the Environmental Permitting Regulations 2016.

The current operations at the sewage treatment works does not reflect the permit conditions set out in Permit AN0391001 which was issued on the 1 May 2020.

Richard Ingles has provided a draft document dated 5 February 2007 which sets out how the works operates and the current problems at the works. Copy attached. This concluded that the maximum flow, without surcharging, that could pass through the sewer was 11l/s.

The report proposes several options:

Reduce infiltration into the sewer.

Replacement of the discharge pumps with pumps of a higher capacity.

Replacement of the outfall with pipework of a greater diameter in addition to higher capacity discharge pumps.

Provision of storm storage.

Incorporation of a CSO into the sewerage system.

Photographs attached;

Photograph 20240409-100935 5.3 l/s storm weir removed.

Photograph 20240409-101213 9.7 storm weir.

Photograph 20240409-101927 Effluent welling up from the ground.

Photograph 20240409-102005 Effluent welling up from the ground.

Please provide a response to the CAR form by the 31 August 2024 outlining the course of action you intend to take to resolve the issues raised in the report. As already discussed, the permit does not reflect the current operations of the works and a permit variation will need to be submitted to our permitting team.

If you have any queries with this CAR form please contact me on the following e-mail address Peter.A.Jones@cyfoethnaturiolcymru.gov.uk

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.