

## Compliance Assessment Report CAR\_NRW0044278

**Permit being assessed:** AB0046601

For: Llangybi (Usk) Wastewater Treatment Works, held by DWR CYMRU CYFYNGEDIG  
At: Behind Vine Tree Cottage, Llangybi, Gwent, 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-C1 - Water Quality - Emissions and monitoring - Emissions to water	C2 Significant	2.2.1
WQ-C1 - Water Quality - Emissions and monitoring - Emissions to water	C2 Significant	3.1.3 (b)
WQ-B2 - Water Quality - Operations - The site	C3 Minor	3.3.4
WQ-A1 - Water Quality - Management - General management	C2 Significant	1.1.1 (a)

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	Identify reason for breach and implement measure to prevent further breaches	31/08/2024
WQ-C1	Identify reason for permit breach and implement actions to prevent future breaches.	31/08/2024
WQ-B2	Identify solution and implement	31/08/2024
WQ-A1	Identify the reason why the works is flooding and implement improvements	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

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 NRW0039385, NRW0042769) 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.

Since the previous visit the situation on the site has not changed. The effluent is regularly backing up inhibiting the operation of the treatment works and leading to the unauthorised discharge of sewage effluent to surface and ground water. It was also noted that effluent is welling up from the ground next to the manhole to the west of the sludge tank and control room. The presence of sewage fungus in the areas inundated with effluent suggest a chronic problem at the works.

A draft report dated 5 February 2007, states *“it was noted that during exceptional rainfall more flow appeared to be arriving at the works than could be discharged through the outfall. During the recent heavy rain (Dec 2006 to Jan 2007) the observation was confirmed. On several occasions the flows that could not be discharged flooded the works. This is unacceptable on operability, health & safety, and environmental grounds. Therefore, a resolution is required”*. Copy of the report attached.

### Actions

- Steps must now be taken to investigate infiltration into the sewer and identify a solution.
- Investigate why effluent is welling up around the manhole, which is located to the west of the control room and implement a solution to stop the discharge.
- Prevent any further unauthorised discharges of effluent to surface or ground waters.
- Review the permit and if necessary, apply for a variation.
- Provide NRW with a copy of the site management plan. A site management plan is a requirement of permit condition 1.1.1 (a).

### Permit breaches

Permit condition 1.1.1 (a) The operator has failed to follow the management system to minimise the risk of pollution so far as reasonably practicable.

Permit condition 2.2.1 Effluent from the works is being discharged to the environment from several locations on the site. The permit states the discharge should take place at the

location marked on the site plan in Schedule 7 of the permit.

Permit condition 3.1.3 (b) The operator has failed to take action to mitigate the adverse effects of the works flooding.

Permit Condition 3.3.4 The monitoring point was not accessible to allow emissions monitoring.

#### Attachments

Photograph 20240409 -101852 shows the humus tank flooded out; effluent is spilling across the site.

Photograph 20240409 -101927 shows pooled effluent upwelling from the ground surround the manhole.

Photograph 20240409 -102051 shows effluent flowing down past the sludge tank. There is a growth of sewage fungus on the concrete surface.

Photograph 20240409 -102005 shows grey water upwelling from the ground and spilling across the site. Grey sewage fungus is visible against the brick walls.

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.

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