

Compliance Assessment Report CAR_NRW0048373

Permit being assessed: AN0035901

For: Cradoc Phase 1 Wastewater Treatment Works, held by DWR CYMRU CYFYNGEDIG
At: Oakfield Park, Cradoc, Brecon, LD3 9QA.

Type of assessment carried out: Check Monitoring/Sampling, Reason: Routine.
On 28/04/2025.

Parts of permit assessed: Monitoring, Reporting & notification conditions

NRW Lead Officer: Robert Harding.

Report sent to: CARS Mailbox, CARS Mailbox , on 22/05/2025.

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)	
WQ-C1 - Water Quality - Emissions and monitoring - Emissions to water	Action only (X)	
WQ-D1 - Water Quality - Information - Records	Assessed (A)	
WQ-D3 - Water Quality - Information - Notifications	Assessed (A)	
WQ-D3 - Water Quality - Information - Notifications	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-C1	Please investigate the cause of the repeated BOD sample exceedances at this works, and take appropriate steps to prevent further noncompliance. Provide details of the investigation undertaken, outcomes and details of measures which will be taken to prevent further noncompliance. Details to be provided to Natural Resources Wales by 22/06/2025	22/06/2025
WQ-D3	Please investigate the root cause for the error in sample scheduling during April 2025. In addition please also provide details as why no BOD result was provided for the planned sample on 10th April 2025. Details to be provided by 22/06/2025	22/06/2025

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.

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 28th April 2025, A routine OSM sample was taken which exceeded the allowable limits for Biochemical Oxygen Demand (Determinant 85) as described within the emissions and monitoring schedule of Permit AN0035901 (Schedule 3.1b). The sample contained 58 mg/l B.O.D with an allowable limit of 40 mg/l.

Sample date	Parameter no.	Value / mg/l	Parameter limits / m/l	Sample frequency in last 12 months
28/04/2025	85	58	40	5
07/04/2025	85	59	40	7 (4 after no flows removed)

This was the second sample exceedance for Biochemical Oxygen Demand in the past 12 months. Records show that 5 Samples had been taken within the previous 12-month period. LuT compliance failures can only be assessed when there are a minimum of 4 samples and at least 12 months of data. Each parameter is assessed as a separate condition. This exceedance is not a failure of LuT as reported by DCWW.

On 09th May 2025 we received notification of your intention to retract the exceedance notifications for 07th April and 28th April 2025 (CAR Form issued 07th April 2025 notification-CAR_NRW0048159). In the retraction DCWW stated the following

"The OSM sampling programme for Cradoc WWTW (51104) was amended in error and the sample data will not be submitted in the Regulatory Data Submission.

This sample was in addition to the OSM scheduled sample and is not required - please can this Exceedance notification be retracted. "

In this instance we will not permit the retraction of the notifications, and expect all data from the samples to be provided within the regular data submission. For the following reasons

- If an operator schedules an OSM sample, they must take it if able to do so and send us the results as required by the permit, even if the operator identifies scheduling errors, for example over-sampling
- A sample is considered pre-planned if it was planned in advance, even if the operator does not comply with the 14-day notification permit requirement
- For Cradoc, all the samples are pre-planned so we expect all to be submitted and

the exceedances recorded as such. There is no mechanism for pre-planned non-notified sample exceedances to be removed from the OSM data submission.

- Two Clarification Notes (on LUT and the 14-day notification requirement) will be issued via Strategic Policy Group in due course

Actions Required- by 22/06/2025

1- Please investigate the cause of the repeated BOD sample exceedances at this works, and take appropriate steps to prevent further noncompliance. Provide details of the investigation undertaken, outcomes and details of measures which will be taken to prevent further noncompliance. Details to be provided to Natural Resources Wales by 22/06/2025.

2- Please investigate the root cause for the error in sample scheduling during April 2025. In addition please also provide details as why no BOD result was provided for the planned sample on 10th April 2025. Details to be provided to Natural Resources Wales by 22/06/2025.

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.