

Compliance Assessment Report

Report ID:
CAR_NRW0035818

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

Site	KNOLTON PROCESS EFFLUENT	Permit Ref	CG0408201		
Operator/Permit holder	THE MANAGING DIRECTOR				
Regime	WaterQuality				
Date of assessment	13/09/2019	Time in	N/A	Out	N/A
Assessment type	Report/Data Review				
Parts of the permit assessed	Assessment of rolling annual average of Phosphorous				
Lead officer's name	Rees-Jones, Jenny				
Accompanied by	NRW sample				
Recipient's name/position	Stuart Latham/ Director	Date issued	21/11/2019		

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	C2	Schedule 2, condition 13, as ammended by variation 07/02/14. Discharge shall not containe more than 2mg/l total P as an annual average.

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)	31
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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

Upon receipt of sample compliance data for Knolton in September 2019, it was requested that the rolling annual average for Phosphorous was calculated to date. The Analysis and Reporting team provided the following figures:

Date Taken	0348 Phosphorus-P (mg/l)	Rolling mean mg/l	Permitted Rolling Mean mg/l	STD DEV	t*standard error of mean	Lower confidence interval - fail if exceeds permit
18/09/2018	3.82	2.92	2	0.90	0.86	2.06
07/12/2018	1.98	2.89	2	0.93	0.89	2.00
12/02/2019	2.06	2.75	2	0.90	0.74	2.01
27/03/2019	3.63	3.05	2	0.85	0.70	2.35
11/04/2019	2.77	3.01	2	0.79	0.58	2.42
21/05/2019	6.33	3.42	2	1.33	0.89	2.53
27/06/2019	1.46	3.09	2	1.44	0.96	2.13
24/07/2019	3.6	3.21	2	1.44	0.96	2.24
09/09/2019	4.9	3.39	2	1.46	0.90	2.49

The variation to the permit in 2014 states in Schedule 2 that the discharge shall not contain more than 2 mg/l of total Phosphorus (expressed as P) as an annual average. The sample results in the second column show actual levels of phosphorous measured. The right hand column shows the rolling mean based on the previous 12 months of samples, which determine the compliance.

The data shows that Knolton have not been complaint with the phosphorous levels on their permit from 18/09/19 until 09/09/19, with the exception of 07/12/19, although some of the breaches are marginal.

Knolton were contacted on 07/10/19 and provided with the figures. Knolton replied on 08/10/19:

"As you can see from the data, we have been struggling to consistently get below 2.

We have / are trialling several different things to sort this...

Quite some time ago we installed a sand filter and dosed AICI to remove P. While this has worked, the remaining levels of P were not quite good enough. Since you have flagged us not being permitted to use AICI we have stopped this.

- 1. We have run with higher AICI dosing in the Daff, this has proven not to be reliable as it can, at times, adversely affect the Daff operation. We have now stopped doing this.*
- 2. We are currently dosing final Activated sludge with AICI – this is proving very successful, sustainable and controllable. We have been between 1.23 and 1.59 since using this approach.*
- 3. We will try again dosing before the filter but add an additional finer sand filter to the process.*
- 4. We are gathering data of AICI in the final discharge as part of the certification and to analyse the differences in the four different approaches to removal of P.*
We are also in the final stages of replacing the pipeline."

The site have previously informed us that in attempting to remove P, they have increased levels of solids. They are also waiting for an application for a variation to be determined, which will hopefully include a limit for the quantity of Aluminium in the discharge. They are being careful to minimise the amount of AICI being used.

Note that results for P within the last year will affect the rolling average for the coming year, and this will be taken into

account when deciding upon enforcement action for future breaches in line with our CCS guidance.

It is apparent that the site are trying to address the issues with Phosphorous, suspended solids and Aluminium in the discharge. It is therefor considered that a warning is appropriate on this occasion. However, repeated non-compliance in future may lead to increased enforcement action.

EPR Compliance Assessment Report

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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	C2	Improve P removal to comply with licence conditions.	07/11/2019

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.