

Compliance Assessment Report CAR_NRW0039528

Permit being assessed: CG0174901

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

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

Type of assessment carried out: Report/Data Review, Reason: Incident Response
(Incident number: 2109306).

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	C3 Minor	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	Continued investigation to determine why the GAC backwash creates water above 10 NTU	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 16th of November 2021 Dŵr Cymru Welsh Water (DCWW) sent through a self

reporting WATPOL for Penybont WTW under the DCWW Sap Ref 316009729.

The description of incident in the WATPOL was as follows: Operator carrying out procedural GAC wash. After restarting the filter after the wash the supernatant turbidity spiked above 10 NTU so could not be returned to the head of the works so diverted to the lagoon where the lagoon discharged for approximately 10 minutes.

The details of action taken/planned was as follows: Initial & Final - Manual samples were taken. No further discharge after 10 minutes.

On the 30/11/21 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 1.2m³ and 1.3m³.

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

Chlorine - 0.07mg/l,

Aluminium – 0.02 mg/l

Turbidity – 1.41 NTU

pH - 6.627

The No Impact Claim has been accepted, however as the permit breach exceeds 20% of the permitted limit for chlorine it has been given a CCS category of 3, resulting in a CCS score of 4. In addition the discharge itself is not permitted under permit CG0174901.

No Impact Claim states that DCWW will undertake an investigation into GAC washing and why high turbidities are occurring . Please provide NRW with an update of this investigation and what remedial actions DCWW plan to undertake 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.