

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

Site	LLETTY BRONGU WWTW LLANGYNWYD MAES	Permit Ref	BP0271001		
Operator/Permit holder	DWR CYMRU CYFYNGEDIG				
Regime	WaterQuality				
Date of assessment	24/01/2019	Time in	13:50	Out	15:00
Assessment type	Audit				
Parts of the permit assessed	storm tanks & outfalls				
Lead officer's name	Jenkins, Hannah				
Accompanied by	Davies, Edward				
Recipient's name/position	Paul Kingdon/ Catchment Manager	Date issued	06/05/2020		

## 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	X	
	X	
	X	
	X	
	X	
	X	
	X	
	C3	Condition 2 schedule 2

**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.

<b>Number of breaches recorded</b>	1	<b>Total compliance score</b> (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

*\*Compliance report updated to record non-compliance with permit, see further information below.*

Site inspection following pollution incident (WIRS reference 1900351) on 16.01.2019 reported by a member of the public describing sewage pollution in the River Llynfi downstream of the sewage treatment works. We were informed that there were no issues at the works on the day that the pollution was reported, nor was any issue self-reported on the 17.01.19 during the investigation of potential sources of pollution undertaken by NRW and Dŵr Cymru. However, interrogation of the 'Scopex' telemetry system showed there had been a discharge of untreated sewage from the storm discharge point, this was self reported via email on 19.01.19. An OPNOT for the works was received on 21.01.19 stated "Pump no. 2 for storm return (storm tank to sludge holding tank) stolen from site. Pump no. 1 currently unavailable and to be investigated Wednesday 23.01.2019."

NRW officers were accompanied during the inspection by Ruth Anthony, Operations Supervisor and Dan Foreman, Pollution Technician from Dŵr Cymru Welsh Water. The weather was dry at the time of inspection.

It was explained that there has been an issue with the storm return pumps for storm tanks 1 & 2 in the works, there should be two pumps in place to empty storm tanks 1 & 2. We were told that one was removed for maintenance in November but was stolen from site and it was thought there was a blockage with the remaining pump which prevented emptying of the two of the three storm tanks on site.

We were informed that once flows are over FFT, storm tanks 1 & 2 fill, then the third tank fills, once all three are full, in storm conditions the overflow to the river operates. The third storm tank returns flow to the head of the works, the first two storm tanks discharge to the Penybont network via the Sludge holding tank for treatment at Penybont Wwtw. Please clarify at what point storm returns enter the treatment process, during the site inspection we were informed that storm sewage from tank No. 3 returns at the inlet, however the schematic diagram from the current MCERTS audit report for the site states that storm flows return between primary and secondary treatment?

Due to the pump problems, we were shown a temporary pump arrangement put in place to drain storm tanks 1 & 2 via the sludge holding tank to the Penybont sewer network. This is operated manually by an operator when required to support the remaining pump which should operate automatically.

The storm tanks were inspected tanks 1 & 2 were reasonably full, tank 3 was empty but in need of cleansing, a lot of sludge on the base of the tank.

The integrity of the rising main and gravity sewer from Lletty to the Penybont network was discussed because we were aware of issues of surcharging and possible siltation and stones blocking the line from a report on the same day as the incident on the 16.01.19 which was self-reported. This is a repeat of an issue reported in March 2018 on this line and a follow up query has been sent via email to Dan Foreman following this inspection for follow up by the Network team.

The outfalls for the works were jointly inspected, the final effluent was somewhat discoloured and downstream of the final effluent discharge there appeared to be some discolouration on the river bed, it was difficult to see if there is sewage fungus on the riverbed due to flows but there is some discolouration in the river.

At the storm outfall there was significant grey staining and sludge visible on the apron and riverbed in front of the outfall, it is clear that there has been a discharge of sewage at a time when the river was not in spate conditions.



There are several tree trunks in the river around the storm outfall, this has led to a built up of shoal in front and upstream of the outfall meaning flushing and dilution of storm discharges could be compromised. There also is erosion of the right hand river bank between the two outfalls. We recommend the removal of these trees and consideration of an assessment of the river bank in relation of risk to your infrastructure.

We require several data sets from you to carry out a further permit compliance assessment against permit conditions the data require is as follows: EDM spill data, storm tank level data and FFT flow data for 2018 to date, a further report will be completed once this data is received. The WAF 001 - Data Request Proforma has been completed and is attached to the email with this CAR report sent to the OSM mailbox.

Please note that if we do not receive the information requested within the time requested and have not been informed as to why there is a delay then we may serve a Regulation 60 Notice requiring the information under the Environmental Permitting (England and Wales) Regulations 2016.

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*\*Compliance report amended to record non-compliances with permit BP0271001 following receipt of information requested. The investigation concluded that the discharge of sewage was outside of the provisions of the permit BP0271001 for storm and emergency conditions and the discharge constituted a category 3 non-compliance with descriptive condition 2 of permit BP0271001 schedule 02 discharge of sewage in an emergency.*

*The discharge of sewage from the storm outfall, did not fall within the provisions of the permit. The discharge was not considered to be in an emergency because the mechanical breakdown of the pumps occurred sometime before the incident in question meaning the operator could have been reasonably expected to have made provision for a temporary pump or repair in a more timely manner. The consequence of this meant that there was inadequate storage for storm sewage likely causing a premature discharge. It is expected that the operator will take all reasonable steps to prevent such failures from causing potentially damaging discharges to the environment in the future.*

*This CAR also records a formal warning for the incident as discussed with the catchment manager at the time of the incident.*

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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			
A1	X	Provide the requested data in the attached WAF 001 - Data Request Proforma for flow, EDM and level data	28/02/2019
A1	X	Provide the Pass forward flow setting from the sludge holding tanks to the Penybont sewer network	15/02/2019
A1	X	Confirm the capacity of the storm tanks	15/02/2019
A1	X	Confirm the storm weir setting for flow at the inlet	15/02/2019
A1	X	Provide an explanation for Pump no. 1 being unavailable	15/02/2019
A1	X	Provide a time line for removal and replacement of storm pump No 2	15/02/2019
A1	X	Clarify at what point storm returns from storm tank no. 3 enter the treatment process	15/02/2019
A1	C3	No additional action to that taken at the time. Recommended improvement in operations and management of similar issues.	01/04/2019

## 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](mailto: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.