



This form will report compliance with your permit as determined by an Environment Agency officer

Site	LITTLE MARLOW STW (WOOBURNVALLEY), LITTLE MARLOW STW (WOOBURNVALLE, Y), BUCKS, -	Permit Ref	CNTD.0058		
Operator/ Permit holder	THAMES WATER UTILITIES LIMITED.				
Date	03/03/2021	Time in	19:40	Out	21:05
What parts of the permit were assessed	Wastewater Treatment Works / STW storm sewage overflow				
Assessment Type	Incidents/permit review/Self-reported pollution incident (with visit)	EPR Activity:	Water Discharge		
Recipient's name/position	Company Secretary, CAR form Inbox, [REDACTED]				
Officer's name	Daniel Ophof, Rose Bull	Date issued	05/03/2021		

Section 1 - Compliance Assessment Summary

This is based on the requirements of the permit under the Environmental Permitting Regulations. A detailed explanation and any action you may need to take are given in the "Detailed Assessment of Compliance" (section 3). This summary details which conditions we have assessed, where we believe any non-compliance with the permit has occurred, the relevant condition and how the non-compliance has been categorised using our [Compliance Classification Scheme](#) (CCS). For more details of our CCS scheme, contact your [local office](#).

KEY: C1, C2, C3, C4 = CCS breach category A = Assessed (no evidence of non-compliance)

Activities and Permit Conditions Assessed	CCS Category	Condition(s) breached
1 - Wastewater Treatment Works / STW storm sewage overflow		
2.3d. Overflow to storage PFF/ due to rainfall or snowmelt (b5)	C2	Schedule 02 condition 5
2.3d. Overflow to storage PFF/ due to rainfall or snowmelt (b5)	C2	Schedule 02 condition 2

Descriptive Works Fail	N/A	Number of breaches recorded	2
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If the total no of breaches is greater than zero, then please see Section 3 for details of our proposed enforcement response

Section 2 – Compliance Assessment Report Detail

This section contains a report of our findings and will usually include information on:

- the part(s) of the permit that were assessed (e.g. maintenance, training etc)
- where the type of assessment was 'Data Review' details of the report/results triggering the assessment
- any non-compliances identified
- any non-compliances with directly applicable legislation
- details of any multiple non-compliances
- details of advice given
- any other areas of concern
- all actions requested
- any examples of good practice.
- a reference to photos taken

This report should be clear, comprehensive, unambiguous and normally completed within 14 days of an assessment.

This Compliance Assessment Report (CAR) form has been sent to the CAR form inbox, Site Manager and the Company Secretary to ensure this matter is brought to the attention of Thames Water Utilities Limited (TWUL).

Thank you to [REDACTED] of TWUL who attended this site inspection in response to NIRS 01891397 on 26/02/2021 and who facilitated remotely with the subsequent incident attendance on 03/03/2021 (NIRS01899952). Environmental Permit CNTD.0058 allows for the discharge of treated sewage effluent and storm sewage to the River Thames in accordance with permit conditions. We inspected the on-site storm tanks, and the Final Settlement Tank (FST).

The storm tanks were found to be filled and close to maximum capacity on a dry and sunny day. The storm tanks were filled mostly with sewage diverted from the storm separating weirs by penstock adjustment. The storm tank was not found to be discharging at the time of the inspection. Subsequently, the Final Settlement Tanks (FST) were inspected. Little Marlow STW has 4 FST, of which 1 is currently out-of-order due to a defective piece of bespoke equipment; the slewing ring. Based on initial conversations with [REDACTED], we understood a rough estimate of the replacement of this could take until the end of March 2021. However, following a more recent conversation we now understand this has been revised until the end of the week commencing 19 April 2021. Due to this infrastructure failure the STW now cannot cope with the incoming flow of sewage at certain times during certain flows, causing the site to intermittently divert incoming flows to the storm tanks below the flow of 1442 l/s as described in CNTD.0058 Schedule 2, condition 5. Additionally, this condition specifies that storm tanks are only to be filled due to rainfall and/or snow melt. We understand the site can currently only treat between 900 l/s and 1050 l/s leaving a potential shortfall in treatment during periods of high flow of around 400-500l/s. We deem this to present significant and ongoing risk to the environment.

