

Compliance Assessment Report CAR_NRW0048871

Permit being assessed: AF3032201

For: TOWER COLLIERY OLD PONDS HIRWAUN, held by TOWER REGENERATIONS LIMITED

At: Tower Colliery Ltd, Tirherbert Road, Rhigos, Aberdare, Rhondda Cynon Taff, CF44 9UF.

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

On 10/07/2025, between 10:00 and 13:00.

Parts of permit assessed: All

NRW Lead Officer: Ceri Malone, accompanied by: Natalie Wrangham.

Report sent to: Mike Dunleavy, TRL Operator, on 17/07/2025.

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

Part of permitted activity assessed (criteria)	Assessment result	Permit condition
WQ-A1 - Water Quality - Management - General management	Action only (X)	
WQ-B1 - Water Quality - Operations - Permitted activities	Assessed (A)	
WQ-B2 - Water Quality - Operations - The site	Assessed (A)	
WQ-C1 - Water Quality - Emissions and monitoring - Emissions to water	Assessed (A)	
WQ-B3 - Water Quality - Operations - Operating techniques	Assessed (A)	
WQ-D1 - Water Quality - Information - Records	Assessed (A)	

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

2. What action is required?

Criteria	Action needed	Complete by
WQ-A1	Inform NRW of any actions taken with the planned desilting of the channel. Provide updates on the silt fence installation.	17/09/2025

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

Site drainage at Tower Colliery Old Ponds (AF3032201)

Site Report

10:00AM

A compliance visit to inspect the site drainage at Tower Colliery Old Ponds (AF3032201) was completed on 10/07/2025. A Natural Resources Wales (NRW) Environment Officer and Senior Officer were in attendance along with a Tower Regeneration Limited (TRL) operator. The weather was dry and hot with very little rain over the week prior.

We first checked the site catchment which appeared to match that specified in 2.2.1 of the permit. A lack of grass growth has previously been attributed to suspended solids exceedances in the discharge. This lack of growth was stated to be due to minimal rain this year resulting in a lack of infiltration and increased runoff. Increased grass growth in the catchment compared to previous visits was seen (*photograph1*).



Photograph 1: Old Ponds Catchment

Silt fencing was being installed at the time of our visit, stated to reduce sediment transport into the drainage channels (*photograph 2*).



Photograph 2: Silt Fencing Being Installed

At 12:20 we checked the drainage channels to the discharge location. Low flows were seen due to the lack of rainfall recently. The operator indicated that some silt build up had occurred and desilting of the channel was due to be completed over the next week.

At 12:45 we checked the discharge/monitoring point which was at SN 95050 05730 as described in Tables S3.2 and S3.3 of the permit (*photograph 3*). No discharge was seen from the pipe at the time of our visit however some flow under the pipe was seen (*photograph 4*). The operator explained this happens in low flow, under high flows the discharge is seen from the pipe. The water discharging was clear and visibly <100mg/l of suspended solids as permitted (Table S3.1b of the permit). An on-site water management records system has been produced with incorporated daily monitoring of suspended solids from the discharge point. A turbidity meter is used and calibrated routinely against lab tested samples for suspended solids.



Photograph 3: Discharge/Monitoring Point



Photograph 4: Flow Under Discharge Pipe

Action required by dates specified:

Inform NRW of any actions taken with the planned desilting of the channel. Provide updates on the silt fence installation. Complete by 17/09/2025.

Contact details:

If you have any other 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.