

CONSENT NO.	BP0254001
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WATER RESOURCES ACT 1991

SECTION 88 - SCHEDULE 10

(AS AMENDED BY THE ENVIRONMENT ACT 1995)

VARIATION OF CONSENT TO DISCHARGE

TO: Dŵr Cymru Cyfyngedig ("Consent Holder")
c/o Environment Quality Scientist
Pentwyn Road
Nelson
Treharris
CF46 6LY

In pursuance of an application by the consent holder for variation of consent, the **ENVIRONMENT AGENCY** ("The Agency") in pursuance of its powers under the Water Resources Act 1991 **HEREBY VARIES ITS CONSENT** to the making of a discharge **OF SEWAGE EFFLUENT**, as follows:

Secondary Treated Sewage Effluent

With respect to Consent No. BP0254001 issued on the 20th day of September 1995.

FROM: Caerfachell Wastewater Treatment Works

AT: Caerfachell, Pembrokeshire

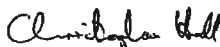
TO: an unnamed tributary of the Afon Solfach

HEREAFTER SUBJECT TO the conditions set out in the following schedules:

Secondary Treated Sewage Effluent:	Schedule No. BP0254001 01
OSM Monitoring programme	

Subject to the provisions of Paragraphs 7 and 8 of Schedule 10 of the Water Resources Act 1991, no notice shall be served by the Agency, which alters the effect of variations made to this consent, without the agreement in writing of the consent holder, during a period of 4 years from the date this variation is issued.

This variation of consent is issued on the 26th day of January 2010
and takes effect on the 31st day of March 2010.



Signed

Christopher Hall

Team Leader – National Permitting

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DATE ISSUED	26/01/10

CONDITIONS OF CONSENT TO DISCHARGE

Secondary Treated Sewage Effluent ("the Discharge")

FROM: Caerfachell Wastewater Treatment Works

NATURE

1. The Discharge shall consist solely of secondary treated sewage effluent.

LOCATION

2. The Discharge shall be made in the manner and at the place specified as:
 - (a) discharging to an unnamed tributary of the Afon Solfach;
 - (b) at National Grid Reference SM 79685 27046;
 - (c) shown marked 'Consent Point' on Plan BP0254001.

SAMPLE POINT

3. An appropriately labelled sample point shall be provided and maintained at National Grid Reference SM 79611 27036, as shown marked 'Sample Point' on Plan BP0254001, so that a representative sample of the Discharge may be obtained. The consent holder shall ensure that all constituents of the Discharge pass through the said sampling point at all times and in any legal proceedings it shall, for the purposes of Section 10 of the Rivers (Prevention of Pollution) Act 1961, be presumed, until the contrary is shown that any sample of the Discharge taken at the said sampling point is a sample of what was discharging into controlled waters.

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FLOW LIMIT

4. (a) The Dry Weather Flow of the discharge shall not exceed 11.2 cubic metres per day. The consented Dry Weather Flow limit is set at the Consent Holder's planned annual 80%-exceeded flow.
- (b) In determining compliance with this consent, the measured Dry Weather Flow is that total daily volume that is exceeded by 90% of the recorded measured total daily volume values in any period of 12 months.
- (c) The numeric value of the measured Dry Weather Flow shall not exceed the numeric value of the consented Dry Weather Flow limit.
- (d) If the measured Dry Weather Flow exceeds the consented Dry Weather Flow limit then the Consent Holder shall as soon as is practicable investigate the reasons for the exceedance. The Consent Holder shall report the reasons for the exceedance to the Environment Agency and the steps that it proposes to take to restore compliance. An exceedance of the Dry Weather Flow limit shall not be recorded as a failure if the Consent Holder takes appropriate steps to restore compliance.
- (e) If the measured Dry Weather Flow exceeds the consented Dry Weather limit because of unusual rainfall during the 12-month period, then it will not be recorded as a failure of the Dry Weather Flow limit. For the purposes of this condition, unusual rainfall shall mean rainfall that causes significantly higher sewage flows during the three-month period that normally records the lowest flows.
- (f) For unusual rainfall to be considered, the Consent Holder shall notify the Agency and provide supporting evidence as part of the normal specified data returns.

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COMPOSITION

5. (a) Subject to paragraph (b) below, the Discharge shall not contain more than:
- (i) 40 milligrammes per litre of biochemical oxygen demand (measured after 5 days at 20°C with nitrification suppressed by the addition of allyl-thiourea);
 - (ii) 60 milligrammes per litre of suspended solids (measured after drying at 105°C);
- (b) The limit for any of the relevant parameters set out in paragraph above may be exceeded where, in any series of samples of the discharge taken at regular but randomised intervals in any period of twelve consecutive months as listed in Column 1 of the table at Annex LUT 1 to this consent, no more than the relevant number of samples, as listed in Column 2 of the said table, exceed the applicable limit for that relevant parameter.

