

Compliance Assessment Report CAR_NRW0045848

Permit being assessed: CM0079601

For: Llandyrnog WWTW, held by DWR CYMRU CYFYNGEDIG

At: Llandyrnog, Denbigshire, LL16 4EY.

Type of assessment carried out: Check Monitoring/Sampling, Reason: Incident Response (Incident number: 2415075).

On 04/12/2024.

Parts of permit assessed: 2.3.2 For the discharges specified in table S3.3: (a) The discharge shall only occur when and only for as long as the flow passed forward is equal to or greater than the overflow setting indicated due to rainfall and/or snow melt.

NRW Lead Officer: Amy Chisnell.

Report sent to: CARS mailbox, CARS mailbox, on 02/01/2025.

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	2.3.2 For the discharges specified in table S3.3: (a) The discharge shall only occur when and only for as long as the flow passed forward is equal to or greater than the overflow setting indicated due to rainfall and/or snow melt.
WQ-D2 - Water Quality - Information - Reporting	C4 No impact	4.2.1 The operator shall send all reports and notifications required by the permit to Natural Resources Wales using the contact details supplied in writing by Natural Resources Wales.

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	Increase monitoring of works and/or activities during planned maintenance to prevent impact to the environment.	Already completed
WQ-D2	NRW did not receive an OPNOT for the planned	Already

Criteria	Action needed	Complete by
	maintenance. Please ensure correct reporting to NRW of activities occurring on site that may have an environmental impact.	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.

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

On the 4th December 2024, NRW received a self report from DCWW, for a 1 hour spill to the environment due to equipment failure. This occurred during planned routine maintenance of a wet well on site. An operational notification (OPNOT) for the planned maintenance was not received by NRW. An retrospective OPNOT was sent through to NRW on the 6th December for the failure of the level sensor equipment.

DCWW sent NRW a storyboard (as a no-impact claim) for this incident, which was received on the 18th December 2024.

Reported details of the incident are as following:

- Planned routine wet well cleaning was being carried out on this day.
- The necessary wells were cleaned and levels were monitored using the miltronics read out, as the well was covered as part of the cleaning process. Levels displayed as normal via the reader.
- Flows were managed and diverted where necessary to carry out the cleaning and put back online once cleaning was complete.
- While the tanker had left site to empty the load and miltronics showed well levels to be normal, the site operator used this time to carry out other tasks around the site.
- Once the tanker had returned, the operator also returned to the inlet building and while there, the Storm miltronics was displaying a red light. This was then investigated immediately by the site operator. The Storm well was showing high level, with storm pumps running but airlocked and the inlet well level reading of 0.86m (normal).
- Pump run level is set at 1.30m and stopped level is 0.4m for the DWF well.
- Since the level was reading below the run setpoint, it didn't call for the DWF pumps to run. This caused the well to become high level, resulting in a 1 hour spill to the receiving watercourse via the overflow.
- The operator went and physically checked the well level by removing the cover and saw the high level and immediately ran the DWF pumps to bring the well level down and managed to release the airlock from storm pump no1. This stopped the spill from site. Storm pump no2 airlock was also resolved that day once another member of the team came to assist.

- A Storm well sample was taken (12:30) once the operator managed to lower the level in the well to stop the spill
- The operator then managed flows via the DWF well manually, as the miltronics was not reading correctly.
- An Instrument Technician arrived on site at 14:00 to fix the miltronics issue. No further spills occurred once the operator had lowered the well and managed flows. The ICA Technician got the site controlling on a temporary level controller until they returned the next day and replaced the miltronic head.
- The operator managed to take a watercourse sample at the outfall at approximately 15:00.
- The operator escalated all issues to the area Supervisor and called a Pollution Tech to site at 15:00 to investigate the issue.
- The pollution technician arrived on site at 16:00 and visually checked the watercourse and carried out ammonia testing on the samples collected. The pollution technician did not observe visual impact to the receiving watercourse and was unable to access up or downstream for further checks and testing due to vegetation overgrowth and loss of daylight.

NRW have reviewed the no impact claim that has been submitted and have determined that a 1 hour spill would have had an impact during the time of the spill, which was approximately 3 hours before an outfall sample was obtained. Water samples should ideally be taken at the time of the spill or immediately after to show impact.

NRW also note that the spill occurred during planned maintenance and closer monitoring during maintenance activities should be carried out in the future to prevent reoccurrence.

Action: Please ensure correct reporting to NRW of activities occurring on site that may have an environmental impact.

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.