

Compliance Assessment Report CAR_NRW0049373

Permit being assessed: BP0284701

For: Afan Wastewater Treatment Works, held by DWR CYMRU CYFYNGEDIG
At: Phoenix Wharf, Harbour Road, Port Talbot Steelworks, Neath Port Talbot, SA13 1RA.

Type of assessment carried out: Check Monitoring/Sampling, Reason: Routine.
On 31/12/2024.

Parts of permit assessed: Monitoring and Reporting

NRW Lead Officer: Owen Caughlin.

Report sent to: CARS Mailbox, CARS Mailbox, on 12/09/2025.

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	C2 Significant	3.3.1 & Table S3.1 & Schedule 3b (OSM Sample Freq)

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	Improve monitoring operations to ensure sample frequency is met and inform NRW of the outcome of the investigation into the matter.	31/12/2025

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

The purpose of report is to record the 2024 OSM data audit. This CAR form should also be considered	supplementary	to	CAR_NRW0048333.
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Permit version in effect at time of non compliance - 26/03/2021(current permit in effect 23/07/2025).

The non-compliance listed above was identified during our annual 2024 data audit. This audit assessed Dŵr Cymru Welsh Water's compliance at all their sewage treatment works and water treatment works with Operator Self-Monitoring (OSM) conditions.

Please note this CAR is dated 31/12/24 as these non-compliances relate to annual 2024 data, however for clarity I carried out the compliance assessment on 12/09/2025 following notification of additional relevant OSM compliance matters.

Non Compliance - 3.3.1 (a) Sampling shortfall: one result for Free Cyanide missing for the calendar year 2024.

Dŵr Cymru have notified NRW of a shortfall of Free Cyanide samples for 2024. The cause of this is a failure to follow procedure by a subcontracted analysis lab (Dŵr Cymru sub contract Wessex Water who in turn sub contract ALS for this analysis).

Additional information on this matter submitted by Dŵr Cymru included below.

Condition(s) - 3.3.1 & Table S3.1 & Schedule 3b (OSM Sample Freq)

Action - Improve monitoring operations to ensure sample frequency is met and inform NRW of the outcome of the ongoing investigation into the matter and any actions to be implemented to prevent repeat occurrence.

Date - 31/12/2025

Additional information, submitted by Dŵr Cymru;

'As you are aware, DCWW subcontract all wastewater analysis to Wessex Water's laboratory. Wessex Water duly further subcontract some of the analysis to ALS's 17025/MCERTS laboratory.

On 8th Aug 2025, Wessex's Quality Manager contacted us to advise that ALS had been in contact with Wessex to advise that, due to a failure to follow their own AQC Policy, some previously reported results for monophenols, cyanide and kjeldahl nitrogen would need to have deviation comments retrospectively entered.

Under the usual arrangement, DCWW ask Wessex not to report any regulatory samples with deviation comments. But rather to cancel them instead. However, in this example all the results affected have previously been reported to DCWW and also (in the case of the regulatory results) reported to the Regulator. Hence there is only the option for Wessex to add the deviation comments themselves and in turn for DCWW to have the deviation comments added (via the usual direct result transfer process) to the results on our own LIMS.

Wessex have raised a formal complaint with ALS.

Consequently, please be aware that Wessex have added an indicative result test comment to the following sample results/tests:

Sample	Site	Date/Time	Batch Code	Test
7859282	Gowerton WWTW - Crude	09/02/2024 @ 08:47	SU	Kjeldahl Nitrogen
7859982	Gowerton WWTW	09/02/2024 @ 08:32	MS	Kjeldahl Nitrogen
8154372	Afan WWTW	11/11/2024 @ 13:11	SM	Free Cyanide MCERT

ENDS.

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.