

Compliance Assessment Report

Report ID:
CAR_NRW0036218

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

Site	Llechryd WTW Llechryd Near Cardigan	Permit Ref	BP0251001		
Operator/Permit holder	DWR CYMRU CYFYNGEDIG				
Regime	WaterQuality				
Date of assessment	03/12/2019	Time in	N/A	Out	N/A
Assessment type	Check Monitoring/Sampling				
Parts of the permit assessed	7(a)				
Lead officer's name	Stone, Callum				
Accompanied by					
Recipient's name/position	CARS Mailbox/ CARS Mailbox	Date issued	13/02/2020		

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
A1 - Specified by permit	C2	7. a) The suspended solids concentration dried at 105 degrees Celsius shall not exceed 50 milligrams per litre.

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

Natural Resources Wales received the following failure notification on 11/12/2019

· Date of Notification	11/12/2019
· Water Company Name	Dwr Cymru
· Self Monitoring regime	OSM
· Type of notification	Sample Failure
· Discharge	Llechryd WTW (BP0251001)
· Sample Pt. No.	100527
· Date of sample	03/12/2019 @ 09:05am
· Determinand	S/S
· Result	453 mg/l
· Consent	50 mg/l
· Comments	Sample results checked with the lab and confirmed. Single Sample Failure.

Permit BP0251001 issued 27 January 1995 states:

"Condition 7. The quality of effluent discharged at all flow rates up to the maximum specified in condition 4 shall not be inferior to the following numerical limits.

a) The suspended solids concentration dried at 105 degrees celcius shall not exceed 50 milligrams per litre."

DCWW telemetry showed that the discharge was in breach of the permit between 08:00 and 08:43 with turbidity returning to normal by 09:30. In this period the maximum flow from Llechryd WTW was 29.3m³/h in to the Afon Teifi. This breach has been given a Compliance Classification

Score (CCS) of 2 as a discharge of such high suspended solids has the potential to have a significant environmental impact, regardless of actual impact on this occasion.

The breach of a permit condition is an offence under Regulation 38(2) of the Environmental Permitting (England and Wales) Regulations 2016.

We have issued a **warning** as a response to the above offence on this occasion. However, our decision could change if any further relevant information comes to light, including, but not restricted to, information that:

- The Company has committed earlier offences
- The environmental impacts of this offence are greater than we presently understand them
- The offences are continuing or have been repeated
- The Company has committed other offences of which we are presently unaware.

We will take this offence into account if we consider that you are involved in any future offending

This warning does not:

- prevent any other prosecuting authority taking action against the Company or
- affect our right to issue enforcement, clear-up or remediation notices; or seek recovery of costs or damages according to law

Please note that since this permit failure occurred on 11/12/2019 before the Environment Permit BP0251001 was been varied and reissued on 17/12/2019, therefor the conditions relate to the older permit from 27 January 1995.

END

EPR Compliance Assessment Report

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Operator/Permit holder	DWR CYMRU CYFYNGEDIG	Date	03/12/2019

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			
A1	C2	Investigated the cause of the suspended solids failure and ensure appropriate measures are implemented to prevent further failures.	01/04/2020

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.