

Compliance Assessment Report CAR_NRW0040909

Permit being assessed: BP0110301

For: Tresaith CSO, held by DWR CYMRU CYFYNGEDIG

At: Tresaith, Cardigan, Ceredigion, SA43 2JH.

Type of assessment carried out: Report/Data Review, Reason: Routine.

On 06/01/2023.

Parts of permit assessed: 2.4.1

NRW Lead Officer: Bethan Lewis.

Report sent to: CARS mailbox, CARS mailbox, on 09/01/2023.

1. Summary of our findings (full details in section 4)

| Part of permitted activity assessed (criteria) | Assessment result | Permit condition |
|--|-------------------|------------------|
| WQ-B4 - Operations - Improvement programme | C3 Minor | 2.4.1 |

Result types are explained in more detail in the 'Important Information' section below.

2. What action is required?

| Criteria | Action needed | Complete by |
|----------|---|-------------|
| WQ-B4 | Complete the improvements specified in schedule 1 table S1.3. | 20/02/2023 |

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.

You are non-compliant with your permit.

At this time, we are issuing you with a warning for the non-compliance recorded above. Warnings may influence future enforcement response for continued or further non-compliance.

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

Condition 2.4.1 of Dŵr Cymru Welsh Water's (DCWW) permit for Tresaith Combined Sewer Overflow (CSO) (BP0110301) states that the operator shall complete the improvements specified in schedule 1 table S1.3, as shown below, by the date specified unless otherwise agreed in writing by Natural Resources Wales (NRW):

| Table S1.3 Improvement programme requirements | | |
|---|---|--|
| Reference | Requirement | Date |
| Discharge of storm sewage via outlet 1 | <p>The operator shall provide the following in writing within 5 years from the date of issue in line with the EDM performance report.</p> <ul style="list-style-type: none">• Weir setting and basis of calculation.• Storage provision and whether on or offline if relevant• Details of any screening, telemetry or monitoring eg pff/fft, discharge to environment, powered screen failure | Within 5 years from the date of issue. |

As the permit variation for Tresaith CSO was issued on the 30 October 2017, DCWW should have provided the above in writing by the 30 October 2022.

As DCWW have not yet provided the above in writing, a category 3 non-compliance has been recorded above. To rectify this breach, we ask DCWW to complete the improvements specified in schedule 1 table S1.3 by no later than the **20 February 2023**. If DCWW are unable to provide the required details in writing by this date, we ask that they explain why this is the case and confirm the date at which this information will be provided.

In this document 'Natural Resources Wales' means the Natural Resources Body for Wales established by Article 3 of the Natural Resources Body for Wales (Establishment) order 2012.

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.