

Compliance Assessment Report CAR_NRW0038583

Permit being assessed: BC0011902

For: FELINDRE WTW, held by DWR CYMRU CYFYNGEDIG

At: FELINDRE, FELINDRE, Swansea, SA5 7NL.

Type of assessment carried out: Site Inspection, Reason: Other.

On 28/07/2021, between 09:00 and 11:30.

Parts of permit assessed: Operations and Monitoring.

NRW Lead Officer: Sarah Bennett.

Report sent to: CARS@dwrcymru.com, CARS Mailbox, on 17/08/2021.

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

Part of permitted activity assessed (criteria)	Assessment result	Permit condition
WQ-B1 - Operations - Permitted activities	Action only (X)	
WQ-C1 - Emissions and monitoring - Emissions to water	Action only (X)	
WQ-C1 - Emissions and monitoring - Emissions to water	C3 Minor	3.3.1 Monitoring
WQ-C1 - Emissions and monitoring - Emissions to water	Action only (X)	
WQ-C1 - Emissions and monitoring - Emissions to water	Action only (X)	
WQ-C1 - Emissions and monitoring - Emissions to water	Action only (X)	

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

2. What action is required?

Criteria	Action needed	Complete by
WQ-B1	Actions 1-5 all relate to working out what should be sampled and where it should be sampled. ACTION 1: Examine the discharge from the drains under the SVR to determine its composition and assess whether this discharge in itself constitutes a trade effluent and report your findings to NRW.	30/06/2022
WQ-C1	ACTION 2: If the discharge from the drains under the SVR is not trade effluent, ensure that it is clean before it is discharged to the environment. It should not be contaminated with elements associated with the treatment process, such as chlorine or aluminium, or any other activities carried out on site, such as maintenance. This applies to any other discharges from the WTW which do not require an	30/06/2022

Criteria	Action needed	Complete by
	environmental permit.	
WQ-C1	ACTION 3: Assess if the area between the MCERTS flow meter and the chamber where the discharge is currently sampled is actually part of the treatment process.	30/06/2022
WQ-C1	ACTION 4: Either move the sampling chamber to the permitted sample point (next to the MCERT meter) or to a location where a representative sample of the process/trade effluent being discharged can be taken. The trade effluent from the treatment system should not be altered or diluted by other discharges.	30/06/2022
WQ-C1	ACTION 5: Apply for a permit variation if necessary.	30/06/2022
WQ-C1	ACTION 6: Apply for a variation to move the discharge location in the permit to the correct place.	30/06/2022

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.

At this time, we do not intend to take any further action.

This statement does not stop us from taking additional enforcement action if further relevant information comes to light or offences continue.

4. Details of our assessment

Background

A site inspection was carried out on the 28 July 2021 out following an OSM sample failure on the 28 June 2021. The suspended solids (SS) result was 287 mg/l when the permitted limit is 30 mg/l. The elevation in SS was caused by maintenance being carried out on a French drain which contaminated the sample point.

DCWW have asked NRW to remove the result from the compliance dataset on the basis that the high result was not caused by failure of the treatment process or any effluent control processes. We have accepted the request, but the inspection carried out has highlighted a number of issues that need to be addressed.

Please note that the current permit was issue recently on 26/02/2020. The previous permit was issued on the 22/05/1970 with an OSM modification issued on 01/01/2010. The permit relates to a trade effluent discharge of supernatant water from the settlement lagoons associated with the Wash Water Recovery Plant.

Issues with sampling location

The OSM sample is being taken at a location other than the permitted sample point. This is a breach of condition 3.3.1 which states that 'The operator shall, unless otherwise agreed in writing by Natural Resources Wales, undertake the monitoring specified in the following tables in schedule 3 to this permit: (a) point source emissions specified in tables S3.1 and S3.3', namely at the Effluent Sampling NGR SN 64156 02367.

It is an Offence under the Environmental Permitting (England and Wales) Regulations 2016 Reg 38(2) to fail

to comply with or to contravene an environmental permit condition. Any Advice and Guidance in this Compliance Assessment Record is given formally.

My understanding is that the permitted sample point specified in the permit may be incorrect as it is located upstream of a drainage system that could form part of the process/trade effluent treatment system.

During my inspection I observed that there was no process/trade effluent discharge occurring from the settlement lagoons to the sample point. I also observed that there was a good flow of water in the sample point chamber. My understanding is that this flow comes from the drainage under the 'floating' SVR. This means the process/trade effluent being discharged from the settlement lagoons is being sampled after it has mixed with the water draining from under the SVR and is unlikely to be representative of the permitted discharge.

In summary, the correct place to take an OSM sample of the trade effluent needs to be determined and, if necessary, the permit needs to be varied. Actions 1 to 5 all relate to this.

The date of completion for the actions allows time for the issued to be investigated and permits varied if needs be. However, I would expect the investigation to start immediately in order that the validity of the OSM samples can be assured as soon as possible.

ACTION 1: Examine the discharge from the drains under the SVR to determine its composition and assess whether this discharge in itself constitutes a trade effluent and report your findings to NRW.

ACTION 2: If the discharge from the drains under the SVR is not trade effluent, ensure that it is clean before it is discharged to the environment. It should not be contaminated with elements associated with the treatment process, such as chlorine or aluminium, or any other activities carried out on site, such as maintenance. This applies to any other discharges from the WTW which do not require an environmental permit.

ACTION 3: Assess if the area between the MCERTS flow meter and the chamber where the discharge is currently sampled is actually part of the treatment process.

ACTION 4: Either move the sampling chamber to the permitted sample point (next to the MCERT meter) or to a location where a representative sample of the process/trade effluent being discharged can be taken. The trade effluent from the treatment system should not be altered or diluted by other discharges.

ACTION 5: Apply for a permit variation if necessary.

Issue with discharge location

I observed that the discharge is occurring at a different location to that specified in the permit. However, it is discharging where it has always discharge and the issue here is an erroneous NGR in the permit due to an incorrect variation submission. The NGR was also incorrect in the old permit.

Action 6: Apply for a variation to move the discharge location in the permit to the correct place.

Thank you.

End

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.