

## Compliance Assessment Report CAR\_NRW0045437

**Permit being assessed:** AN0280002

For: COG MOORS STW CDIFF RD DINAS POWYS, held by DWR CYMRU CYFYNGEDIG

At: COG MOORS STW, CARDIFF ROAD, DINAS POWYS, BARRY, CF64 5RP.

**Type of assessment carried out:** Audit, Reason: Other.

On 18/09/2024.

Parts of permit assessed: Conditions 1, 11.1 & 11.2

**NRW Lead Officer:** Charlotte Rhodes.

**Report sent to:** DCWW CARS Mailbox, DCWW CARS Mailbox, on 17/12/2024.

### 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             | Assessed (A)      |                  |
| WQ-C1 - Water Quality - Emissions and monitoring - Emissions to water | Assessed (A)      |                  |

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

### 2. What action is required?

No action required.

### 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.

**At this time, we do not intend to take any further action.**

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

#### Introduction

On 18<sup>th</sup> September 2024, NRW received a notification from Dŵr Cymru (UVNOT) to state that there had been a coolant leak in the UV plant at Cog Moors Wastewater Treatment Works (WwTW), leading to one of the three channels requiring shutdown. This is regulated through permit **AN028002** for Settled Storm Sewage (related to the overall site permit for Treated Effluent AN028001), which dictates that during the Bathing

Water Season storm discharge must be subject to UV screening prior to discharge as conditioned.

#### **Incident timeline**

In response to the initial notification, an email was sent to the Dŵr Cymru operative on 18<sup>th</sup> September with the following questions – answered were received the following day and are included in italics:

1. Is there any storm discharge? *Not at present.*
2. What caused the problem exactly? *Coolant leak on stream 2 only, streams 1 and 3 are in Operation*
3. How long will the UV be down for? *The UV is still in operation as per above Streams 1 and 3 will run when required, Stream 2 Penstock is closed and isolated*
4. What is the expected impact (including repair time) on the nearby designated bathing water? *We are waiting for [manufacturers] to assist in repairs, possible a few weeks. We don't anticipate any impact due to Stream 1 and 3 in Operation, Bathing season finishes 30<sup>th</sup> September 2024.*

A follow-up response was then sent on 8<sup>th</sup> October to check if the repairs have taken place, how long was stream 2 shutdown for, and were there any storm discharges in the interim.

The reply stated that repairs had not yet been undertaken due to the complex nature of the work and the need for capital funding, however they had no concerns regarding the appropriate UV screening of storm discharge since streams 1 and 3 remained operational until the end of the Bathing Season (30<sup>th</sup> September), after which time the UV plant goes into hibernation.

A further email was sent in response on 10<sup>th</sup> October to query whether the flow had reached 200 l/s or higher during the affected time and, if so, were the two online streams able to treat the full volume of discharge. Additionally, whether the repairs were anticipated to be complete ahead of the next Bathing Water season. Replies received on 11<sup>th</sup> October stated that running on two streams did not encounter any issues with full flow treatment, and that *"after hibernation visit with Trojan, we have passed all the info onto Waste Asset Team which are looking into funding for this."*

#### **Permit context**

In line with **Conditions 1 & 11.1** of the storm permit for this site, any discharges during the Bathing Water season must be disinfected by UV. Since there were two streams still in operation during the affected time period, this demonstrates **compliance with** this condition. **Condition 11.2** also determines that UV disinfection only applies *"when the measured flow rate through the UV plant is in excess of 200 l/s"* yet when asked, DCWW stated there were no concerns with meeting this through the two remaining streams.

**Condition 1** – *The discharge shall consist solely of settled storm sewage effluent which, during the period specified in condition 11.1 of this consent and for all flows following UV lamp warm-up, has been disinfected by means of Ultra Violet (UV) irradiation.*

**Condition 11.1** – *The disinfection of the effluent by means of UV irradiation is required for the period from four days prior to Good Friday to 30 September inclusive each year or for any other period as specified by the Agency*

*in writing.*

(Please note that the scoring associated with Conditions 11.1 & 11.2 are recorded under Emissions to water)

### **Conclusions**

Given the information presented we determine that the site has acted **within compliance** of its Storm Discharge permit, which includes the relevant UV disinfection conditions, during the course of this incident and until the end of the effective timeframe i.e. the Bathing Water season.

Repairs will take some time to arrange due to their complex nature and the need for Capital funding, however it is anticipated that these will be completed well ahead of the next Bathing Water season.

### **Actions**

There are no further actions to report. We do insist though that NRW are kept aware of the progress of repairs and are updated as soon as there are any concerns of this affecting discharges or water quality, as per the usual process.

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.