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The Chief Executive
Welsh Water Authority
Cambrian Way
BRECON
Powys
LD3 7HP

| | | |
|--|-------------|------|
| W.W.A. CHIEF EXECUTIVE 1 FEB 1985 | | |
| Action by | Referred to | File |
| | | |

Our Ref: WEP 31/93/1

30 January 1985

Dear Sir

RIVERS (CONTROL OF POLLUTION) ACTS 1951-1961
THE WATER AUTHORITIES (CONTROL OF OUTLETS AND DISCHARGES) REGULATIONS 1975
(SI 1975 No 450)
THE WATER AUTHORITIES (CONTROL OF DISCHARGES) ORDER 1978 (SI 1978 No 1210)

I am directed by the Secretary of State for Wales to draw to your attention the enclosed notice of variation under Regulation 7 of the 1975 Regulations and Articles 4(8), 4(11) and 8 of the 1978 Order imposing a new condition on all the consents to discharge granted to (or inherited by) your Authority.

As indicated, the variation takes effect from 31 January 1985, and I would be grateful if you would formally acknowledge receipt of this letter.

Yours faithfully

L. E. Taylor

L E TAYLOR
WEP Division

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F Bernard Doyle Esq
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LD3 7HP

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| W.W.A. CHIEF EXECUTIVE | | |
| 1 FEB 1985 | | |
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| | | |

Our Ref: WEP 31/93/1

30 January 1985

Dear Bernard,

**WATER AUTHORITY SEWAGE TREATMENT WORKS:
EFFLUENT DISCHARGE CONSENTS**

On 31 January 1985 all consents to effluent discharges previously granted by the Secretary of State for Wales will be translated by statutory instrument to consents under the Control of Pollution Act 1974. I enclose with this letter a general variation of such consents for sewage treatment works, to be made in conjunction with translation. The purposes of the variation, which are described fully below, are to clarify the conditions to which consents are subject and the limits of the statutory defence which they will afford against a prosecution under Section 32 of the Act.

2. As you will be aware, since 1978 water authorities and the Departments as consenting authorities, have undertaken a review of the conditions attached to effluent discharge consents. The purpose has been to ensure that the conditions properly reflect accepted present standards rather than future objectives, so that they can provide an effective tool of management control and public accountability. The great majority of consents have now been reviewed on this basis.

3. In statements introducing the review it was indicated that the conditions to be attached to consents, which were to be based on previous sampling evidence and assume continuing sound operation of the plant, should be set at a level which it was recognised could entail occasional samples failing to meet consent terms. It was not expected however that such technical infringement would negate the effect of the consent as a defence against prosecution. Accordingly numerical values in consents were normally set at a level which assumed compliance in 95% of samples taken. While this is a useful and widely accepted procedure, the Government recognises that it has left some uncertainty as to the practical, statistical and legal implications of the consent conditions.

4. One of the Government's objectives in bringing into force COPA II is to impart greater clarity and rigour into the exercise of pollution control, and it therefore considers it undesirable to perpetuate such uncertainty which could undermine effective control and hamper prosecution of those clear instances of water pollution which the legislation was intended to outlaw.

5. The attached notice of variation now makes clear the interpretation of the numerical values attached to conditions as to the main determinants of composition in terms of the level of compliance to be achieved in sample results. The condition gives formal recognition to the test of 95% sample compliance, assessed in relation to each main determinant, and in turn makes this subject to the 95% confidence limits which are a common requirement for the reliable use of statistical measures. A more detailed explanation of the statistical basis of the values in the first schedule to the new condition, prepared by the Water Research Centre, is available from the Welsh Office, WEP Division, (Room 2-002, Cathays Park, Cardiff CF1 3NQ).

6. The condition set out in the attached Notice has effect only in respect of consents granted by the Secretary of State to water authorities and listed in the relevant schedule. It is for the authorities to consider, in the light of their statutory responsibilities, whether similar conditions should be developed for any of the consents they themselves grant.

7. Finally, you are asked to note that the new condition is essentially a transitional measure intended to ensure that existing consents can operate satisfactorily under COPA II. It should not be held to imply that the Government regards the present formulation of the consent terms for water authority discharges as in all respects satisfactory to achieve the progressive importance of water quality to which it is committed. Present arrangements have been in operation for some years, and, in consultation with the water authorities, the Government is taking the opportunity afforded by implementation of the Act to review them more fundamentally. The Government's general proposals will be set out separately.

