

Compliance Assessment Report CAR_NRW0038925

Permit being assessed: BW3206201

For: PENYBONT WWTW PENYBONT, held by DWR CYMRU CYFYNGEDIG

At: PENYBONT WWTW, PENYBONT, BRIDGEND, .

Type of assessment carried out: Audit, Reason: Incident Response (Incident number: 2106286).

On 29/07/2021, between 14:00 and 16:35.

Parts of permit assessed: All

NRW Lead Officer: Paul Latham, accompanied by: Natalie Wrangham, Hannah Jenkins.

Report sent to: CARS@dwrcymru.com, CARS@dwrcymru.com, on 16/11/2021.

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	Action only (X)	
WQ-B2 - Operations - The site	C3 Minor	6c

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 share results into the potentially inaccurate data from storm tank 4, storm flow and inlet flow	01/01/2022
WQ-B2	update SOPs related to removal of screenings.	01/01/2022

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

STORM PERMIT AUDIT

Following a pollution incident that was reported to us on 23/07/2021 of untreated sewage leaving the outfall from Pen y Bont WWTW a site visit was undertaken on 29/07/2021 by Officers from NRW, accompanied by DCWW Operations Supervisor Ruth Anthony. An

audit was also carried out on the telemetry data sent through from DCWW.

The weather at the time of our visit was dry and warm although there had been some light rain the previous evening. There were no visible signs of pollution at the time of our visit and samples of the final effluent taken on the day confirmed that the discharge was within the limits set out in the permit.

The audit of the telemetry data and our site visit raised some concerns and these are outlined for action below.

The audit:

It was noticed that the data sent through for Storm tank level, Storm flow and Inlet flow were caveated with notes that the data could be potentially inaccurate.

The storm tanks should have been empty due to the PFF being <1600l/s for the duration, but erroneous readings were shown on the following 6 dates with levels in the storm tanks:

Date, time and depth readings
19/07/2021 12:30 - 1.938m
19/07/2021 13:00 - 1.239m
19/07/2021 13:15 - 3.001m
19/07/2021 13:30 - 3.166m
19/07/2021 13:45 - 3.164m
19/07/2021 14:00 - 3.171m
19/07/2021 14:15 - 3.159m
19/07/2021 14:30 - 3.154m
19/07/2021 14:45 - 3.164m
19/07/2021 15:00 - 3.019m
19/07/2021 15:15 - 3.159m
19/07/2021 15:30 - 2.503m
19/07/2021 15:45 - 3.205m
19/07/2021 16:00 - 3.055m
19/07/2021 17:00 - 2.724m
19/07/2021 17:15 - 3.179m
19/07/2021 21:00 - 1.822m
19/07/2021 21:30 - 1.405m
19/07/2021 22:15 - 1.824m
20/07/2021 15:45 - 1.644m
20/07/2021 20:30 - 3.182m
20/07/2021 20:45 - 1.064m
20/07/2021 21:00 - 3.289m
20/07/2021 21:15 - 3.036m
20/07/2021 21:30 - 3.083m
20/07/2021 21:45 - 1.009m
21/07/2021 13:30 - 2.844m
21/07/2021 20:30 - 1.781m
21/07/2021 20:45 - 2.282m
21/07/2021 21:00 - 2.081m

21/07/2021 21:15 - 1.274m	
22/07/2021 13:00 - 1.252m 22/07/2021 14:15 - 1.036m 22/07/2021 14:30 - 2.662m 22/07/2021 14:45 - 1.421m 22/07/2021 15:15 - 1.624m 22/07/2021 15:45 - 1.116m 22/07/2021 16:00 - 2.803m 22/07/2021 17:00 - 1.073m 22/07/2021 17:15 - 1.073m 22/07/2021 17:30 - 2.508m 22/07/2021 17:45 - 2.452m	
23/07/2021 13:45 - 2.414m 23/07/2021 14:00 - 3.169m 23/07/2021 14:15 - 2.994m 23/07/2021 14:30 - 2.763m 23/07/2021 14:45 - 3.166m 23/07/2021 15:00 - 1.752m 23/07/2021 15:15 - 1.803m 23/07/2021 15:30 - 2.309m 23/07/2021 15:45 - 3.094m	
23/07/2021 16:00 - 1.655m	
24/07/2021 07:45 - 2.265m 24/07/2021 08:00 - 3.753m 24/07/2021 08:15 - 2.892m	
24/07/2021 08:30 - 1.474m	
Action: DCWW to carry out an investigation and share the results of findings into why the data used to monitor the site would be potentially inaccurate. Please explain these erroneous readings. The site visit: it was noticed that screenings were left on the walkway over the storm channel. Condition 6c of your permit states: <i>All screenings must be removed and disposed of in a manner such as to prevent entry to the discharge.</i>	

**Action:**

Update/improve standard operating procedures to reflect condition 6c.

All actions are to be completed by 01/01/2022 and evidence emailed to NRW at Cwm Taf and Bridgend Environment Team cwmnaf&bridgend.et@cyfoethnaturiolcymru.gov.uk

We wish to thank Ruth Anthony for her time on the day of our visit and DCWW for their cooperation during this investigation.

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.