

Compliance Assessment Report

Report ID:
CAR_NRW0035557

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

Site		Permit Ref	WA/057/0021/003		
Operator/Permit holder	Friends of Taff Bargoed Park Limited				
Regime	Water Abstraction				
Date of assessment	08/08/2019	Time in	14:30	Out	15:12
Assessment type	Audit				
Parts of the permit assessed	All				
Lead officer's name	Wrangham, Natalie				
Accompanied by					
Recipient's name/position	Paul Kent/ Operator	Date issued	12/08/2019		

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
A1 - Specified by permit	C4	9.1 and 9.2
	C4	9.4

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	2	Total compliance score (see section 5 for scoring scheme)	0.2
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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

I met with Paul Kent to carry out a compliance check on the hydropower scheme on the Taff Bargoed, Trelewis operated by Friends of Taff Bargoed Park Limited.

First we visited the turbine house and I checked the control panel and maintenance records. The turbine was not in operation at the time of the visit. It had been manually shut off because of the low flows in the river (it does also have an automatic shutdown). Paul explained the maintenance schedule for the scheme to be monthly service checks carried out by himself and 6 monthly stripdown and clean, and an annual flush through, carried out by Hydromatch Limited. Paul showed me the monthly maintenance records which were up to date. I enquired whether they had had any issues with the scheme since it became operational, or whether they had needed to repair or replace any screens etc. Paul said that they had had to replace a section of pipework, but other than that there had been no issues or failures.

We then checked the discharge outfall behind the turbine house. The outfall on the abstraction licence is described as being a pipe. The outfall in reality is a concrete and blockstone discharge channel (see pictures below). There is a screen in place as specified by the licence.



We then walked up to the intake where I measured the intake weir (see picture below). I confirmed that the width of the fish pass / compensation notch was 600 millimetres. I measured the width of the intake weir and found this to be 4650 millimetres which is a little over that given in the drawings (110 millimetres over). However, as there is no flow split on this licence and the compensation notch / fish pass is the correct width I do not consider it to be a serious breach. The sill of the fish pass was visibly lower than that of the intake weir, and flow could be seen preferentially going down the fish pass instead of the intake. The intake was screened as per the licence condition. There was a small amount of algae covering the screen at the time, which Paul said can be a problem for the scheme when it builds up. This is manually cleaned off as needed. **Paul Kent checked the width of the weir independently on 9/8/19 with a laser rangefinder and a tape measure and found the width of the abstraction intake to be 4528mm with the rangefinder and 4540mm with the tape.**



Upstream of the intake there are some concrete groynes which are maintained by Merthyr Tydfil County Borough Council. At the time of the visit there was a lot of debris collected on the groynes (see picture). Whilst this is not a part of the HEP scheme, it has the potential to cause issues with fish movement up and downstream. I have an action for myself to enquire as to the maintenance schedule for these.



At the time of the visit there were no records of generation in a ready format for evaluation and the calculation checklist needed completing.

Actions

- 1. I advise that the Licence Holder apply for a variation to their licences WA/057/0021/003 and WA/057/0021/007 to update the drawings and associated conditions, and the condition describing the discharge. This application should be submitted no later than 31st December 2019.**
- 2. The calculation checklist should be completed and submitted along with 12 months of generation data by 22 August 2019 for evaluation.**

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EPR Compliance Assessment Report

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Operator/Permit holder	Friends of Taff Bargoed Park Limited	Date	08/08/2019

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.

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	C4	Licence variation to update scheme drawings	31/12/2019
A1	C4	Update licence condition	31/12/2019

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.