

Compliance Assessment Report CAR_NRW0045475

Permit being assessed: CG0133701

For: Tregarth Wastewater Treatment Works, held by DWR CYMRU CYFYNGEDIG

At: Lôn Ddinas Road, Tregarth, Gwynedd, LL57 4NB.

Type of assessment carried out: Report/Data Review, Reason: Routine.

On 22/08/2024.

Parts of permit assessed: 2.3.2

NRW Lead Officer: Gareth Siney.

Report sent to: cars@dwrwymru.com, CARS Mailbox, on 03/07/2025.

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 (b) Off-line storm storage must be fully utilised before a discharge occurs. It shall only fill when the flow passed forward is equal to or greater than the overflow setting indicated due to rainfall and/or snow melt and shall be emptied and its contents returned to the continuation flow as soon as reasonably practicable. The minimum off-line storm storage required is specified in table S3.3
WQ-C1 - Water Quality - Emissions and monitoring - Emissions to water	C2 Significant	2.3.2 (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.

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	Ensure FFT is within permitted values going forward.	15/12/2024
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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

UPDATE 03/07/2025: NRW HAS CONCLUDED THAT A WARNING LETTER IS THE MOST APPROPRIATE RESPONSE. THE WARNING LETTER IS INCLUDED IN THIS CAR FORM.

Report:

The site is permitted (CG0133701) to discharge to storm tanks and off-site to the Afon Ogwen when the flow exceeds 22.9 litres per second. Flow data supplied is Flow Passed Forward and assumed to be collected from a meter after the weir that feeds the storm tank. As the site has EDMS data, two clauses of the permit can be assessed.

This assessment has a focus on the dataset for the second half of 2023 only (13/07/2023 – 31/12/2023).

To begin with, permit condition 2.3.2 (b) *Off-line storm storage must be fully utilised before a discharge occurs. It shall only fill when the flow passed forward is equal to or greater than the overflow setting indicated due to rainfall and/or snow melt and shall be emptied and its contents returned to the continuation flow as soon as reasonably practicable. The minimum off-line storm storage required is specified in table S3.3.*

Using the data provided, a maximum volume spilled to the storm tank while flow was below the permitted rate was calculated by omitting all flow measurements above the permitted rate (22.9 l/s), which would have been compliant. Then, by omitting data points when EDMS was not “firing” at 100, the remaining flow points are only those measured while both water is being directed into the storm tank AND the flow rate is below the permitted rate for a discharge. Flow is given in 15 minute intervals, as litres per second. By multiplying each data point by 60, we can see the litres spilled per minute. Multiplying again by 15 gives us litres spilled per timestamps. The sum of these data points showing EDMS directing water to the storm tank in breach of the permit for July-December 2023 was up to **16,841,857 litres**.

Permit condition 2.3.2 (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.*

Using the steps taken above, we add one additional step to the process. By filtering the data once step further to only show the values while EDM is also at 100, we can calculate the maximum volume of water discharged off site (flow during EDM 100), while the system is simultaneously spilling into the full storm tank (EDMS 100). The sum of these newly filtered data points showing EDM discharging off site while EDMS is directing water to the storm tank below the permitted rate was up to **16,251,089 litres**.

We can also compare timestamps for the spill events. This whole dataset is made of 16,464

timestamps (each 15 minute). Where the STW is discharging off-site while PFF is below the permitted rate (22.9 l/s), there are 3765 timestamps. This indicates that for **22.86% of the dataset (about 39 days out of 172), the works is discharging off-site while failing to meet PFF.**

Flows below 90% permitted rate

By repeating the calculations for 2.3.2 (a) but changing the filter for the flow/s to values below 90% of the permitted rate (20.61 l/s), we can see that up to **15,494,697 litres** was discharged out of the storm tank in breach of permit during 2023. This equates to **95.34%** of the total volume discharged off site in breach of permit for the year.

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.