WORKS OPERATION

6. The works shall be operated and the effluent shall be treated in a manner which, so far as reasonably practicable, minimises the polluting effects of the Discharge made from the works on controlled waters.

This condition does not require -

- (a) any higher standard to be achieved in relation to any characteristic of the Discharge which is specifically regulated by condition 5 than is required by that condition;
- (b) any alteration of the works or a change in the type of treatment used.

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UNUSUAL WEATHER CONDITIONS

7. (a) No sample of the Discharge, taken at a time when unusual weather conditions are adversely affecting the operation of the sewage treatment works, shall be taken into account in deciding whether or not the conditions contained in paragraphs 5 and 6 of this consent have been complied with.
- (b) For the purpose of this condition "unusual weather conditions" shall include:
 - (i) low ambient temperatures as evidenced by effluent temperatures of 5°C or less, or by the freezing of mechanical equipment in the works;
 - (ii) significant snow deposits;
 - (iii) tidal or fluvial flooding;
 - (iv) weather conditions causing unforeseen loss of power supply to the sewage treatment which could not be ameliorated by the reasonable provision and operation of standby generation facilities.
- (c) On any occasion where unusual weather conditions adversely affect the operation of the sewage treatment works, the consent holder shall use its best endeavours to mitigate that adverse effect.
- (d) For a sample of the Discharge to be considered for the purposes of (a) above, the consent holder shall notify the Agency by telefax or telephone as soon as unusual weather conditions are known to have adversely affected operations and shall confirm the circumstances in writing as soon as possible thereafter (and in any event within 14 days of the occurrence of such conditions). That notification shall include a full description of the unusual weather conditions and their impact on the operation of the works.

RECORDING AND REPORTING

8. (a) The consent holder shall establish and operate a documented maintenance programme and record all non-routine actions undertaken that may have adversely affected effluent quality. Copies of the programme shall be made available for inspection by the Agency's officers at all reasonable times.
- (b) On request the consent holder shall supply the Agency with a written report on the maintenance and all non-routine actions that may have adversely affected effluent quality.

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SUBSTANTIAL CHANGE

9. A Discharge shall not be made from the works if it would cause a significant increase in the polluting effects of the Discharge on controlled waters as a result of a new or altered discharge of trade effluent into the works.
10. A discharge of trade effluent into the works is new if -
 - (a) it is made by the sewerage undertaker and is of a kind not made into the works by the undertaker immediately before the date of effect of this consent; or
 - (b) it is made by a third party and the discharge is authorised on or after that date.
11. A discharge of trade effluent into the works is altered if -
 - (a) it is made by the sewerage undertaker and its composition or quantity changes significantly on or after the date of effect of this consent; or
 - (b) it is made by a third party and the alteration of the discharge is authorised on or after that date.
12. An increase in the polluting effects of the Discharge on controlled waters is not significant for the purposes of this condition if it relates to any characteristic of the Discharge which is specifically regulated by condition 5 of this consent but it may be significant if it is caused by a change in some other characteristic of the Discharge.
13. For the purposes of this condition "trade effluent" means -
 - (a) any discharge by the sewerage undertaker other than
 - (i) domestic sewage from premises connected directly or indirectly to the works; or
 - (ii) surface water run-off;
 - (b) any discharge by a third party which is authorised under Chapter III or Part IV of the Water Industry Act 1991 or which is only accepted as a result of a contract with the sewerage undertaker.

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UNAUTHORISED DISCHARGES

14. A Discharge made from the works shall not contain any poisonous, noxious or polluting matter or solid waste matter which is attributable to any unauthorised discharge into the works.
- (a) A Discharge into the works is unauthorised if it is made by a third party and either there is no obligation to receive it or conditions subject to which there is an obligation to receive it are not observed.
 - (b) Nothing in this, or any other, condition of this consent prevents anyone from relying on any defence available to them under Section 87 of the Water Resources Act 1991

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OSM Monitoring programme

OSM 1 The Consent Holder shall, unless otherwise agreed in writing by the Agency, undertake a monitoring programme for the parameters specified by this consent which control the effluent quality by numeric limits, at not less than the frequencies specified in Annex T2 OSM2 to this permit.
This does not include List 1 substances included within a consent in the General Standards Table.

OSM 2 The monitoring programme referred to in condition OSM1 shall:

- (a) cover a calendar year, and
- (b) be recorded and referred to in a Quality Management System before the commencement of a calendar year sample period.

QMS and MCERTS

OSM 3 The Consent Holder shall have an appropriate Quality Management System covering Operator Self Monitoring.

OSM 4 The Consent Holder shall ensure that appropriate actions and activities carried out to fulfil the requirements of condition OSM1 are recorded.

