

Compliance Assessment Report

Report ID:
CAR_NRW0035975

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	12/02/2019	Time in	10:21	Out	10:22
Assessment type	Check Monitoring/Sampling				
Parts of the permit assessed	Routine Effluent Sample				
Lead officer's name	Rees-Jones, Jenny				
Accompanied by	NRW Sampler				
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	12. The discharge shall contain no more than 60 mg/l suspended solids

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

CG0408201 Knolton - Sampled 12/02/2019 – TSS Failure - Result 152mg/l Max Limit 60mg/l.

Environment Team were made aware of the breach a few months after the result. In the interim a pollution incident was identified at the rear of site on 04-05/03/19, where a pipe carrying effluent to the Dee had broken. At that time, NRW and Knolton discussed the requirement to improve the process and this is documented in

[CAR NRW0035019](#).

The operator was contacted on 25/06/19, once the Environment Team were aware of the breach on 12/02/19. The operator replied:

"I think we have already identified and rectified this issue. As said this was prior to recent discussions/changes.

In summary we think the issue was cloudy settlement combined with filtration that was too coarse.

We have improved the clarity of the settlement, we also on line monitor this and stop/return if over a threshold.

Knolton provided their own internal sample results, which showed suspended solids levels at 98mg/l on 23/01/19 and 109mg/l on 12/02/19, which are both above the permitted limit of 60 mg/l.

We are unable to say whether these breaches in January and February are the cause of the discolouration, fungus and foam found in the tributary at the rear of site where the pipe had broken in March. On this day, samples taken from the broken pipe show suspended solids to be 50mg/l on 04/03/19 and 11mg/l on 05/03/19 March, within permit conditions.

We have previously discussed suspended solids in 2018 in relation to previous breaches, and on 09/10/18, Knolton had reported:

"Just to keep you informed, we have as promised had our Effluent Consultant attend site to report on the issues raised by NRW. He has completed an independent review to ascertain reasons and possible solutions.

To summarise he found the plant to be working well, delivering Phosphate within consent discharge levels and the sand filter is also removing most of the soluble phosphate. However in working to lower our Phosphate levels we have created a knock on effect of turning the some soluble phosphate into a solid state which has pushed our SS over the limit on some occasions. He has suggested that further filtration using a finer sand filter (16-30 or smaller) should remove enough of the remaining solids to consistently keep the plant within consent levels.

Following this review we are now installing an additional trial sand filter with the required sand spec, which we are going to monitor and see how this performs both on consent (SS) and ability to process our discharge volumes and required backwashing, as we may need more than one."

In accordance with CCS guidance this is a category 2 non-compliance, over twice the absolute limit at an industrial discharge.

Upon processing this non-compliance the data until 18/09/19 was reviewed. NRW sample details show suspended solids to be within the limits of the permit since this February.

It is felt that a warning is sufficient on this occasion due to efforts made at site to improve effluent treatment, leading to improved levels of suspended solids, however repeated non-compliance in future may require increased enforcement action.

EPR Compliance Assessment Report

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Operator/Permit holder	THE MANAGING DIRECTOR	Date	12/02/2019

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	C2	Site already carrying out measures to reduce suspended solids in discharge. Limit needs to be complied with.	28/11/2019

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.