

## Compliance Assessment Report CAR\_NRW0037841

**Permit being assessed:** CM0081001

For: TY GWYN WWTW BUCKLEY, held by DWR CYMRU CYFYNGEDIG

At: TY GWYN WWTW, BUCKLEY, Wrexham, Flintshire, CH7 4JF.

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

On 24/09/2020, between 00:00 and 00:00.

Parts of permit assessed: All

**NRW Lead Officer:** Sally Connah, accompanied by: Callum Brannan.

**Report sent to:** Craig Grimshaw, Performance Manager, on 09/04/2021.

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

| Part of permitted activity assessed (criteria)        | Assessment result | Permit condition                                                                                                                                                                                                                                                                                                                                                     |
|-------------------------------------------------------|-------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| WQ-C1 - Emissions and monitoring - Emissions to water | C2 Significant    | 2.3.2 (a) The discharge shall only occur when and only for as long as the flow passed forward is equal to or greater than the overflow setting indicated due to rainfall and/or snow melt.                                                                                                                                                                           |
| WQ-D3 - Information - Notifications                   | C3 Minor          | 4.3.1 Natural Resources Wales shall be notified as soon as reasonably practicable following detection, within the site of the regulated facility of: (a) any malfunction, breakdown or failure of equipment or techniques, accident, or emission of a substance not controlled by an emission limit which has caused, is causing or may cause significant pollution; |

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

### 2. What action is required?

| Criteria | Action needed                         | Complete by |
|----------|---------------------------------------|-------------|
| WQ-C1    | investigate and improve inlet screens | 04/06/2021  |

| Criteria | Action needed                                  | Complete by |
|----------|------------------------------------------------|-------------|
| WQ-D3    | Staff training on when to send an OPNOT to NRW | 07/05/2021  |

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

On 24 September 2020 a site audit of Ty Gwyn Sewage Works was carried out. On the day of our visit the site was in a good state of repair.

Queries we have following our site audit:

Is there a date for the modulating penstock upgrade?

Are the scum boxes on the primary tanks full or blocked?

Please provide a response to these queries by the 23 April 2021

Following the site audit, MCERTS data (sewage passed forward for treatment) and Combined Sewer Overflow (CSO) level data was reviewed for the period 25 September 2019 - 25 September 2020. In general the sewage effluent receiving treatment is in excess of the permit pass forward flow (PFF) rate of 124l/s. However there are numerous occasions when the pass forward flow has fallen below 10% of the permit PFF. At times the treated flow is considerably less than 10%.

During the reviewed 12 month time period there were eight occasions where the sewage passed forward to treatment was more than 10% below the permit PFF of 124l/s for over an hour.

| Date and time of discharge event                                            | Duration CSO discharging to the environment | Dwr Cymru response                                                                                                                                                                                                                                                                                                                                                          |
|-----------------------------------------------------------------------------|---------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 13/01/2020<br>18.15 –<br>14/01/19<br>09.45<br>Graph included for this event | 15hrs 30                                    | The operator found both screens had failed when he arrived onsite on 14/01/2019. Issue was related to blown fuses and a faulty gearbox. With both inlet screens offline they would have become blocked with RAG, resulting in the flow backing up and therefore, premature CSO spill. An electrician and fitter attended site that day to fit new fuses and repair gearbox. |
| 28/01/2020<br>03.15-<br>05.30                                               | 2hrs 15                                     | Issue with inlet screen No1 tripping on high amps causing the screen to block up and the inlet flow to back up.                                                                                                                                                                                                                                                             |
| 2/2/2020<br>16:45 –                                                         | 1hr 45                                      | Issue with the inlet screens combi wash unit failing and blocking up with                                                                                                                                                                                                                                                                                                   |

|                               |        |                                                                                                                                                                                        |
|-------------------------------|--------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 18.30                         |        | screenings.                                                                                                                                                                            |
| 2/2/20<br>19:45 –<br>21.45    | 2hrs   |                                                                                                                                                                                        |
| 18/4/2020<br>08:45 –<br>10.15 | 1hr 30 | Electrical fault on inlet screens panel causing both to fail. Electrician and ICA Tech attended site and repaired fault.                                                               |
| 18/4/2020<br>16:30 –<br>20.45 | 4hr 15 |                                                                                                                                                                                        |
| 4/6/2020<br>09.15-<br>10.45   | 1hr 30 | Inlet screen combi wash unit failed causing RAG blockage of both the unit and both screens. Unit and screens were manually cleared of RAG and reset.                                   |
| 11/6/2020<br>09:00-<br>11:00  | 2hrs   | Wash water pump No1 failed causing combi wash to block with RAG due to having no water to flush out screenings. Fitter attended site to repair wash water pump and unblock combi unit. |

In addition to the occurrences above there were occurrences where the CSO level is high, but not discharging, but the pass forward flow to treatment is below 124l/s. Dwr Cymru response: *The combi wash unit has been problematic therefore it is possible that at the times when the CSO is spilling when flow to the works is low, it is possible the combi wash may have had a blockage but the operator has cleared it before the CSO has had chance to spill.*

As noted above, a score of C2 has been recorded for this non-compliance. This is due to the CSO discharging to the environment whilst the amount of sewage being passed forward for treatment was more than 10% below the permit pass forward flow rate (PFF).

Dwr Cymru have provided specific reasons for the individual occurrences, as noted above. Have any investigations been made into the reoccurring issues with the inlet screens? Have there been any issues with the inlet screens since June 2020? Can you confirm if an alarm is active to notify problems with the screens?

Event Duration Data for 2019 shows that this asset had 79 discharges of settled storm sewage in a 12 month period. This is a concern for the receiving watercourse Black brook, a priority for improvement under the Water Framework Directive. Will this asset be assessed as part of Dwr Cymru's Storm Overflow Assessment Framework (SOAF) project as a 'high spilling' asset?

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](mailto: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](mailto: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.