On 03/03/2021 we received a report concerning a potential pollution incident involving discharge of wastewater, smelling of strong sewerage, to the river Thames (NIRS01899952). We attended this incident and confirmed two breaches of Environmental Permit CNTD.0058.

CNTD.0058 Schedule 2, Condition 2 states "The discharge shall consist solely of storm sewage". The storm tanks were found to contain sewage some of which we have established had been diverted from the inflow of sewage due in part (we note some rainfall had also fallen in the catchment) to the site's current inability to deal with the incoming flow of sewage. As a consequence the 'Discharge' did not consist solely of storm sewage and a portion should have been treated. This is a breach of Environmental Permit CNTD.0058 and has been assessed as a CCS2 (significant) breach.

CNTD.0058 Schedule 2, Condition 5 states "The discharge of storm sewage to the storm tank(s) shall only occur when the rate of flow at the storm sewage separating weir is in excess of 1442 litres per second due to rainfall and/or snow melt." Sewage was found to be diverted to the storm tanks below the stated rate of 1442 litres per second, storm tanks were completely full and a large discharge of untreated (settled and screened) sewage was occurring presenting a significant risk to the environment. A formal sample was taken of this discharge. This is a breach of Environmental

Permit CNTD.0058 and has been assessed as a CCS2 (significant) breach. A formal sample was also taken of the final effluent.

We would like to emphasise that while the Environment Agency is aware of the challenging situation that has arisen we do not authorise or endorse any such discharges which amount to permit breaches and alleged offences under the Environmental Permitting (England and Wales) Regulations 2016. The ongoing and repeating nature of these alleged offences and the sustained and significant risk they pose to the River Thames, until treatment capacity has been restored, is of particular concern to us. We anticipate the risk and potential impact to the River Thames may increase depending on prevailing weather conditions, duration, and dilution factor in the River Thames. We are continuing to monitor the situation, assess the environmental impact and we will be investigating further.

We expect TWUL to explore all reasonable options to minimise the polluting effects of the discharge (s) and to reduce the impact of the pollution on the receiving watercourse and the wider environment. In particular we strongly recommend TWUL:

- Explores all options to expedite bringing forward the repair of the FST in question to restore treatment capacity before w/c 19 April 2021.
- Continues to put as much flow through the treatment process as possible while carefully balancing and monitoring the risk to the process and the potential loss of solids from the final settlement tanks, and considers increasing FFT if rainfall is not forecast.
- Explores all opportunities to put in place a tankering operation to empty storm tanks as rapidly as possible and to consider tankering as much incoming excess flow as is reasonably practicable to another sewage works where secondary biological treatment can be achieved. Some form of dynamic tankering operation may be needed taking into account prevailing weather conditions, incoming flows and headroom for secondary biological treatment at others sites. We will be writing separately to TWUL in relation to compliance considerations in relation to tankering which may assist.
- Continues managing storm tank contents to minimise the risk of sewage becoming septic or more polluting in nature. We understand an over-pumping arrangement to circulate tanks is currently being used.
- Continues to monitor environmental impact by taking regulator water quality readings and reporting these to the Environment Agency.

We also understand other potential process solutions are being considered. Whilst we of course in principle support measures to reduce environmental risk any of the above recommendations or other solutions are undertaken entirely at TWUL's own risk. We request that TWUL provide us with information about their initial investigation into the ongoing incident at Little Marlow STW and that we are provided with any review of options being considered to manage this ongoing incident related to lack of treatment capacity. Please provide this information as soon as it is available.

Please ensure TWUL reports all incidents in accordance with 16_02 Recording and categorising water industry self-reported pollution incidents and that it moves back into compliance with Environmental Permit CNTD.0058.

At the appropriate time we also recommend TWUL fully investigates the reasons for the failure of the FST to ascertain the root cause so it can be fully addressed. Additionally, we strongly recommend TWUL takes the appropriate measures to improve resilience of this STW to avoid similar incident(s) in the future.

We will consider our enforcement response to the permit breaches outlined above, and any further

or ongoing alleged offences associated with this incident, in accordance with our Enforcement and Sanctions Policy. Please see Section 3 below for further information.

