

## Compliance Assessment Report CAR\_NRW0051529

**Permit being assessed:** BB3006701

**For:** Pen-y-Bont Wastewater Treatment Works, **held by:** DWR CYMRU CYFYNGEDIG

**At:** Portobello Bridge (Private Access), Ogmore-by-Sea, Bridgend, CF32 0QP.

**Type of assessment carried out:** Report/Data Review,

**Reason:** Other.

**On** 16/04/2026.

**Parts of permit assessed:** 3.1.6

**NRW Lead Officer:** Natalie Wrangham.

**Report sent to:** CARS@dwrwymru, mailbox, on 16/04/2026.

### 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	3.1.6 (b) provide a reason for the Trigger Exceedance and a description of any remedial action undertaken or proposed. Where the reason/s for the Trigger Exceedance cannot be identified within the 3 months of the Trigger Exceedance the operator must provide a proposal with timeframes for a full investigation

Part of permitted activity assessed (criteria)	Assessment result	Non-compliant permit condition
		to be carried out to identify the reason/s for the Trigger Exceedance for approval by Natural Resources Wales;

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	No action - non-compliance with timescale to submit report	17/04/2026

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.

**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

### Overview

A Trigger Exceedance Notification (TEN) was received by NRW on the 3rd October 2025, reporting that the storm spill limit for the bathing water season as detailed in Table S3.1 of Schedule 3 of permit BB3006701 had been exceeded on 11/09/2025. This notification was received within the 4 week timeframe detailed in condition 3.1.6 (a) as detailed in CAR\_NRW0049709.

This CAR form address TENs and their subsequent ongoing investigations from 2023, 2024 and 2025.

### Breaches of permit condition

**Condition 3.1.6** *Effective from the date of installation of EDM monitoring equipment at the site: If the measured number of significant block-counted spills exceeds the limit specified in Table S3.1 this constitutes a Trigger Exceedance and the operator shall:*

*(b) provide a reason for the Trigger Exceedance and a description of any remedial action undertaken or proposed. Where the reason/s for the Trigger Exceedance cannot be identified within the 3 months of the Trigger Exceedance the operator must provide a*

*proposal with timeframes for a full investigation to be carried out to identify the reason/s for the Trigger Exceedance for approval by Natural Resources Wales;*

In accordance with current NRW guidance a category 3 non-compliance has been given for 2024 and 2025 which did not comply with the timescales set out in the above permit condition, as explained below.

### **2023**

A TEN was submitted for Penybont WwTW storm discharge, then permitted by permit number BW3206201 on 25/08/2023. An initial investigation report was submitted by DCWW in response to CAR\_NRW0042705 on 6/11/2023, which was within the 3 month timescale conditioned by their permit and is therefore compliant. Section 4.1 Root cause statement stated that a definitive root cause of CSO spill frequency could not be established at the time but is likely due to hydraulic overload at the asset. Section 4.2 stated '*Investigation works have been undertaken and a review of STW operational control philosophy, current performance and asset condition did not identify anything to suggest any issues within the STW to be the root cause of the spills.*' The following actions are set out in section 4.3 Further work required:

- Upstream catchment investigations
- Flow modelling
- Review of Sustainable Drainage Plan (SDP) outputs

Section 4.4 of the report states: *Once monitors are installed, there will need to be a period of data collection to allow for further detailed root cause to be undertaken.*

*Welsh Water aim to complete the initial stage of installing monitors by 1st April 2024.*

### **2024**

A TEN was submitted for Penybont WwTW storm discharge, then permitted by permit number BW3206201 on 24/10/2024. CAR\_NRW0045900 was issued in response to this requesting the relevant report be submitted within the 3 month timeframe as detailed in their permit. This was followed up via email correspondence in September 2025 and in Technical Operational Group meetings. The report for this TEN has been submitted jointly with the report for the 2025 TEN. This is therefore considered **non-compliant**.