Yours sincerely
L E Taylor
L E TAYLOR
WEP Division

SCHEDULE 2

NEW CONDITION

As and from 31 January 1985 compliance with any consent condition which imposes a numerical limit in respect of biochemical oxygen demand, biochemical oxygen demand (in the presence of allyl-thiourea), suspended solids or ammonia shall be deemed to have been achieved where out of a series of samples taken over any period of one year as listed in column 1 of the table set out below the number of samples which fail to conform to the numerical limit specified in the said condition does not exceed the appropriate permitted number as listed in column 2 of the said table.

TABLE

| (1) <u>Series of samples taken in any year</u> | (2) <u>Maximum permitted number of samples which fail to conform to numerical limits</u> |
|---|---|
| 4-7 | 1 |
| 8-16 | 2 |
| 17-28 | 3 |
| 29-40 | 4 |
| 41-53 | 5 |
| 54-67 | 6 |
| 68-81 | 7 |
| 82-95 | 8 |
| 96-110 | 9 |
| 111-125 | 10 |
| 126-140 | 11 |
| 141-155 | 12 |
| 156-171 | 13 |
| 172-187 | 14 |
| 188-203 | 15 |
| 204-219 | 16 |
| 220-235 | 17 |
| 236-251 | 18 |
| 252-268 | 19 |
| 269-284 | 20 |
| 285-300 | 21 |
| 301-317 | 22 |
| 318-334 | 23 |
| 335-350 | 24 |
| 351-365 | 25 |

Authorised by the
Secretary of State for Wales

L. E. Taylor.

30 January 1985

| (1) COUNTY | (2) DISTRICT | (3) NAME OF SEWAGE TREATMENT WORKS |
|---------------|--------------------------------|--|
| | South Herefordshire (Contd) | Western-U-Penyard (Penyard) Wester-U-Penyard (Dairy) Wilton Wormlow Tump |
| Shropshire | North Shropshire | Broughall Pentre Coed Whitechurch |
| | Oswestry | St Martins |
| Cheshire | Chester | Aidford Backford Barton Chester Churton Clutton Edge Brasseys Farndon Gatesheath Higher Lanes Lavister Malpas Nomansheath Saighton Tattenhall Tilston |
| | Ellesmere Port and Neston | Burton Eastwick Heswall Neston |

| (1) COUNTY | (2) DISTRICT | (3) NAME OF SEWAGE TREATMENT WORKS |
|------------------------|-----------------|---|
| Gloucester | Neath | Abergarwed Crynant Cwmgrach (Glynnaeth) Resolven Ynyssarwed |
| | Swansea | Clyne Crofty Llarnadoch Llanrhidan Park Mill Penclawdd Pennard Reynoldston Rhydypandy Trebanos |
| Hereford and Worcester | Forest of Dean | Lydbrook Newland Redbrook Ruardean - Wooside Ruardean Sedbury St Briavels |
| | Leominster | Bodenham Canon Pyon Dilwyn Eardsley Ivington Kingsland Kington Leominster (Barrons Cross) Leominster (Worcester) Luston and Yarpole Lyonshall Moccas Pembridge Preston-On Wye Shobdon Staunton on Wye Weobley |
| | Malvern Hills | Acton Green Bishops Frome Bredenbury (Grendon Firs) Bromyard New Bromyard Old Cricksgreen Cwmvoy Edwin Ralph Much Cawarne - Mill Ocle Prychard Pencombe Sparrington |

| (1) COUNTY | (2) DISTRICT | (3) NAME OF SEWAGE TREATMENT WORKS |
|-----------------|-------------------|--|
| | Montgomery | Velindre Ystradgynlais |
| | Radnor | Cemaes Road Derwenlas Esgairgeiliog Llangurig Llan Llanbrynbair Builth Road Clyro Crossgates Elan Valley Hotel Elan Village Harvey Hundred House Llandegley Llandewi Ystraderry Llandrindod Wells Llanfaredd Llangullo Llanyre Llowes New Radnor Newbridge on Wye Norton New Norton Old Pains Castle Pantydwr Presteigne Rhayder |
| South Glamorgan | Cardiff | Drope Leckwith St Fagans |
| | Vale of Glamorgan | Bonvilston East Bonvilston West Cowbridge East Aberthaw Highlight Lane Llancarfen Pendoylan Peterston St Nicholas Wenvoe |
| West Glamorgan | Lliw Valley | Cuckoo Mill Felindre Fforestgoch Gowerton Llannant |

