

 Environment Agency	EPR Compliance Assessment Report		Report ID: I/541268	
This form will report compliance with your permit as determined by an Environment Agency officer				
Site	KIRKOSWALD WWTW, 165M SOUTH OF LOWFIELD, KIRKOSWALD, PENRITH, CUMBRIA, CA10 1EW		Permit Ref	017670065
Operator/ Permit holder	UNITED UTILITIES WATER LIMITED			
Assessment Date	06/01/2025	Breach Date	06/01/2025	Time in 13:07 Out 13:26
What parts of the permit were assessed	Wastewater Treatment Works / STW settled storm sewage			
Assessment Type	Incidents/permit review/Self-reported pollution incident (with visit)	EPR Activity:	Water Discharge	
Recipient's name/position	[REDACTED]			
Officer's name	[REDACTED]		Date issued	13/02/2025

Section 1 - Compliance Assessment Summary		
<p>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.</p> <p>KEY: C1, C2, C3, C4 = CCS breach category A = Assessed (no evidence of non-compliance)</p>		
Activities and Permit Conditions Assessed	CCS Category	Condition(s) breached
1 - Wastewater Treatment Works / STW settled storm sewage		
2.3c. Overflow to environment PFF/due to rainfall or snowmelt (b5)	C3	2.3.2a

Descriptive Works Fail	N/A	Number of breaches recorded	1
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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.

Self-report incident 02340287 on 6/01/25 Kirkoswald WwTW not meeting FTFT and intermittently spilling from storm.

72 Hour Report states

United Utilities attended site in response to a site spill notification. Upon attendance the process controller confirmed the discharge and found this was due to a partial blockage of sparge holes in the filter arms. This led to the site hydraulically backing up resulting in screened and settled storm sewage being discharged prior to Flow to Full Treatment (FTFT) being met. The spill from storm tank was intermittent and between 3.5 to 4 l/s (permit of 7.4) was being passed through the site for full treatment during this period.

There is no ammonia permit limit for this site and a sample of the discharge returned a result of 0.89mg/l with an upstream reading of 0.15mg/l and downstream reading of 0.6mg/l. On 30/01 the site was revisited and the stream re-sampled to show the normal ammonia levels in the stream: Upstream: 0.03 mg/l ammonia At outfall: 1.45 mg/l ammonia Downstream: 0.45 mg/l ammonia Final effluent ammonia: 12.6 mg/l. Evidence of this sampling is available in the supporting information document. There is only 0.15mg/l difference in the downstream sample result from the day of this incident compared to the normal downstream ammonia level. United Utilities have therefore coded this incident as a category 4, no impact event.

EA Comments

CICS category 4 accepted due to short duration of the spill and evidence provided at the time.

CCS category 3 breach of permit condition 2.3.2(a) the discharge shall only occur when and only for as long as the flow passed forward is equal to or greater than the overflow setting indicated due to rainfall and/or snow melt.

Section 3- Enforcement Response		Only one of the boxes below should be ticked	
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.			
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.			
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.			X
We will now consider what enforcement action is appropriate and notify you, referencing this form.			

Section 4- Action(s)			
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.			
Where the CCS Category is marked N/A then the specified action does not relate to a permit condition.			
Criteria Ref.	CCS Category	Action Required / Advised	Due Date
See Section 1 above			
1 - 2.3c	C3	Increase maintenance of sparge holes to prevent a repeated incident.	28/02/2025

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

Customer Charter

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

If a permit holder disagrees with the CAR form, they should raise their concerns to the officer or team which issued the form. This must be done within 14 calendar days of receipt. If the response does not resolve the issue, a permit holder can request an appeal of the regulatory decision. This request must be made within 28 calendar days of receipt of the response. More details on our regulatory appeals process can be found at <https://www.gov.uk/guidance/appeal-a-regulatory-decision-from-the-environment-agency>.

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.

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.

