

Compliance Assessment Report

Report ID:
CAR_NRW0035900

This form will report compliance with your permit as determined by an NRW officer

Site	COG MOORS STW CDIFF RD DINAS POWYS	Permit Ref	AN0280002		
Operator/Permit holder	DWR CYMRU CYFYNGEDIG				
Regime	WaterQuality				
Date of assessment	01/11/2019	Time in	N/A	Out	N/A
Assessment type	Report/Data Review				
Parts of the permit assessed	11.1, 11.2, 11.3, 14				
Lead officer's name	Goddard, Hannah				
Accompanied by					
Recipient's name/position	Mathew Griffiths/ Environmental Consenting Specialist	Date issued	04/11/2019		

Section 1 – Compliance Assessment Summary

This is based on the requirements of the permit under the Environmental Permitting Regulations or the licence under the Water Resources Act 1991 as amended by the Water Act 2003. A detailed explanation is captured in "Compliance Assessment Report Detail" (Section 2) and any actions you may need to take are given in the "Action(s)" (section 4). This summary details where we believe any non-compliance with the permit has occurred, the relevant condition and how the non-compliance has been categorised using our Compliance Classification Scheme (CCS). CCS Scores can be consolidated or suspended where appropriate, to reflect the impact of some non-compliances more accurately. For more details of our CCS scheme, contact your local office.

Permit conditions and compliance summary	CCS Category	Condition(s) breached
E3 - Emissions - Surface water	C3	15. (a) A discharge of settled storm sewage effluent following UV lamp warm-up which has not been subjected to UV disinfection shall only occur as a result of one or more of the following. (i) (ii) (iii)

KEY: See Section 5 for breach categories, suspended scores will be indicated as such.

A = Assessed or assessed in part (no evidence of non-compliance), **X** = Action only,

O = Ongoing non-compliance, not scored.

Number of breaches recorded	1	Total compliance score (see section 5 for scoring scheme)	4
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If the Number of breaches recorded is greater than zero, please see Section 3 for our proposed enforcement response

Section 2 – Compliance Assessment Report Detail

This section contains a report of our findings and will usually include information on:

- The part(s) of the permit that were assessed (eg. Maintenance, training, combustion plant, etc)
- Where the type of assessment was 'Data Review' details of the report/results triggering the assessment
- Any non-compliances identified
- Any non-compliances with directly applicable legislation
- Details of any multiple non-compliances
- Information on the compliance score accrued inc.
- Details of advice given
- Any other areas of concern
- Any actions requested
- Any examples of good practice
- A reference to photos taken

Comments

The purpose of this compliance assessment report is to analyse the storm UV data submitted by DCWW to NRW staff member Hannah GODDARD via e-mail on the 11th of October 2019.

Conditions complied with:

11.1 Covered the period 4 days before Good Friday to 30th September (15th Apr-30th Sep)

11.2 When the flow exceeded 200 l/s, a measured applied UV dose of 15 mJ/cm² was exceeded

11.3 The medium pressure UV lamps must be operated at a power level of at least 30%

14. Report was submitted within 2 months of the end of the period

Erroneous readings over 15mins in length

6th August 17:00-20:30.

10th August 10:45-14:45.

We accept these sets of readings as erroneous. All other other readings with <15mJ/cm² UV dose were within the 15minute warm up window for >200l/s of flow.

Condition 15 - Emergency discharge

28th September 21:30-22:00

"Storm surge causing channel 3 to open and provide hydraulic relief for approx 30mins. This relief channel does not dose in these conditions as per design."

On this date, there was an amber warning issued which covered parts of south and mid wales so a storm surge is plausible and accepted. Despite this, condition 15. (a) of the permit states there are 3 reasons that an emergency discharge may occur. Please confirm which, if any of these scenarios occurred.

Condition 17 - it is agreed that there was no need to notify NRW of this emergency discharge as it was for a duration shorter than 2 hours.

Our concern is whether Cog Moors has capacity problems. This is concerning considering the load from Waycock Cross WWTWs is soon to be added. Please provide more information on flows from 27-30th September and evidence that capacity is sufficient for population equivalent.

Actions required

1. Confirm if emergency discharge was due to any of the 3 scenarios outlined in 15(a).

2. Please provide more information on flows from 27-30th September and evidence that capacity is sufficient for population equivalent.

