

Compliance Assessment Report CAR_NRW0039526

Permit being assessed: CG0174901

For: Penybont Water Treatment Works, held by Dwr Cymru Cyfyngedig

At: Bryncrug, Tywyn, Gwynedd, LL36 9RW.

Type of assessment carried out: Report/Data Review, Reason: Incident Response
(Incident number: 2107207).

On 08/03/2022.

Parts of permit assessed: 2.1.1

NRW Lead Officer: Simon Roberts.

Report sent to: Mark Rychnovsky, Environmental Performance Manager, on 16/03/2022.

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	C4 No impact	2.1.1 The only activities authorised by the permit are the activities specified in schedule 1 table S1.1.

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	Investigation into supernatant return valve operation with planned remedial action.	31/05/2022

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

Non compliance with permit condition 2.1.1 - The only activities authorised by the permit are the activities specified in schedule 1 table S1.1.

On the 26/08/2021 Dŵr Cymru Welsh Water (DCWW) sent through a self reporting

WATPOL (Final) under the DCWW Sap Ref 315935373 .

The description of incident in the WATPOL was as follows: The supernatant to raw water valve had not opened so the supernatant tank level began to rise. It then overflowed to the lagoon where it most likely has discharged to the river.

Details of action taken/planned - The supernatant tank reached high level around 04:30 this morning and began to lower in level around 08:48. There is no flow meter on the lagoon so the actual volume of discharge is unknown but is suspected to be minimal. Manual samples were taken when ops attended site.

On the 08/10/21 Marc Mark Rychnovsky (DCWW Environmental Performance Manager) submitted a No Impact Claim for the incident.

No Impact Claim provides an estimated volume of discharge of between 18m³ and 38m³.

NIC states "Manual sampling was carried out on the discharge from the Lagoon for chlorine, aluminium, turbidity and pH." The results were as follows:

Chlorine - 0.02mg/l
Aluminium - 0.09mg/l
Turbidity - 3.03NTU
pH - 7.007

The No Impact Claim has been accepted.

Although the discharge itself is not permitted under permit CG0174901, since the results provided within the NIC are within the limits for a permitted discharge it has been given a CCS category of 4 - No environmental impact.

No Impact Claim states that DCWW will undertake an investigation of the supernatant return valve operation, since this is the second unpermitted discharge as a result of an issue with the supernatant raw water valve in 2021. Please provide NRW with an update of this investigation and what remedial actions DCWW plan to undertake or have undertaken to ensure that there are no further unpermitted discharges.

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.