| (1) COUNTY | (2) DISTRICT | (3) NAME OF SEWAGE TREATMENT WORKS |
|---------------|-----------------|--|
| Powys | Brecknock | Groesfaen Llanharry Llanharan Miskin New Park Pencoed Cae Penygaewsi Rhiwsaeson (dd) Rhiwsaeson (new) Rhydlafer Ynysmaerdy Industrial Estate Ynysmaerdy SIW Abercrave Aberllynfi Aber Village Beulah Brecon Bryn Builth Wells Bwlch Bwlch (North) Cilmerly Cradoc Cray Crickhowell Cwrt Y Gollen Army Camp Erwood Garth Glasbury Groesffordd Gwenddwr Libanus Llanbedr Llanddew Llanfihangel Nant Bran Llanfilo Llanfrynach Llangannarch Wells Llangenny Llanigan Llanspyddid Llanwrthwil Llanwrtyd Wells Llyswen Village Llyswen WyeLands Pencelli Pontneddfechan Scethrog and Penmorth Sennybridge Army Camp Talgarth Talybont Trecastle Trehower Usk |

| (1) COUNTY | (2) DISTRICT | (3) NAME OF SEWAGE TREATMENT WORKS |
|---------------|-----------------|--|
| Mid Glamorgan | | Llanddeusant Llandegfan Green Llandegfan Red Llaneilan Llanerchymedd Llanfachraeth Llanfaes A Llanfaes B Llanfaethlu Llanfairpwll Llanfechell Llangaffo Llangefni Llangoed Llynfaes Malltraeth Newborough Pencaerneisiog Pentraeth |
| | Cynon Valley | Cefn Coed Cynon Llwyn-On Houses Llwyn-On Rhigos Rhigos |
| | Merthyr Tydfil | Nelson Pontsarn Pontsticill Trefechan |
| | Ogwr | Bettws Bryn Coytrahen Fountain Maesteg - Final Effluent Penybont Pyle Shwt Stormy Down Wick |
| | Rhondda | Dyffryn |
| | Rhyimey Valley | Draethen Rudrey |
| | Taff Ely | Cilfynydd Creigiau |

| (1) COUNTY | (2) DISTRICT | (3) NAME OF SEWAGE TREATMENT WORKS |
|---------------|-----------------|---|
| | Meirionydd | Aberangell Abergynolwyn Aberllefenni Arthog Arthog Terrace Bala Blaenau Ffestiniog Brithdir Bronaber Bryncrug Crescent Croesor 1 Croesor 2 Derwenlas Dinas Mawddwy Dolgellau Dyffryn Ardudwa Friog Fron Goch Garneddwen Gellilydan Glan Yr Afon Ganllwyd Llanbrynmair Llandecwyn Llandderfel Llanfachreth Llanfestiniog Llanfor Llanfrothen Llangower Llanuwchllyn Lower Corris Machynlleth Maentwrog Parc Pennal Penrhyndeudrath Rhoslefain Rhyd Rhyd Uchaf Sarnau Taicynhaeaf Talsarnau Trawsfynydd Tryweryn Yrns |
| | Yrns Mon | Bodedern Bodffordd Brundu Llanfaelog Bryngwran Brynrefail North Brynrefail South Gaerwen Gwalchmai Gwalchmai |

| (1) COUNTY | (2) DISTRICT | (3) NAME OF SEWAGE TREATMENT WORKS |
|---------------|-----------------|---|
| | Dwyfor | Nant Peris Price Bros Talybont Rhiw Goch Rhiwlas Rhyd ddu Seion 1 NEW Tregarth Waunfawr Aber Nant Gwynant Aberdaron Aberech Abersoch Beddeleert Bethania Nant Borth Botwnnog Bryncir Bryncroes Chiwlog Clynnog Coed Y Fron Dinas Efailnewydd Fourcrosses Garmdolbenmaen Llanaelhaearn Llangybi Llaniestyn Llannor Llanystumdwy A Llanystumdwy B Llithfaen Mynutho Nantmor Pant Glas Pencaenewydd Penmorfa Penprys Penrhos Camp Penrhos Small Pentrefelyn Pentre Uchaf Pistyll Pontllyfrni Porthmadog Prenteg Rhoslan Rhydwyn Rhydyclafdy Riverside Cottages Sarn Meillteyrn Sarn Sea View Cottages Tai Lon Tyddyn Hywel |

