

Compliance Assessment Report CAR_NRW0045542

Permit being assessed: AN0247201

For: LLWYNON WATER TREATMENT PLANT, held by DWR CYMRU CYFYNGEDIG

At: Llwynon, Cwmtaff, Merthyr Tydfil, CF48 2HS.

Type of assessment carried out: Check Monitoring/Sampling, Reason: Routine.

On 31/10/2024.

Parts of permit assessed: 3.1 Emissions to water

NRW Lead Officer: Paul Latham.

Report sent to: CARS@dwrcymru.com, CARS@dwrcymru.com, on 06/11/2024.

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	3.1 Emissions to water 3.1.1 The limits given in schedule 3 table S3.1 shall not be exceeded.

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	improve operations to raise awareness of risk of contractors impacting treatment processes.	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

On 09/07/2024 NRW were made aware of an OSM sample failure for total available chlorine at Llwyn On WTW, the sample was taken on 05/07/2024 at 1236. The sample result recorded was 0.27 mg/l which is x4 greater than the permit limit of 0.05 mg/l.

NRW received an exceptional circumstances form from DCWW outlining the reasons for the high result, these are as follows:

On 05/07/2024 a 3rd party contractor arrived onsite to undertake maintenance work on the auto roller access doors for the unit where the Sodium Ascorbate dosing system is housed, at 08:00am. This operation involved isolating the power supply from the distribution board. Typically a distribution board will power lights, heaters and roller shutter doors etc. Treatment processes are generally fed by an MCC panel, because this dosing unit was set up initially as temporary as proof of concept within a month of the exceedance it would not be expected to be linked to a distribution board over MCC panel. OSM sample result at 12:36, investigations began and confirmed loss of power to Sodium Ascorbate dosing unit resulting in chlorinated water from washwater tanks to discharge to the Taf Fawr. Dosing was reinstated by 13:00.

The reason provided by DCWW was that the sodium ascorbate dosing unit was powered by the same distribution board as the roller doors, thus once power is isolated repair the doors, power is also isolated to the dosing unit. The reason for the sample failure was taken to the Water Discharge Compliance Group and subsequently rejected as not being an exceptional circumstance. However, we acknowledge that what occurred was as a result of poor planning and communication between operational staff and the contractor, and not an intentional or deliberate action, therefore we consider a warning as an appropriate enforcement response on this occasion.

DCWW have provided details of what they have done to prevent a repeat occurrence of this and NRW are satisfied with the improvements, therefore no action is required at this time.

Discharge Permit no.	AN0247201																																																																																
Sample Pt. no.	68069																																																																																
Date of Sample	05/07/2024																																																																																
Determinand	Total Available Chlorine																																																																																
Analysis Complete?	Yes ☒ No ☐																																																																																
Result	0.27 mg/l																																																																																
Permit Limit	0.05 mg/l Max																																																																																
Data Used for Assessment (previous 12 months results for Look up Table and Annual Average)	Based on conditions stated in the Permit, this is the 2nd Max Limit Failure result for Total Available Chlorine recorded at this site within the last 12-month period: (NB, the 03/05/2024 result is currently being contested following instrumental issues) <table border="1"> <thead> <tr> <th colspan="5"></th> <th colspan="3">912</th> </tr> <tr> <th colspan="5"></th> <th colspan="3">Total Available Chlorine</th> </tr> <tr> <th colspan="5"></th> <th colspan="3">mg/L</th> </tr> <tr> <th>SPT NO</th> <th>SAMPLE POINT</th> <th>SAMPLE DATE/TIME</th> <th>LAB REF NO</th> <th>PC</th> <th>Result Val</th> <th>Result Qual</th> <th>Result Status</th> </tr> </thead> <tbody> <tr> <td>68069</td> <td>Llwyn-On WTW</td> <td>05/Jul/24 12:36</td> <td>8008758</td> <td>SM</td> <td>0.27</td> <td></td> <td>A</td> </tr> <tr> <td>68069</td> <td>Llwyn-On WTW</td> <td>03/May/24 11:36</td> <td>7941269</td> <td>SM</td> <td>0.24</td> <td></td> <td>A</td> </tr> <tr> <td>68069</td> <td>Llwyn-On WTW</td> <td>01/Mar/24 13:34</td> <td>7879530</td> <td>SM</td> <td>0.05</td> <td><</td> <td>A</td> </tr> <tr> <td>68069</td> <td>Llwyn-On WTW</td> <td>03/Jan/24 11:31</td> <td>7825584</td> <td>SM</td> <td>0.05</td> <td></td> <td>A</td> </tr> <tr> <td>68069</td> <td>Llwyn-On WTW</td> <td>24/Nov/23 08:17</td> <td>7787857</td> <td>SM</td> <td>0.05</td> <td><</td> <td>A</td> </tr> <tr> <td>68069</td> <td>Llwyn-On WTW</td> <td>05/Oct/23 12:35</td> <td>7739205</td> <td>SM</td> <td>0.05</td> <td></td> <td>A</td> </tr> </tbody> </table>						912								Total Available Chlorine								mg/L			SPT NO	SAMPLE POINT	SAMPLE DATE/TIME	LAB REF NO	PC	Result Val	Result Qual	Result Status	68069	Llwyn-On WTW	05/Jul/24 12:36	8008758	SM	0.27		A	68069	Llwyn-On WTW	03/May/24 11:36	7941269	SM	0.24		A	68069	Llwyn-On WTW	01/Mar/24 13:34	7879530	SM	0.05	<	A	68069	Llwyn-On WTW	03/Jan/24 11:31	7825584	SM	0.05		A	68069	Llwyn-On WTW	24/Nov/23 08:17	7787857	SM	0.05	<	A	68069	Llwyn-On WTW	05/Oct/23 12:35	7739205	SM	0.05		A
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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.