Thank you for working with us to protect the environment.

Section 3- Enforcement Response		Only one of the boxes below should be ticked
<p>You must take immediate action to rectify any non-compliance and prevent repetition. Non-compliance with your permit conditions constitutes an offence and can result in criminal prosecutions and/or suspension or revocation of a permit. Please read the detailed assessment in Section 2 and the steps you need to take in Section 4 below.</p>		
<p>Other than the provision of advice and guidance, at present we do not intend to take further enforcement action in respect of the non-compliance identified above. This does not preclude us from taking enforcement action if further relevant information comes to light or advice isn't followed.</p>		
<p>In respect of the above non-compliance you have been issued with a warning. At present we do not intend to take further enforcement action. This does not preclude us from taking additional enforcement action if further relevant information comes to light or offences continue.</p>		
<p>We will now consider what enforcement action is appropriate and notify you, referencing this form.</p>		X

Section 4- Action(s)			
<p>Where non-compliance has been detected and an enforcement response has been selected above, this section summarises the steps you need to take to return to compliance and also provides timescales for this to be done.</p>			
<p>Where the CCS Category is marked N/A then the specified action does not relate to a permit condition.</p>			
Criteria Ref.	CCS Category	Action Required / Advised	Due Date
See Section 1 above			
1 - 2.3d	C2	Please refer to the body of the CAR form above.	31/03/2021

Section 5 - Compliance notes for the Operator

To ensure you correct actual or potential non-compliance we may

- advise on corrective actions verbally or in writing
- require you to take specific actions in writing
- issue a notice
- require you to review your procedures or management system
- change some of the conditions of your permit
- decide to undertake a full review of your permit

Any breach of a permit condition is an offence and we may take legal action against you.

- We will normally provide advice and guidance to assist you to come back into compliance either after an offence is committed or where we consider that an offence is likely to be committed. This is without prejudice to any other enforcement response that we consider may be required.
- Enforcement action can include the issue of a formal caution, prosecution, the service of a notice and or suspension or revocation of the permit.
- A civil sanction Enforcement Undertaking (EU) offer may also be available to you as an alternative enforcement response for this/these offence(s).

See our Enforcement and Civil Sanctions guidance for further information

This report does not relieve the site operator of the responsibility to

- ensure you comply with the conditions of the permit at all times and prevent pollution of the environment
- ensure you comply with other legislative provisions which may apply.

Non-compliance categories

CCS category	Description
C1	A non-compliance which could have a major environmental effect
C2	A non-compliance which could have a significant environmental effect
C3	A non-compliance which could have a minor environmental effect
C4	A non-compliance which has no potential environmental effect

Section 6 – General Information

Data protection notice

The information on this form will be processed by the Environment Agency to fulfill its regulatory and monitoring functions and to maintain the relevant public register(s). The Environment Agency may also use and/or disclose it in connection with:

- offering/providing you with its literature/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 and taking any resulting action
- preventing breaches of environmental law
- assessing customer service satisfaction and improving its service
- Freedom of Information Act/Environmental Information Regulations request.

The Environment Agency may pass it on to its agents/representatives to do these things on its behalf. You should ensure that any persons named on this form are informed of the contents of this data protection notice.

Disclosure of information

The Environment Agency will provide a copy of this report to the public register(s). However, if you consider that any information contained in this report should not be released to the public register(s) on the grounds of commercial confidentiality, you must write to your local area office within 28 days of receipt of this form indicating which information it concerns and why it should not be released, giving your reasons in full.

Customer charter

What can I do if I disagree with this compliance assessment report?

If you are unable to resolve the issue with your site officer, you should firstly discuss the matter with the officer's line managers. If you wish to raise your dispute further through our official Complaints and Commendations procedure, phone our general enquiry number 03708 506 506 (Mon to Fri 08.00–18.00) and ask for the Customer Contact team or send an email to enquiries@environment-agency.gov.uk. If you are still dissatisfied, you can make a complaint to the Ombudsman. For advice on how to complain to the [Parliamentary and Health Service Ombudsman](#) phone their helpline on 0345 015 4033.