| (1) COUNTY | (2) DISTRICT | (3) NAME OF SEWAGE TREATMENT WORKS |
|---------------|-----------------|--|
| Gwynedd | Torfaen | Coedkernew Magor Nash Peterstone Ponthir St Brides and Sea Way Goytre Pantygasseg |
| | Aberconwy | Betws Y Coed Betws Yn Rhos Capel Curig Capel Garmon Craig Y Dinas Cwm Penmachno Dolegarrog Dolwyddelan Eglwysbach Graig Groesffordd Henrhyd Llanddozet Llandudno Llanfairfechan Llanrwst Mountain View Melin Y Coed Nebo (Conwy) Nebo Pontrefelin Pentrefoelas Rowen Talybont Tanrhos Trefriw Tyn y Groes Ysbyty Ifan |
| | Arfon | Aber Bethel Bethesda Betws Garmon Bwlchllyn Caeathro Caernarvon Capel Uchaf Cesarea Clwt Y Foel Gyrn Goch Llanberris Llandegai Llanfaelan Llanllechid Llanllyfrui Llanrug |

| (1) COUNTY | (2) DISTRICT | (3) NAME OF SEWAGE TREATMENT WORKS |
|---------------|---|---|
| Gwent | | Narbeth West Narbeth West Redcliffe Reynalton Rhoscrowther St Florence St Twynells Stackpole Tavernspite Templeton |
| | Blaenau Gwent | Aberbaiden Bryn Mawr |
| | Islwyn | Manmoel |
| | Monmouth | Broadstone |
| | | Caldicot |
| | | Catbrook |
| | | Deuaden |
| | | Dingestow |
| | | Great Craig-Cross |
| | | Great Oak |
| Newport | Grosmount Gwehelog Gwernsey Littlmill Llanarth Llandegfedd Picnic Site Llandegfedd Llandewi Rhydderch Llandogo Llanellen Llanfair Llanfoist Llangibby Llanishen Llanover Llansoy Llantillio Crosenny Llanvapley Llanvetherine Llanwenarth Mitchel Troy Monmouth Pandy Penrhos Rhaglan Rochfield St Arvans Tinten Caerleon Christchurch | |

| (1) COUNTY | (2) DISTRICT | (3) NAME OF SEWAGE TREATMENT WORKS |
|---------------|-----------------|---|
| | Llanelli | Carmel Cilycwm Crugybar Cwmifor Owt Henri Farmers Ffairfach Felinawm Golden Grove Gwynfe Hermon Llandovery Llanfynydd Llanzadog Llansawel Myddfai Nantgwiniau Penygroes and Blaenau Pumpsaint Rhandirwyn Talley Trapp Twyn Llanan Burry Port Bynea Cwngwili Cwm tawel Four roads Garnswllt Hendy Kidwelly Llanelli Llangennech Llannon Pembrey Pontyates Gwendraeth Pwll Trimsaran |
| | Preseli | Abercych Adpar Ambleston Blaenfos Boncath Burton Ferry Camrose Castle Morris Cilgerran Clarbeston Road Croegoch Crymmych Crymych Cynghardy |

| (1) COUNTY | (2) DISTRICT | (3) NAME OF SEWAGE TREATMENT WORKS |
|---------------|-----------------|---|
| | | Llanybri Llanybyther Meidrim Nantgaredig Pantyrattro Parc-y-Splotts Pencader Pendine Pentrecwrt Pontyberem St Clears Trelech (Nr Llanyrafo) Whitland |
| | Ceredigion | Beulah Bow St Capel Bangor Cardigan Cellan Clarach Cross Cribyn Cross Inn and Nebo Devils Bridge Dihewyd Ffostrasol Gorsgoch Lampeter Llanddewi Brefi Llandyssul Llanfair Clydogau Llanfarian Llangetho Llanybi Llanilar Llanwren Llechryd llwyn Celyn Mydroilvn Nanternis /Caerwendros Panteg Pennant Penparc Pen-y-bont /Newport Ponterwyd Pontrhyfeudleaid Pontrhydyceirt Talgarreg Talsarn Trezaron Velindre Verwig |
| | Dinefwr | Ashfield Row Bethlehem Bryngwyn Caio |

| (1) COUNTY | (2) DISTRICT | (3) NAME OF SEWAGE TREATMENT WORKS |
|---------------|-----------------|--|
| Dyfed | Wrexham Maelor | Abenbury Bangor Isycoed Bowling Bank Bronington Caer Estyn Cefn Mawr Chirk Erbistock Eyton Ferns Bank Five Fords Gresford Halton Harmer Holt Horesmans Green Hugmore Lane Isycoed Overton Penley Sesswick Worthenbury |
| | Carmarthen | Abergolech Abergwili Alltwalis Alltyblaca Bancyfelin Brechfa Broad Oak Bronwydd Capel Iwan Caraway Cenarth Clynderwen Conwyl Elfed Cross Hands Ownduad Owmffrwd Cwrinewydd Drefach/Velindre Ferryside Greenfield Terrace Henllan Llanddarog Llanfihangel-Ar-Arth Llangelynnau Llangynog Llanpumpsaint Llansaint Llanstephan |

