

Compliance Assessment Report CAR_NRW0048674

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: Other, Reason: Incident Response (Incident number: 2505641).

On 15/06/2025, between 10:00 and 11:00.

Parts of permit assessed: 3.1 emissions to water

NRW Lead Officer: Ceri Malone.

Report sent to: Mike Dunleavy, TRL, on 27/06/2025.

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	3.1.2 The limits given in schedule 3 shall not be exceeded

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	Identify the cause of the breach, measures taken to rectify the problem and measures taken to prevent a recurrence	10/07/2025

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 Report

On 15/06/2025 a Natural Resources Wales (NRW) Senior Industry and Waste Regulation Officer attended a report of grey water on the River Cynon. The discolouration had been traced back via the Nant y Cnapiau to the "North Lagoon N1" discharge location for Tower Colliery – permit AN0314801.

At 10:30 a sample from the outlet of the pond was taken where visible discolouration was present. A sample 50m downstream at NGR SN 94842 05475 was taken at 10:45. Samples were submitted to NRW Analytical Services (NRWAS) for analysis.

Results for suspended solids were as follows:

Source: 224mg/l

Downstream: 334mg/l

The result for the source sample exceeded the limit of 80mg/l on the permit. The Environmental Permitting (England and Wales) Regulations 2016 state:

38. (1) It is an offence for a person to:

(2) It is an offence for a person to fail to comply with or to contravene an environmental permit condition.

As a result a **warning letter** is being issued as part of this CAR form.

When discussed with a Tower Regeneration Limited (TRL) representative on 19/06/2025 it was confirmed that the site had experienced increased levels of suspended solids discharging from site. This was stated to be due to storm conditions leading to increased runoff and a lack of settlement prior to discharge. On 20/06/2025 the following data was sent to NRW by TRL confirming the increased suspended solid levels in the discharge:

Day	Date	Time Sample Taken	ntu reading	mg/litre - ppm	Rain Fall - mm	Comments
Saturday	5/31/2025	8:00		0.00	1.3	No sample taken - no water discharging
Sunday	6/1/2025			0.00	4.3	
Monday	6/2/2025	8:00		0.00	0.3	No sample taken - no water discharging
Tuesday	6/3/2025	8:10		0.00	25.4	No sample taken - no water discharging
Wednesday	6/4/2025	8:05	103.00	47.33	4.3	Valves Shut - water leaving via over flow
Thursday	6/5/2025	8:20	83.30	38.28	19.8	Valves Shut - water leaving via over flow
Friday	6/6/2025	8:10	149.00	68.47	5.6	Valves Shut - water leaving via over flow
Saturday	6/7/2025			0.00	5.3	No sample taken - no water discharging
Sunday	6/8/2025			0.00	0.5	
Monday	6/9/2025	7:45	47.20	21.69	0.8	Discharging via top valve
Tuesday	6/10/2025	7:55	56.10	25.78	2.5	Discharging via top and middle valve
Wednesday	6/11/2025	8:05	54.00	24.82	0	Discharging via middle valve
Thursday	6/12/2025	8:00	0.00	0.00	22.4	No water discharging
Friday	6/13/2025	8:05	0.00	0.00	42.4	No water discharging
Saturday	6/14/2025	8:35	720.00	330.87	11.6	Valves shut water leaving via overflow
Sunday	6/15/2025			0.00	0.2	
Monday	6/16/2025	8:15	427.00	196.23	0	Valves shut water leaving via overflow
Tuesday	6/17/2025	8:25	0.00	0.00	0.3	No water discharging/leaving site - no sample taken, water held in 8 Ponds
Wednesday	6/18/2025	8:05	260.00	119.48	0.2	No water discharging/leaving site - sample taken to check water quality only
Thursday	6/19/2025	8:20	191.00	87.77	0	No water discharging/leaving site - sample taken to check water quality only

Reseeding recently of identified offending areas of the site were confirmed as part of the discussions along with rolling and aeration of the ground. Silt fencing has also been installed at a different area of the site.

Breaches of permit condition:

3. Emissions and monitoring

3.1. Emissions to water

3.1.2 The limits given in schedule 3 shall not be exceeded.

Action required by dates specified:

- **Please identify the cause of the breach, measures taken to rectify the problem and measures taken to prevent a recurrence.** A site visit by NRW has been arranged for 10/07/2025 with TRL, please complete these actions by this date.

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 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.