

Compliance Assessment Report CAR_NRW0039005

Permit being assessed: CB3194FL

For: Pontsticill Water Treatment Works, held by DWR CYMRU CYFYNGEDIG

At: Dwr Cymru Cyfyngedig, Water Treatment Works, Pontsticill, Merthyr Tydfil, Merthyr Tydfil, CF48 2UP.

Type of assessment carried out: Site Inspection, Reason: Incident Response (Incident number: 2107211).

On 27/08/2021, between 10:00 and 12:00.

Parts of permit assessed: 2.1.1 & 2.2.1

NRW Lead Officer: Hannah Goddard.

Report sent to: Mark Rychnovsky, Environmental Performance Manager, on 03/12/2021.

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	C3 Minor	2.1.1

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

2. What action is required?

Criteria	Action needed	Complete by
WQ-C1	Take action to prevent reoccurrence.	Already completed

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.

At this time, we are issuing you with a warning for the non-compliance recorded above. Warnings may influence future enforcement response for continued or further non-compliance.

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

On 26th August 2021, NRW received a self report from DCWW of an overflow from the sludge process tank caused by an operational issue. Discoloured water breached the

sludge process tank bund and entered the site surface water drains and consequently discharged to the Taf Fechan watercourse.

Hannah Goddard attended site on the morning of the 27th and was escorted around site with Mark Rychnovsky. The incident was no longer occurring. A No impact Claim was submitted on 8th October 2021 which included an investigation into the cause of the incident:

On investigation the root cause of the event was found to be an operational failure by the contractor to follow the procedure for running the centrifuges for producing cake. The centrifuge start up procedure was not followed by the contractor with the required Polyelectrolyte dosing not initiated when the centrifuges were commenced, meaning that centrate was being produced but no cake. The contract to run the centrifuge plant has been cancelled and will be run by Dŵr Cymru operators from 1st October 2021.

CONDITIONS ASSESSED

2.1.1 The only activity authorised by the permit is the activity specified in schedule 1 table S1.1. This discharge is not a permitted activity under this permit, or under the other 2 permits for site; AN0322801 or AN0322601.

2.2.1 The discharge activity shall take place at the discharge point marked on the site plan at schedule 7 to this permit, and as listed in table S3.2; and, the operating techniques that are the subject of conditions prefixed by 2.3 shall be applied at the location(s) shown, or otherwise described, in schedule 7.

The contaminated water entered a surface water drain and spilled from a point that was not the regulated discharge location.

ACTION

No action required as corrective action already taken.

The contract to run the centrifuge plant has been cancelled and will be run by Dŵr Cymru operators from 1st October 2021.

ENFORCEMENT

A warning is to be issued for this incident. As evidenced in your biological survey, no long term impact to the Taf Fechan was found. Despite this, the breach caused discolouration to the Taf Fechan SSSI. We are marking as low impact following our internal guidance:

- Reversible small-scale, short-term damage to a SAC/SPA/Ramsar/SSSI; and
- Minor effect on amenity value and/or aesthetic quality.

CONTACT

Hannah Goddard, 0300 065 3211, hannah.goddard@naturalresourceswales.gov.uk

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.