| (1) COUNTY | (2) DISTRICT | (3) NAME OF SEWAGE TREATMENT WORKS |
|---------------|-----------------|--|
| | Glyndwr | Aberwheeler Betws Gwerfil Goch Bontuchel Bryneglwys Carrog Chirk Bank Clawdd Newydd Clocaenog Corwen Cyffylliog Cynwyd Denbigh Derwen Dinmael Dolywern Eryrys Ffroncysyllte Glynceiriog Glyndyfrdwy Graianrhyd Graig Fechan Groes Bronallt Gwyddelwern Henllan Llanarmon - Dyffryn Ceiriog Llanarmon Maes-y-Llan Llanarmon-yn-y-Ial Llanbeder Dyffryn Clwyd Llandrillo Llandyrnog Llanelidan Llanfair Dyffryn Clwyd Llangollen Llanymarchant Llanynys Llidiart Annie Maes-y-Groes Melin-y-Wig Min-y-Rhos Nantglyn Pandy Pontfadog Pont Faen Pwllglas Ruthin Saron Sellattyn Tregeiriog Ty Gwyn Whitehurst |
| | Rhuddlan | Dyserth Mairwen Cefn Rhuddlan St Asaph Tremeirchion |

SCHEDULE 1

**SEWAGE TREATMENT WORKS OF
THE WELSH WATER AUTHORITY**

| (1) COUNTY | (2) DISTRICT | (3) NAME OF SEWAGE TREATMENT WORKS |
|---------------|------------------|---|
| Clwyd | Alyn and Deeside | Connah's Quay Dobshell Drury Ffirth Hope Kinnerton (Lower) Kinnerton (higher) Llanfynydd Pen-y-stryd Penyffordd Queensferry Queensferry Treuddyn-Bridge Terrace Treuddyn-Lodge Villas Treuddyn |
| | Colwyn | Boddegwel Cerrigydrudion Gwytherin Llanfair Talhairan Llanfihangel Glyn Myfyr Llanerchwyl Llanefydd Llansannan Maeli Glascoed Pandy Tudor Pentre Llyn Cymmer Trefnant |
| | Delyn | Bagillt (East) Bagillt (West) Caerwys Cilcain Cornist Hall Flint Mountain Flint Greenfield Kelsterton Leeswood Lixwm Llanasau Mold Mold (Bromfield) Mostyn Nannerch Northop Pentre-Halkyn Rhos e Mor Rhydymwyn Sychdyn Trelawnyd Whitford |

WELSH OFFICE

Rivers (Prevention of Pollution) Acts 1951-1961

THE WATER AUTHORITIES (CONTROL OF OUTLETS AND DISCHARGES) REGULATIONS 1975

THE WATER AUTHORITIES (CONTROL OF DISCHARGES) ORDER 1978

WHEREAS the consents granted to the Welsh Water Authority for discharges of effluent from the sewage treatment works specified in Schedule 1 hereto contain conditions which specify numerical quality limits for the chemical composition of the effluent.

AND WHEREAS the numerical quality limits for the chemical composition of the effluent were determined by reference to the quality which was capable of being achieved in 95 per cent of the samples of the effluent discharged from the said sewage treatment works.

AND WHEREAS the Secretary of State for Wales in exercise of the powers conferred on him under Regulation 7 of the Water Authorities (Control of Outlets and Discharges) Regulations 1975 ("the 1975 Regulations") and Articles 4(8) and (11) and 8 of the Water Authorities (Control of Discharges) Order 1978 ("the 1978 Order") desires to vary the said conditions to provide that the numerical limits are to be achieved in a representative proportion of the samples which are taken in any year to monitor the performance of the said sewage treatment works for pollution control purposes.

AND WHEREAS the Secretary of State for Wales has consulted the Welsh Water Authority as required by Regulation 7 of the 1975 Regulations and Articles 4(8) and 8 of the 1978 Order.

NOW THEREFORE NOTICE is given to the said Welsh Water Authority that in accordance with his powers under Regulation 7 of the Water Authorities (Control of Outlets and Discharges) Regulations 1975 and Articles 4(8) and (11) and 8 of the Water Authorities (Control of Discharges) Order 1978 the Secretary of State hereby imposes the new condition set out in Schedule 2 hereto in each consent granted for the discharge of effluent from the sewage treatment works described in Schedule 1 hereto.