

Compliance Assessment Report CAR_NRW0037709

Permit being assessed: CM0057101

For: LIXWM STW, held by DWR CYMRU CYFYNGEDIG

At: ,, ,.

Type of assessment carried out: Audit, Reason: Routine.

On 06/10/2020, between 13:30 and 14:15.

Parts of permit assessed: all

NRW Lead Officer: Tom Lewis, accompanied by: Angela Roberts.

Report sent to: OSM@dwrcymru.com, OSM@dwrcymru.com, on 02/03/2021.

1. Summary of our findings (full details in section 4)

Part of permitted activity assessed (criteria)	Assessment result	Permit condition
WQ-C2 - Emissions and monitoring - Emissions to land	C3 Minor	Condition 1

Result types are explained in more detail in the 'Important Information' section below.

2. What action is required?

Criteria	Action needed	Complete by
WQ-C2	Ensure sludge pit is sealed fully	19/03/2021

Action criteria codes are listed in the 'Important information' section below.

3. What will happen next?

Any non-compliance we have identified and recorded on this form is an offence. It can result in criminal prosecution and/or suspension or revocation of your permit.

You are non-compliant with your permit.

We are currently considering taking enforcement action against you for the non-compliance recorded above. We will contact you in due course.

4. Details of our assessment

Site visited on 6th October 2020, accompanied by A Roberts (NRW), D Palmer (WW), C Grimshaw (WW) and J McKeown.

Flow data requested on 19/11/20 and received on 17/12/20.

Observation during site visit were:

Filter beds surrounding walls are in poor condition and are being held in place with supports. WW should implement repair / replacement before the failing structure impacts

on treatment.



Sludge pit shows significant signs of damage to the integrity of the walls and appeared to no longer be watertight at certain heights. This would allow liquid to enter the ground, with a potential to impact on the nearby stream.



A verbal request was made during the visit to fully assess the integrity of the pit and this was followed up in an email to C Grimshaw on the 11th November 2020 requesting an investigation.

A reminder email was sent on the 9th December 2020.

A reply was received on the 17th December 2020 but did not confirm that a physical assessment had been made.

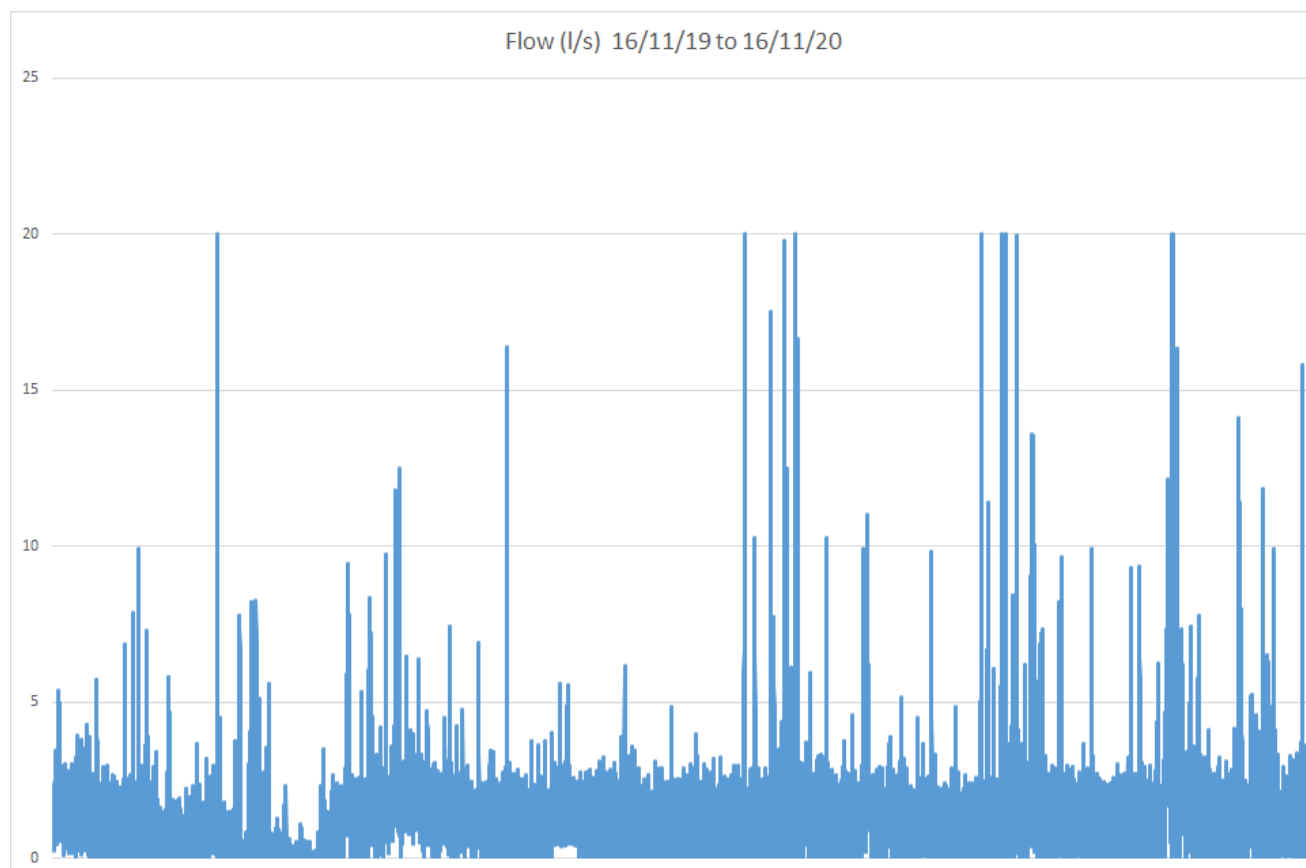
On the 18th December 2020 a further request was made via email for a physical assessment to be carried out to assess the integrity of the pit, and this was requested again during the North East Liaison meeting on the 9th February 2021. No reply has been received so far.

