

Compliance Assessment Report CAR_NRW0050742

Permit being assessed: DP3025GS

For: SITE DRAINAGE AT CAE CAPEL FIELD, **held by:** ENERGYBUILD LIMITED

At: ABERPERGWM COLLIERY, ENGINE COTTAGE SITE, GLYNNEATH, NEATH PORT TALBOT, SA11 5SF.

Type of assessment carried out: Check Monitoring/Sampling,

Reason: Routine.

On 12/02/2026, between 11:00 and 12:30.

Parts of permit assessed: 3.1.2 Table S3.1

NRW Lead Officer: Rhys Griffiths, accompanied by: Edward Davies, Rhys Griffiths.

Report sent to: Energybuild Limited Aberpergwm Colliery, ruby.davies@energybuild.co.uk, on 24/02/2026.

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

Part of permitted activity assessed (criteria)	Assessment result	Non-compliant permit condition
WQ-C1 - Water Quality - Emissions and monitoring - Emissions to water	C3 Minor	3.1.2 Table S3.1 Suspended Solids

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	See in CAR form. We suggest a teams meeting to further discuss and agree timescales as some actions need to be prioritised whilst others may involve a greater degree of work.	01/06/2026

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 was inspected on the 12th February 2026 together with the receiving watercourse. It is apparent that coal solids are being carried over into the watercourse as solids have been deposited on the bed of the stream for approximately 50 metres or so. This would indicate a prolonged period of poor quality effluent being discharged from the treatment system.

Weather was dry throughout our visit.

The large triangular shaped polishing lagoon had a heavy accumulation of solids. Operational staff inferred that this was a difficult lagoon to desilt due to its size and that the long reach excavator would not reach the centre of the lagoon sufficiently. The lagoon would have to be dewatered and a temporary roadway instructed to facilitate a full desilt operation. Furthermore, the establishment of the reeds and bulrushes within the lagoon confirm a prolonged period of lack of maintenance.

Action

Please confirm when this work is to be undertaken?

Both parallel lagoons appeared to have been desilted relatively recently although the water was rather turbid and therefore could not assess the settled solids level within the lagoons. Each lagoon have a turbidity curtain installed.

Action

Please check the age/integrity and effectiveness of the turbidity curtains.

The surface water drainage from a section of haul road also discharges into the Cae Capel treatment system. Presently the poor surface condition of the haul road presents an additional solids loading onto the water treatment system.

Action

Please carry out surface improvements and maintenance of the associated drainage systems such as catch pits on this section of haul road.

Consider increasing the frequency of the road sweeper/cleansing operations of the hard surfaced roadways surrounding the washery and the coal stocking area.

Action

Review existing inspection and maintenance schedule for the whole of the Cae Capel drainage catchment and confirm where improvements have been made.

There appears to be a crudely constructed catchpit under the feed conveyor to the washery.

Action

Please assess the effectiveness of this catchpit and whether any improvements or additions to it would assist with solid settlement.

Operational staff confirmed that changes had recently been made with the type of flocculent used in the water treatment process.

Action

Please provide details of all relevant flocculants together with chemical safety/environmental datasheets.

With regards to the actions - we suggest a teams meeting to further discuss and agree timescales as some actions need to be prioritised whilst others may involve a greater degree of work and will issue an additional Compliance Assessment Report Form to confirm the timescales for each action.

The overall deadline being the 1st June 2026.

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 required for the permit condition assessed to avoid non-compliance. No non-compliance scored at this time
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

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 Monitoring
- WQ-C5 Installation of monitoring boreholes

WQ D: Information

- WQ-D1 Records
- WQ-D2 Reporting
- WQ-D3 Notifications

Enforcement response

Any non-compliance with a permit condition 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 twenty working days to let you know if we agree to your request.

Disputing the Content of this Compliance Assessment Report Form

If you disagree with the content of this Compliance Assessment Report form, you should submit your concerns, in writing, to the regulating officer who issued it within **15 working days** of its issue. This will be treated as a **Stage 1 review**.

If you are not satisfied with the outcome of the stage 1 review, you may request a **Stage 2 appeal**. This request must be submitted **within 21 working days** of receiving the response from the stage 1 review.

Further details on our review and appeal process are available at: [Natural Resources Wales / Appeal a regulatory decision from Natural Resources Wales](#)

Concerns Not Related to the Content of this Compliance Assessment Report Form

If your concerns do not relate to the content of the Compliance Assessment Report form, you should first attempt to resolve the issue with the regulating officer or their line manager.

If the issue remains unresolved, please contact our **Customer Contact Team**:

- **Telephone:** 0300 065 3000 (Monday to Friday, 09:00–17:00)
- **Email:** enquiries@naturalresourceswales.gov.uk

They will provide details on how to escalate your concerns through our **Complaints and Commendations procedure**.

If you are dissatisfied with our response, you may contact the **Public Services Ombudsman for Wales**:

- **Telephone:** 0300 790 0203
- **Email:** 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.