

Compliance Assessment Report CAR_NRW0046476

Permit being assessed: BC0006801

For: Garnswllt Wastewater Treatment Works, held by DWR CYMRU CYFYNGEDIG
At: Ffordd Ynys Tawelog, Garnswllt, Ammanford, Swansea, SA18 3HW.

Type of assessment carried out: Check Monitoring/Sampling, Reason: Routine.
On 11/12/2024.

Parts of permit assessed: Emissions to Water

NRW Lead Officer: Sarah Bennett.

Report sent to: CARS@dwrcymru.com, CARS Mailbox, on 27/02/2025.

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	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

The purpose of this compliance assessment report is to record my response to a request from you to take into account the unusual weather conditions that were occurring when an OSM Sample was collected from Garnswllt WwTW on the 11 December 2024. The sample failed to meet the Look Up Table permit limits for Total Suspended Solids and Ammonia.

The results of the sample are shown below: -

Determinand	OSM Result	Garnswllt WwTW Permit Limit
Biochemical Oxygen Demand	19 mg/l	23 mg/l Look up; 56mg/l upper tier
Total Suspended Solids	30 mg/l	28mg/l Look up
Ammoniacal Nitrogen	10.95mg/l	4mg/l Look up; 18mg/l upper tier

On Friday, December 6, 2024 at 15:25 we received an All Wales OPNOT advising us that the Red and Amber Weather warnings for wind and rain due to storm Darragh, which was due to hit the UK later that day and continue through Saturday, had the potential to cause disruption across your asset base. You informed us that a Gold level incident was being run across the business to manage risk and there was the potential for delayed response to pollution incidents due to H&S risks.

On Saturday, December 7, 2024 at 18:28 we received an update on this OPNOT advising that, since around midday today you had recommenced attending priority jobs, attendance to some incidents may still be delayed due to job volumes and travel disruption from fallen trees etc. You were closely monitoring the weather warnings and you had Gold and Silver incident calls running across the operating area.

On Tuesday, December 10, 2024 at 13:27 you advised us via an OPNOT that there had been no mains power to site due to storm Darragh since the 7th December when the site had started running on the standby generator. The site standby generator failed on the evening of the 7th and then a hired generator was on site running the works. Several generator failures occurred between the 8th and the 10th. You informed us that the site had been running ok over the weekend with the sample and critical parameters managing ok. However, due to the hire generator failure on the 10th the ammonia had started to rise.

An OSM sample was taken on Wednesday, December 11, 2024 at 13:12.

Mains power was restored on Wednesday, December 11, 2024 by 14:00, shortly after the OSM sample was taken. You informed us that once the power was restored and the site was again running as designed the ammonia quickly recovered and by 09:00 on Thursday, 12 December the ammonia site readings were back at 1.82mg/l and turbidity was at 6.1 NTU.

On Monday, December 16, 2024 at 09:46 you informed us that the OSM sample taken on Wednesday 11 at 13:12 had exceeded the permitted Look Up Table limit for Ammonia.

On Tuesday, December 17, 2024 at 08:58 you informed us that the OSM sample taken on Wednesday 11 at 13.12 had exceeded the permitted Look Up Table limit for Suspended Solids.

The previous OSM sample taken on the 4 December 2024 was good with the Ammonia result being 0.2mg/l and the suspended Solids being 6mg/l.

Condition 3.1.3 of your permit allows us to take unusual weather conditions into account when assessing compliance. The conditions are as follows:

- a. For the emission limits in schedule 3 table S3.1 to which this condition applies, no sample of the discharge taken at a time when unusual weather conditions are adversely affecting the operation of the waste water treatment works, shall be taken into account in deciding whether or not the emission limit has been complied with.
- b. On any occasion where unusual weather conditions adversely affect the operation of the waste water treatment works, the operator shall use its best endeavours to mitigate that adverse effect.
- c. For any sample of the discharge taken to be considered for the purposes of (a) above, the operator shall notify Natural Resources Wales in writing within 14 days of becoming aware that an emission limit has been exceeded. That notification shall include a full description of the unusual weather conditions and their impact on the operation of the works.

You have provided a comprehensive report on the circumstances leading up to the failure and additional information on the maintenance history of the standby generator and why it failed.

I have considered all the information and have decided that the sample was taken at a time when unusual weather conditions were adversely affecting the operation of Garnswilt WwTW. The sample results should, therefore not be taken into account when assessing compliance.

Schedule 6 of your permit gives example interpretations of unusual weather conditions which includes weather conditions causing unforeseen loss of power supply to the sewage treatment that could not be ameliorated by the reasonable provision and operation of standby generation facilities.

I accept that the standby generator was maintained to the expected standard and that you could not have foreseen it would develop unexpected faults. I can see that you went to great efforts to provide and operate brought in mobile standby generators. Whilst I can appreciate that the availability of generators would have been compromised by the extent of power failure across Wales when over 2.3 million customers lost power and a major incident was declared by Dyfed Powys Police, it does appear that there were issues with a number of generators supplied by your emergency planning providers.

I recommend that you look into why some of the generator issues occurred and take steps to minimise any risks you identify.

Whilst you notified us in writing within 5 days of the sample been taken that the emission limits had been exceeded, the initial notification did not include a full description of the unusual weather conditions and their impact on the operation of the works. Please note that Condition 3.1.3 c) requires that we should receive notification (the exceptional circumstances report) within 14 days of you becoming aware of the sample failure in order for us to take into account the unusual weather conditions. The 14 day notification should include a full description of the unusual weather conditions and their impact on the

operation of the works.

You informed us a couple of days after you became aware of the exceedance that a report would be submitted but we did not receive the report until the 6 February 2025. I understand that staff changes, the impact of Storm Darragh and the Christmas break will have contributed to this delay.

In future, please ensure that you notify us within 14 days.

Thank you.

End

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.