Close study of the photograph shows gaps in the concrete which will allow liquid to flow into the gap. It is a fair assumption that the pit is no longer watertight and a discharge of an unknown amount is being made to ground. This is in breach of permit condition 1 where a discharge is being made that is neither secondary treated effluent nor at the correct discharge point.

The Sludge Pit should be sealed by the 23rd March 2021.

A request for flow data was made on the 19th November 2020 and received on the 23rd December 2020.

The FFT for the 12 month period appears to show flows in excess of the 15.2 l/s maximum :



however the data indicates that 15.2 l/s or greater was only achieved for 9 hours within the 12 month period. Flows greater than 8 l/s were only achieved for a total of 40 hours within the 12 month period. Please supply an explanation as to why the FFT is low through the works and whether a higher flow would be expected for the catchment.

If you have any queries about this report, or to discuss completion of any actions, please contact the NRW Officer named above.

Important information

Legal status of this report

Your permit is issued to you under the Environmental Permitting Regulations. You have a responsibility to comply with the conditions of your permit and prevent pollution/harm to the environment. You must also ensure that you comply with any other relevant legislation that may apply to your site's operations.

This report explains the findings of our assessment and any action you are required to take. We categorise non-compliance using our guidance for assessing non-compliance at regulated sites.

When we find potential non-compliance/s we will normally give you advice on how to maintain compliance.

To correct non-compliance, we may:

- require you to take specific actions
- issue a notice
- review the conditions of your permit.

Any advice and guidance we give will be without prejudice to any other enforcement response that we consider may be required.

Assessment results and non-compliance categories (used in section 1):

Assessment result	Description
Assessed (A)	Assessed or assessed in part, no evidence of non-compliance found
Action only (X)	Action only relating to the activity assessment
Ongoing (O)	Ongoing non-compliance, not scored

Non-compliance category	Description
C1 Major	Potential to have a major, serious, persistent and/or extensive impact or effect on the environment, people and/or property
C2 Significant	Potential to have a significant impact or effect on the environment, people and/or property
C3 Minor	Potential to have a minor or minimal impact or effect on the environment, people and/or property
C4 No environmental impact	Non-compliance at a regulated site that cannot foreseeably have any impact on the environment, people and/or property

If your assessment result in Section 1 is suspended, what does this mean?

In line with our guidance, we may suspend non-compliance for up to six months to allow time for remedial action to be taken. These will be re-instated if the action is not completed.

Full list of water quality action criteria (used in section 1 and 2):**WQ A: Management**

- WQ-A1 General management

WQ B: Operations

- WQ-B1 Permitted activities
- WQ-B2 The site
- WQ-B3 Operating techniques
- WQ-B4 Improvement programme
- WQ-B5 Pre-operational conditions

WQ C: Emissions and monitoring

- WQ-C1 Emissions to water
- WQ-C2 Emissions to land
- WQ-C3 Emissions of substances not controlled by emission limits
- WQ-C4 Installation of monitoring boreholes

WQ D: Information

- WQ-D1 Records
- WQ-D2 Reporting
- WQ-D3 Notifications

Enforcement response

Any permit condition non-compliance is an offence and we may take legal action against you. Action we take can include prosecution, serving a notice on you and/or suspension or revocation of your permit. See our Enforcement and Sanctions Guidance for further information.

Data protection notice

You should make sure that anyone named in this report knows that the information it contains will be processed by Natural Resources Wales to fulfil its regulatory and monitoring functions and to maintain the relevant public register(s).

We may also use and/or disclose the report in connection with:

- offering or providing you with our literature or services relating to environmental matters
- consulting with the public, public bodies and other organisations (e.g. 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 our service
- Freedom of Information Act or Environmental Information Regulations requests.

We may also pass it on to our agents or representatives to do these things on our behalf.

Disclosure of information – this report will be available to view on-line

If you think this report contains commercially confidential information that should not be placed on our public register, you must contact your local Natural Resources Wales office within **fifteen working days** of receiving this report, using the contact details in the accompanying email or letter. You must give a full explanation of why it should not be

added to our public register, including specifying which information is commercially confidential. We will assess your request and respond to you within 20 working days to let you know if we agree to your request.

What do I do if I disagree with the report or have a complaint?

If you disagree with this compliance assessment report, you should contact the lead officer without delay to discuss your concerns.

If you are unable to resolve the issue with the lead officer or their line manager you should contact our Customer Contact team on 0300 065 3000 (Monday to Friday 08:00 – 18:00), or email enquiries@naturalresourceswales.gov.uk for details of how to raise your dispute further through our Complaints and Commendations procedure.

If you are dissatisfied with our response, you can contact the Public Services Ombudsman for Wales by phone on 0300 7900203 or by email at ask@ombudsman.wales

Welsh Language Standards

We are committed to establishing Natural Resources Wales as a naturally bilingual organisation. We will provide compliance reports in your preferred language.