OSM 5 Any sampling or analysis carried out to fulfil the requirements of condition OSM 1 shall be managed and operated by the Consent Holder or its appointed organisation or organisations in accordance with ISO 17025 for the MCERTS Performance Standard for Organisations Undertaking Sampling and Chemical Testing of Water (Part1) to the reasonable satisfaction of the Agency.

- OSM 6
- (a) For the period up to 1st July 2010, any organisation undertaking sampling and analysis to fulfil the requirements of condition OSM1 shall have applied for accreditation to ISO 17025 for the MCERTS Performance Standard for Organisations Undertaking Sampling and Chemical Testing of Water (Part1), unless otherwise agreed in writing by the Agency, and
 - (b) From 1st July 2010, any organisation undertaking sampling and analysis to fulfil the requirements of condition OSM1 shall have gained accreditation to ISO 17025 for the MCERTS Performance Standard for Organisations Undertaking Sampling and Chemical Testing of Water (Part1), unless otherwise agreed in writing by the Agency.

OSM7 The Consent Holder shall ensure that all required records of compliance and accreditation with ISO 17025 for the MCERTS Performance Standard for Organisations Undertaking Sampling and Chemical Testing of Water (Part 1) are maintained.

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Records

OSM 8 All records required to be made by this consent shall:

- (a) be legible, and
- (b) be made as soon as reasonably practicable, and
- (c) if amended, be amended in such a way that the original and any subsequent amendments remain legible, or are capable of retrieval and
- (d) be retained, unless otherwise agreed in writing by the Agency, for at least 6 years from the date when the records were made, and
- (e) where the records have been requested in writing by the Agency, copies shall be supplied to the Agency within 14 days, unless otherwise agreed in writing by the Agency,

Reporting routine analysis

OSM 9 The analytical results from the monitoring programme required by condition OSM 1 must be supplied to the Agency in an electronic format defined by the Agency, as soon as is reasonably practical for each result, and at least on a quarterly basis.

Reporting exceedances

OSM 10 When the Consent Holder becomes aware that a sample result has exceeded a numeric water quality limit specified within this Consent, (including those covered by the Look-up Table) the Consent Holder shall, unless prior agreement has been given in writing by the Agency, notify the Agency as soon as is reasonably practicable by a reporting system and format specified by the Agency.

OSM 11 When the Consent Holder becomes aware that the Discharge is not compliant with the Look-up Table (as set out in Annex LUT1) for a numeric water quality limit specified within this Consent, the Consent Holder shall, unless prior agreement has been given in writing by the Agency, notify the Agency as soon as is reasonably practicable by a reporting system and format specified by the Agency.

Reporting sample missed or lost

OSM 12 After becoming aware, or following notification that, a sample has not been taken on the Monitoring Programme pre-scheduled date, or is lost, or a result for that sample can not be reported, the Consent Holder shall record the details and reschedule the sample.

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Annual monitoring summary compliance report

OSM 13 A summary report :

- (a) of compliance with the monitoring programme referred to in condition OSM1 shall be made for each calendar year, and
- (b) shall be submitted to the Agency within two months following the end of the year and shall have the data summarised and shall be in the format required by the Agency.

Annex T2 OSM2

Tier 2 Category	Determinand	Normal frequency of samples per year	Reduced Sampling frequency after 12 consecutive months of numeric consent compliance, samples per year or pro rata over the remainder of a year	On consent failure return to Normal frequency as soon as reasonably practicable, samples per 12 months	Out of hours samples
>5 m3/d (but not in tier 3) with numeric limits for ammonia or nutrients or dangerous substances or UWWTD self monitoring	Sanitary	12	6	12	For 12 samples 1 out of hours sample per annum, for 6, 1 every 2 years on average
	Non sanitary	6	6	6	
>20 m3/d (but not in tier3) with numeric limits for one or more of biochemical oxygen demand or suspended solids or pH or temperature or oil and grease only.	Sanitary	12	4	12	For 12 samples 1 out of hours sample per annum, for 4, 1 every 3 years on average

Annex T2 OSM2 relates to spot samples which must be collected at approximately equal intervals during the year, but should include samples from different days of the week and different times. Approximately 10% of samples should be outside of the normal sampling window which is 9am - 3pm, Monday to Friday.

Annex LUT 1

95% Percentiles Look Up Table

Series of samples
taken in any year

Maximum number of samples
for given determinand permitted to
exceed limit

Column 1

Column 2

4-7		1
8-16		2
17-28		3
29-40		4
41-53		5
54-67		6
68-81		7
82-95		8
96-110		9
111-125		10
126-140		11
141-155		12
156-171		13
172-187		14
188-203		15
204-219		16
220-235		17
236-251		18
252-268		19
269-284		20
285-300		21
301-317		22
318-334		23
335-350		24
351-365		25