Contact details

Hannah Goddard, Environment Officer, Hannah.Goddard@naturalresourceswales.gov.uk, 0300 065 3211

EPR Compliance Assessment Report

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Site	COG MOORS STW CDIFF RD DINAS POWYS	Permit Ref	AN0280002
Operator/Permit holder	DWR CYMRU CYFYNGEDIG	Date	01/11/2019

Section 3 – Enforcement Response

You must take immediate action to rectify any non-compliance and prevent repetition.

Non-compliance with your permit conditions constitutes an offence and can result in criminal prosecutions and/or suspension or revocation of a permit. Please read the detailed assessment in Section 2 and the steps you need to take in Section 4 below.

In respect of the above non-compliance you have been issued with a warning. At present we do not intend to take further enforcement action. This does not preclude us from taking additional enforcement action if further relevant information comes to light or offences continue.

Section 4 – Action(s)

This section summarises the actions identified during the assessment along with the timescales for when they will need to be completed.

Criteria Ref.	CCS Category	Action required/advised	Due Date
See Section 1 above			
E3	C3	Clarify which, if any, of these 3 conditions applies in this instance. Please provide more information on flows from 27-30th September. What is the Emergency Discharge trigger shreshold? Provide evidence that capacity at Cog Moors is sufficient for Population Equivalent	06/12/2019

Section 5 – Compliance notes for the Operator

To ensure you correct actual or potential non-compliance we may

- Advise on corrective actions verbally or in writing
- Require you to take specific actions verbally or in writing
- Issue a notice
- Require you to review your procedures or management system
- Change some of the conditions of your permit
- Decide to undertake a full review of your permit

Any breach of a permit condition is an offence and we may take legal action against you

- We will normally provide advice and guidance to assist you to come back into compliance either after an offence is committed or where we consider that an offence is likely to be committed. This is without prejudice to any other enforcement response that we consider may be required.
- Enforcement action can include the issue of a formal caution, prosecution, the service of a notice and/or suspension or revocation of the permit.

See our Enforcement and Civil Sanctions guidance for further information

This report does not relieve the site operator of the responsibility to

- Ensure you comply with the conditions of the permit at all times and prevent pollution of the environment
- Ensure you comply with other legislative provisions which may apply

Non-compliance scores and categories

CCS category	Description	Score
C1	A non-compliance that could have a major environmental effect	60
C2	A non-compliance which could have a significant environmental effect	31
C3	A non-compliance which could have a minor environmental effect	4
C4	A non-compliance which has no potential environmental effect	0.1

Operational Risk Appraisal (Opra) - Compliance assessment findings may affect your Opra score and/or your charges. This score influences the resource we use to assess permit compliance.

Section 6 – General information

Data protection notice

The information on this form will be processed by the Natural Resources Wales (NRW) to fulfil its regulatory and monitoring functions and to maintain the relevant public register(s). The NRW may also use and/or disclose it in connection with:

- Offering/providing you with its literature/services relating to environmental matters
- Consulting with the public, public bodies and other organisations (eg. 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 its service
- Freedom of Information Act/Environmental Regulations request

The NRW may pass it on to its agents/representatives to do these things on its behalf. You should ensure that any persons named on this form are informed of the contents of this data protection notice.

Disclosure of information

The NRW will provide a copy of this report to the public register(s). However, if you consider that any information contained in this report should not be released to the public register(s) on the grounds of commercial confidentiality, you must write to your local area office within fifteen working days of receipt of this form indicating which information it concerns and why it should not be released, giving your reasons in full.

Customer charter

What can I do if I disagree with this compliance assessment report?

If you are unable to resolve the issue with your site officer, you should firstly discuss the matter with officer's line managers using the informal appeals procedure. If you wish to raise your dispute further through our official Complaints and Commendations procedure, phone our general enquiry number 0300 065 3000 (Mon to Fri 08.00 – 18.00) and ask for the Customer Contact team or send an email to enquiries@naturalresourceswales.gov.uk. If you are still dissatisfied you can make a complaint to the Public Services Ombudsman for Wales. For advice on how to complain to the Ombudsman phone their helpline on 0845 607 0987.

Welsh Language

If you would like this form in Welsh please contact your Regulatory Officer.