

## Compliance Assessment Report CAR\_NRW0047953

**Permit being assessed:** AN0314801

For: NORTH LAGOON N1 TOWER COLLIERY, held by TOWER REGENERATION LIMITED.

At: NORTH LAGOONS N1, TOWER COLLIERY, TREHERBERT ROAD, HIRWAUN, CF44 9NZ.

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

On 20/03/2025, between 10:25 and 13:20.

Parts of permit assessed: All

**NRW Lead Officer:** Ceri Malone.

**Report sent to:** Mike Dunleavy, Mines Restoration Consultant, on 04/04/2025.

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

Part of permitted activity assessed (criteria)	Assessment result	Permit condition
WQ-D3 - Water Quality - Information - Notifications	C3 Minor	4.3.1 Natural Resources Wales shall be notified without delay following the detection of: (b) the breach of a limit specified in the permit

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

### 2. What action is required?

Criteria	Action needed	Complete by
WQ-D3	In the event of a breach of a limit specified in the permit please notify Natural Resources Wales using the following contact details: cwmtaf&bridgendconsultations@cyfoethnaturiolcymru.gov.uk and 0300 065 3000 / Natural Resources Wales / Report an incident. Please ensure any onsite procedures are updated to include this	18/04/2025

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**

##### **Site drainage at Tower Colliery North Lagoons N1 Permit number AN0314801**

20/03/2025

As part of a regulatory monitoring result exceedance investigation (CAR\_NRW0046216) a site visit was conducted on 20/03/2025 at Tower Colliery. Myself and a mines restoration consultant for TRL were present on site at 10:25.

The mines restoration consultant stated that the reason for the previous exceedance was the restored area of ground awaiting previously planted grass seed to mature. The current lack of grass led to increased volume of surface water runoff under storm conditions which resulted in a lack of settlement time prior to discharge. An indirect cause was also stated to be a mechanical issue with the pump to the Siltbuster that was detected on 27/01/2025.

A site walkover showed that the old ponds catchment (adjacent to the AN0314801 catchment) and higher areas of the AN0314801 catchment had grass that was maturing (photograph 1). The remaining problem area is situated just above the treatment lagoons (photograph 2). The mines restoration consultant for TRL confirmed that any areas where grass does not mature would be reseeded.



*Photograph 1: Old ponds catchment*



*Photograph 2: Area Above Lagoons*

Pump checks were confirmed to be conducted on site daily and maintenance with SLD every 250hrs of operation – records are kept of this. Paperwork was provided to confirm a maintenance visit as part of the mechanical issue with the pump.

At the time of my visit there was no discharge from the site and ponds were retaining minimal water due to a lack of rainfall over the past few weeks. A new turbidity meter has been purchased for on-site TSS calculations, in use from 16/01/2025. Calibration against laboratory samples confirmed as previously agreed, starting weekly from 08/01/2025.

**Breaches of permit condition:**

Records provided showed that Tower Regeneration Limited were aware of the previous exceedance (CAR\_NRW0046216) due to their on-site monitoring. Natural Resources Wales were not made aware of the on-site exceedances recorded. As part of 4.3.1 under the Notifications section of the permit it states “Natural Resources Wales shall be notified without delay following the detection of:” “(b) the breach of a limit specified in the permit”

**Action required by dates specified:**

In the event of a breach of a limit specified in the permit please notify Natural Resources Wales using the following contact details: [cwmtaf&bridgendconsultations@cyfoethnaturiolcymru.gov.uk](mailto:cwmtaf&bridgendconsultations@cyfoethnaturiolcymru.gov.uk) and [0300 065 3000](tel:03000653000) / [Natural Resources Wales / Report an incident](#)

Please ensure any onsite procedures are updated to include this by 18/04/25.

**Contact details:**

If you have any queries regarding this CAR form or to provide an update on any actions above, please contact me using the following details: Ceri Malone, Environment Officer,

Ceri.Malone@naturalresourceswales.gov.uk

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.