

Compliance Assessment Report CAR_NRW0037916

Permit being assessed: AA0017501

For: Bryn Wastewater Treatment Works, held by DWR CYMRU CYFYNGEDIG

At: The Bryn, Abergavenny, Monmouthshire, NP7 9AP.

Type of assessment carried out: Check Monitoring/Sampling, Reason: Routine.
On 12/03/2021.

Parts of permit assessed: 3.3

NRW Lead Officer: Peter Jones.

Report sent to: Richie Ingles, Senior Process Scientist, on 02/02/2022.

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)	

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	No action	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.

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

Samples taken on the 12th of March 2021, for the wastewater treatment works final effluent discharge showed an exceedance for biological oxygen demand and suspended solids.

Condition 13 of the permit set a limit for;

Biological Oxygen Demand at 40 mg/l and Suspended Solids at 60 mg/l.

The sample results provided readings of 57 mg/l for Biological Oxygen Demand and 70 mg/l for Suspended

Solids.

This is the first exceedance for the works in the last 12-month period. Based on the LuT and current sampling regime the maximum number of allowable exceedances is 2. Therefore, this result is an LuT exceedance for SS.

On the 29th of March 2021 Richard Ingles submitted an OSM Exceptional Circumstances Report which concluded the treatment at the works was hampered by unforeseen conditions - . The report attributes the exceedance to a tree branch which had fallen onto the rotary arm of the filter bed, causing an obstruction and preventing the rotary arm from rotating. Unfortunately, the rotation sensor alarm did not operate, the result of this technical failure was Welsh Water were not aware there was a problem at the works. In response to the alarm failure, the telemetry Unit was upgraded to an S2000 WITS unit, which uses a Machine 2 Machine protocol, on the 23 April 2021. A survey also identified the Vodaphone signal onsite was low, this has now been switched to an O2 connection.

Had the alarm operated Welsh Water staff would have been aware there was a problem at the works. The issue would have been addressed quickly and the works could have been returned to normal operations. On this base we are unable to accept that weather conditions, resulting in the branch falling on the filter were the soul reason for the exceedance. The weather conditions did not impact the telemetry systems and alarms. If the systems had been tested on a regular basis, the issues you subsequently identified with the communication systems would have been addressed, which in turn would have given you earlier warning of the obstruction to the filter bed rotary arm. In this instance the exceedance cannot be considered to have been the result of unforeseen circumstances.

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.