

Compliance Assessment Report

Report ID:
CAR_NRW0035816

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

Site	BRETTON WATER TREATMENT WORK BRETT	Permit Ref	CM0230001			
Operator/Permit holder	DWR CYMRU CYFYNGEDIG					
Regime	WaterQuality					
Date of assessment	01/08/2019	Time in	N/A	Out	N/A	
Assessment type	Check Monitoring/Sampling					
Parts of the permit assessed	OSM sample taken 01/08/19					
Lead officer's name	Brannan, Callum					
Accompanied by						
Recipient's name/position	OSM@dwrcymru.com/ OSM Mailbox	Date issued	18/12/2019			

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	3.1.2 emission limit to water

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

On the 13/08/2019 it was notified to NRW of the Aluminium sample failure on site at Bretton WTW. The failure was due to the aluminium levels breaching the consented levels of 1mg/l. The OSM lab results identified aluminium levels of 1.45mg/l. This is a breach of permit CM0230001, condition S3.1.

From the updates sent to NRW the following has been identified and remediated:

NRW were informed that additional investigatory samples were to be taken and submitted to an external laboratory on 14/08/19, 19/08/19 and 27/08/19. The external results below show elevated aluminium levels in the discharge and the discrepancy between the onsite analyser and the lab results.

Date	External Result (mg/L)	On-site Online Instrument (mg/L)	On-site Manual Result (mg/L)
14/08/19	1.29	0.5247	> 0.5
19/08/19	1.36	0.1657	1.7
27/08/19	1.00	0.1166	0.31

On the 26/08/2019 new instrumentation was being trialled with the aims of improving on-site testing accuracy at Bretton in order to replicate the lab results. It has since been confirmed that the initial test samples have been submitted for assessment and are returning with improved accuracy to the accredited lab results. On site trial of the new instrument is due to commence imminently.

The discharge water at Bretton WTW collects in a chamber of 2 pumps from the lagoon, one to feed the online monitor and another to discharge water via the OSM sampling point. Due to the discrepancy in height between both pumps there has been difficulty in collecting a representative sample of the discharge. A task had been set to re-align the pump to the same level in the chamber so that representative sample of the discharge could be obtained. We were notified that the works were completed on the 26/09/2019 and that the sample results are now representative of the discharge.

NRW were informed on the first update that the ultrasonic pulsing system that is used to breakdown algal growth in the lagoon system was found to be faulty. It was also notified that a replacement system is due to be fitted imminently. This issue has now been fixed and commissioned as of 07/10/2019.

NRW also asked what accreditation the laboratory at Bretton have as well as the lab used for the OSM samples and how often is calibration carried out. The manual test method is calibrated monthly against the manufacturers reference standards and acceptance criteria and the online Aluminium instrument is calibrated 6 monthly against DCWW's own internal calibration method. Both manual/online instruments are operated and maintained in line with DCWW's internal quality management system which complies to ISO 9001. The external laboratory where OSM samples are analysed has been UKAS accredited to an ISO

17025 standard.

EPR Compliance Assessment Report

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Operator/Permit holder	DWR CYMRU CYFYNGEDIG	Date	01/08/2019

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	Improve monitoring and control measures for Aluminium	25/10/2019

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.