### **2025**

A TEN was submitted for Penybont WwTW storm discharge, now permitted by BB3006701 after permit consolidation in October 2024, on 3/10/2025. A stage 2 Full Investigation Proposal was submitted by DCWW in response to CAR\_NRW0049709 on 27/03/2026, outside the 3 month timescale as detailed by the condition in their permit. Therefore this is considered **non-compliant**.

### **2025 Full Investigation Proposal report**

Section 1.4 of the report details telemetry data analysis, where one of the spill blocks recorded by EDM has been identified as a maintenance test, therefore this spill has been discounted. DCWW explained in a subsequent meeting that the maintenance operatives

should log maintenance operations to ensure false alarms are not generated. It goes on to say that *'data sets for spills are consistent with response to rainfall events in the catchment and also other monitored assets in the surrounding area.'*

Section 1.6 Root cause statement reiterates that which was reported in the 2023 initial investigation report: *'The definitive root cause of CSO spill frequency cannot be firmly established at this time but will likely be attributed to hydraulic overload at the asset...'* The section then states that *'Investigation works is underway with the Arup Modelling team and a review of WWTW operational control philosophy, current performance and asset condition is being investigated as a bigger picture of issues associated with flow and storm management.'* This appears to be a change from the 2023 report which suggested the investigation had not identified any issues with the STW which could have contributed to the spills. This section goes on to state that some control logic problems with the inlet screw pumping station and site FFT flow control penstock operation have been identified and are being investigated. This section also repeats the areas for further investigation which were identified in the 2023 report. It is not clear how much progress has been made on these areas since the 2023 report.

Section 1.8. Stage 2 Full Investigation Plan, table 1 details the action required with the Action due dates:

Action Ref.	Action Required	Action Due Date	Comments	Complete (Y/N)	Completion Date
1	Review of site operational control and set points.	May 2026	Dcww AGA Operations to carry out internal review on site control and set points to investigate inlet area flow control.		
2a	Catchment modelling.	April 2026	Rebuild historical model with new network information and flow outputs from above flow and system surveys to verify against actual data.		
b		February 2027	Run updated model with new seasonal catchment data and remedial optioneering in removal of I&I to provide recommended outcomes.		
3	Recommendations from modelling outcomes for BGA and AGA solutions.	March 2027	Review recommended outcomes and agree prioritised action plan to be fed into AMP8 capital scheme.		
4	MVS and OVA.	December 2027	Cost up agreed AMP8 capital scheme and feed back to the NRW through SRP and to affordability in meet permit and BW spill drivers.		
5	Capital design.	December 2028	AMP8 deliverable commitment programme to be developed.		
6	Detailed Design Deliverables	TBC	TBC		

**Actions required by 14th May 2026:**

Please respond to the questions below prior to the agreement of the proposed actions:

- Can DCWW confirm if the action due date is the proposed completion deadline for the actions, or is this the date the action is scheduled to begin?
- Can DCWW provide an explanation of the timescales, particularly why there is a 9 month lag time between the recommendations from the modelling outcomes (point 3) and the submission of feedback to NRW following costing exercise (point 4), and then a 12 month lag time for the capital design (point 5)?
- Can DCWW add in a commitment to feedback to NRW (local environment team) about progression with the actions on a quarterly basis?
- Is there a reasonable proposed date for the action / completion of the detailed design deliverables to add to table 1 in the report?
- Can DCWW provide information on the Upstream catchment investigations, Flow modelling and Review of Sustainable Drainage Plan (SDP) outputs stated in the 2023 report and how they have fed into this investigation report?

**Contact details:**

If you have any queries regarding this CAR form or to provide an update on any actions above, please contact me using the following email addresses:

[natalie.wrangham@cyfoethnaturiolcymru.gov.uk](mailto:natalie.wrangham@cyfoethnaturiolcymru.gov.uk)

[cwmtaf&bridgendconsultations@cyfoethnaturiolcymru.gov.uk](mailto:cwmtaf&bridgendconsultations@cyfoethnaturiolcymru.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 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](mailto: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](mailto: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.