

Compliance Assessment Report CAR_NRW0045286

Permit being assessed: CM0095501

For: PENTRE LLYN CYMER STW, held by DWR CYMRU CYFYNGEDIG

At: ,, ,.

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

On 23/09/2024, between 10:45 and 11:10.

Parts of permit assessed: whole permit

NRW Lead Officer: Cathrine Kiely.

Report sent to: CARS@dwrwymru.com, CARS mailbox, on 07/11/2024.

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

Part of permitted activity assessed (criteria)	Assessment result	Permit condition
WQ-B1 - Water Quality - Operations - Permitted activities	C3 Minor	4.b
WQ-A1 - Water Quality - Management - General management	Action only (X)	
WQ-C1 - Water Quality - Emissions and monitoring - Emissions to water	Action only (X)	

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

2. What action is required?

Criteria	Action needed	Complete by
WQ-B1	To ensure the works is returned to being fully operational, please provide NRW with a timescale schedule of improvements.	21/10/2024
WQ-A1	Ensure grass and vegetation around the site is cut back to allow safe access to the site.	21/10/2024
WQ-C1	Ensure there is safe access to the discharge outfall.	21/10/2024

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.

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 inspection was carried out by NRW Senior Environment Officer Cathrine Kiely and Environment Officer Nathan Owen. Also present from DCWW was North East Catchment Manager and local area Supervisor.

The works was not operational during the visit as the RBC was not rotating as designed. Therefore the sewage effluent was only receiving settlement and no further treatment before being discharged into the Afon Alwen. There was a panel missing off the RBC cover following storm damage.

The growth of moss on the inside of the RBC, as shown in photo below, shows that there had been a breakdown of the works for a considerable amount of time. DCWW stated that the site was visited by an operator to carry out routine maintenance on a monthly basis however, the growth of moss and lichen on the plant suggests otherwise.



Condition 4.b states "any such breakdowns shall be attended to promptly and the equipment returned to normal operation as soon as possible"

The failure to notify NRW of the breakdown of the sewage works is a non-compliance and a **CCS3** breach of the permit. **This CAR form was edited on 7/11/2024 to include a warning letter as an enforcement response to the breach of condition 4.b**

Action

DCWW stated that the works was due to be replaced in AMP8. Please provide a timescale schedule for improvements proposed to ensure the works is returned to be fully operational, in accordance with the permit. During the visit DCWW also stated that the RBC

was vulnerable to flood water ingress. What steps do DCWW propose to take to ensure the current / new works does not suffer from flood damage? Deadline **21/10/2024**.

Due to the current condition of the works NRW are considering their enforcement response to the non-compliance and are mindful to serve a Statutory Notice requiring improvements.

The site was not well maintained and grass was overgrown on site posing a health and safety risk when trying to access the site. DCWW should ensure that the ground around the site is maintained and grass cut back. Ensure this is done by **21/10/2024**

During the inspection it was not possible to gain access to the outfall. Please ensure there is safe access to allow for inspection of the outfall discharge point. Ensure this is done by **21/10/2024**.

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.