

Compliance Assessment Report

Report ID:
CAR_NRW0035836

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

Site	Clochnant	Permit Ref	WA/054/0001/0096			
Operator/Permit holder	Glyndwr Jones					
Regime	Water Abstraction					
Date of assessment	18/09/2019	Time in	14:30	Out	15:15	
Assessment type	Site Inspection					
Parts of the permit assessed	The CAR sub criteria listed below					
Lead officer's name	Wilson, Alastair					
Accompanied by	Lloyd, Julia					
Recipient's name/position	Mr Glyndwr Jones/ Licence holder	Date issued	07/01/2020			

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	C3	9.5

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

This was a routine unannounced site inspection by Natural Resources Wales (NRW) officer Alastair Wilson (Environment Officer) and Julia Lloyd (Environment Officer).

Canfuwyd fod dŵr yn llifo o'r man gollwng yn adeilad y tyrbîn (a oedd wedi ei gloi). Fodd bynnag, o siarad â'r perchennog mae'n ymddangos nad oes generadu yn digwydd ar hyn o bryd. Nid yw hyn yn ddefnydd effeithiol o'r adnodd dŵr, dylai dŵr gael ei ddefnyddio i gynhyrchu pŵer neu beidio â'i dynnu.

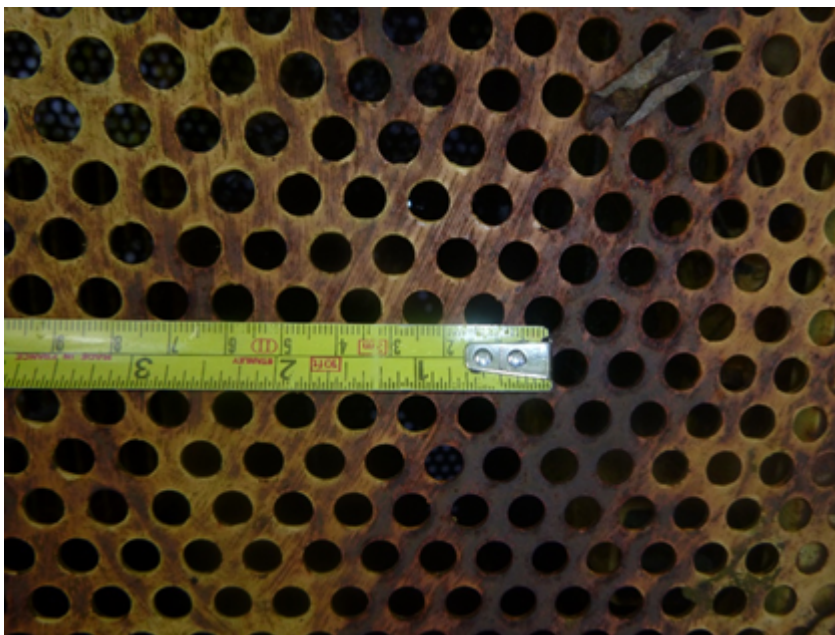
Nid oedd perchennog y safle yn bresennol pan aethom yno i ddechrau, fodd bynnag, daeth i'r golwg ar ôl inni gwblhau'r archwiliad a phan oeddem ar fin gadael.

Mae'r drwydded yn gofyn am sgrîn 5mm, fodd bynnag mae'r sgrîn yn mesur tua 7mm (gweler llun 1).

Water was found to be coming out of the discharge point at the turbine house (which was locked). However speaking to the owner on our way out from the site it appears that there is no generation at present. This is not an efficient use of the water resource, water should be used for power generation or not abstracted.

The site owner was not present when we attended the site initially, however he appeared when we had finished the inspection and we were just about to leave.

The permit requires a screen of 5mm however the screen that we could access is approximately 7mm (see image 1).



Llun 1. Maint sgrîn *Image 1. Screen size.*

Mae'r gwaith tynnu dŵr wedi cael ei newid, mae plât alwminiwm wedi ei gosod ar draws y bwlc siâp V, ac mae'r agoriad yn y plât alwminiwm hon wedyn wedi ei rwystro yn bennaf gan ddam o bren (gweler llun 2). Dylech sicrhau fod y gwaith tynnu dŵr yn cael ei gynnal yn unol â'r bwriad a'r drwydded.

The intake works have been altered, an aluminium plate has been installed across the V notch, and the aperture in this aluminium plate has subsequently been mostly blocked with a piece of wood (see image 2). You should make sure that the intake works are maintained as designed and permitted.



Llun 2. Pibell osgoi'r gwaith tynnu dŵr wedi'i rhwystro. *Image 2. Abstraction bypass blocked.*

Roedd y gwaith tynnu dŵr yn gollwng yn sylweddol, ac roedd dŵr i'w weld yn llifo heibio i'r gwaith hwn yn rhannol. Golygodd hyn nad oedd y rhan yn union islaw'r gwaith yn cael ei hamddifadu o ddŵr er gwaetha'r ffaith fod bwllch llif y bibell osgoi wedi ei rhwystro (gweler llun 3).

The intake works were leaking significantly, and water appeared to be bypassing these works partially. This resulted in the section immediately below the works not being deprived of water despite the bypass flow notch being blocked (see image 3).



Llun 3. Golygfa i lawr yr afon o'r pwynt tynnu dŵr. *Image 3. View downstream of abstraction point.*

Dylech gynnal a chadw'r gwaith tynnu dŵr hwn fel y bo'n gweithio yn unol â'r bwriad er mwyn cydymffurfio â'ch trwydded. Dylech wneud y gwaith hwn erbyn 30 Mehefin 2020.

You should maintain the intake works so that they are operating as designed to be compliant with your permit. You should carry out this work by 30th June 2020.

Diwedd. *Ends.*

EPR Compliance Assessment Report

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Site	Clochnant	Permit Ref	WA/054/0001/0096
Operator/Permit holder	Glyndwr Jones	Date	18/09/2019

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.

Other than the provision of advice and guidance, at present we do not intend to take further enforcement action in respect of the non-compliance identified above. This does not preclude us from taking enforcement action if further relevant information comes to light or advice isn't followed.

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	C3	Make changes so that the intake works are operating as designed	30/06/2020

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.