

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 | 04/03/2019 - 05/03/2019 | Time in | 13:25 | Out | 14:30 |
| Assessment type | Check Monitoring/Sampling | | | | |
| Parts of the permit assessed | Discharge of effluent | | | | |
| Lead officer's name | Rees-Jones, Jenny | | | | |
| Accompanied by | Barrett, Philip | | | | |
| Recipient's name/position | Stuart Latham/ Director | Date issued | 08/05/2019 | | |

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 |
|---|--------------|--|
| B1 - Infrastructure - Engineering for prevention and control of emissions | C3 | 3. Location of discharge |
| E3 - Emissions - Surface water | C3 | 16. Maintenance - site shall be operated so as to prevent matter being present in discharge other than that specifically covered by numerical conditions in permit |

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) | 8 |
|------------------------------------|----------|---|----------|

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

4th March 2019

Environment Officers attended River Dee on 4th March 2019 and identified discolouration in tributary coming from direction of Knolton, in which discharge pipes are laid. The colour of the bed of the tributary was an orange colour and on closer inspection there appeared to be fungus on the bed of the tributary and attached to stones and debris. The orange colour appeared to be caused by a deposit on the bed of the tributary. Officers followed the two rows of black flexi pipes upstream. The pipes were not continuous and there were breaks in the pipeline. There was an odour of sour cream. There was a small plume of discolouration as the pipes entered the Dee. Fatty deposits found further upstream. Flow in pipework appeared to start and stop. Small amount of bubbles that looked like detergent bubbles.

Formal sample taken of discharge from break in pipework. Samples taken upstream and downstream of break in pipework, and of River Dee upstream and downstream of tributary.

Further pipework seen entering woodland from site.

5th March 2019

Returned to tributary. Milky odour. There appeared to be foam on the water, that had not been visible yesterday. It was creamy yellow in colour and quite solid in shape. Sample taken of foam. Sample taken of fungus.

Reached break in pipework and a further formal sample taken. Flow appeared variable whilst we were there and warm to the touch.

Went to site and met with Stuart Latham and Matt Carnell and explained samples and observations. Served formal samples. Stuart agreed to investigate the cause of any potential issues with the effluent treatment plant.

Results of sample analysis shown below:

| Parameter type | 04/03/2019 | 05/03/2019 | Unit |
|----------------------|------------|------------|------|
| | Formal | Formal | |
| 0061 / pH | 8.44 | 7.89 | --- |
| 0085 / BOD ATU | 3.72 | 10.2 | mg/l |
| 0092 / COD as O2 | 68.2 | 23.5 | mg/l |
| 0111 / Ammonia(N) | 0.5 | 0.5 | mg/l |
| 0116 / N Oxidised | | | mg/l |
| 0117 / Nitrate-N | | | mg/l |
| 0118 / Nitrite-N | | | mg/l |
| 0135 / Sld Sus@105C | 50 | 11 | mg/l |
| 0172 / Chloride Ion | 237 | 10 | mg/l |
| 0180 / Orthophosphat | 4.24 | 0.5 | mg/l |
| 3683 / N Inorganic | | | mg/l |
| 6057 / Aluminium-Al | 5520 | 830 | µg/l |

Report of sample analysis of fungus collected on 05/03 stated: "The sewage fungus *Sphaerotilus natans* was present.

It can tolerate a wide range of organic conditions and has variable growth forms from short tufts to slimy fronds."

NRW advised Knolton by email on 27th March that they would need to vary the current permit to account for the fact that Aluminium Chloride is used in the process and may be present in the discharge. Aluminium is listed in listed in Horizontal Guidance H1 Environmental Risk Assessment Annex D and therefor a H1 risk assessment needs to be carried out as part of the application process.

Condition 16 of the permit states that as far as reasonably practicable, the site shall be operated so as to prevent any matter being present in the discharge, other than matter specifically covered by numerical conditions in this consent.

Location of discharge is not as per condition 3 of the licence. Stuart agreed to repair pipework.

There are two clear breaches of the licence, decision on enforcement action is pending results of samples, and action taken by site to become compliant.

EPR Compliance Assessment Report

**Report ID:
CAR_NRW0035034**

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 | Date | 04/03/2019 |

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.

We will now consider what enforcement action is appropriate and notify you, referencing this form.

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 | C3 | Stop using Aluminium flocculant or apply to vary permit. | 28/06/2019 |
| B1 | C3 | Repair pipework | 08/05/2019 |

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.