

Compliance Assessment Report CAR_NRW0044301

Permit being assessed: BJ0091401

For: Llanybydder Wastewater Treatment Works, held by DWR CYMRU CYFYNGEDIG
At: Track adjacent dismantled railway, Llanllwni, Llanybydder, Near Lampeter, Ceredigion, SA40 9SD.

Type of assessment carried out: Audit, Reason: Routine.

On 31/12/2023.

Parts of permit assessed: U1 (b)

NRW Lead Officer: James Slowgrove.

Report sent to: CARS Mailbox, CARS Mailbox, on 07/06/2024.

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	U1 (b) UWW monitoring requirement (b) The Consent Holder shall inform the Agency in writing of any change, or proposed change, to the population equivalent such as would make a material change to the application of the Regulations and shall, on request, inform the Agency in writing of the actual population equivalent.

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	No actions required as actions linked to PE letter issued in June 2024.	Already completed

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

The non-compliance listed above was identified during our annual 2023 data audit. This audit assessed Dŵr Cymru Welsh Water's (DCWW) compliance at all their Sewage Treatment Works and Water Treatment Works with Operator Self Monitoring (OSM) conditions and Urban Waste Water (UWW) conditions (only applicable at some sewage treatment works). Please note that this Compliance Assessment Report (CAR) is dated 31 December 2023 as these non-compliances relate to annual 2023 data, however for clarity I carried out the compliance assessment on 14 May 2024.

The non-compliance at Llanybydder Wastewater Treatment Works (WwTW) relates to the U1(b) UWW requirement to inform the regulator of any changes to the population equivalent (PE) that impacts the application of the UWW Regs. Based on the PE that were received, monitoring was required for UWW in 2020, 2021, 2022 and 2023, but no UWW samples were planned or taken at Llanybydder WwTW during this time. The Llanybydder WwTW permit required UWW monitoring until the variation to remove this became effective on 29 November 2023. On challenge, DCWW provided information that the PE for 2020 (the qualifying year) had been amended in 2022 and provided to Ofwat, but not to NRW.

The original non-compliance of a monitoring shortfall was removed from the Numeric non-compliance Ofwat tables in light of this new information, however as the information was not communicated to us, nor was monitoring carried out prior to the PE correction, the reporting non-compliance was added to the Ofwat tables as a Descriptive non-compliance.

Condition U1(b) has now been translated to the new permits as condition 4.3.6. This means that there is an ongoing requirement to notify the regulator of any changes to PE that would impact the application of the regulations.

In this document 'Natural Resources Wales' means the Natural Resources Body for Wales established by Article 3 of the Natural Resources Body for Wales (Establishment) order 2012.

END

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.