

## Compliance Assessment Report CAR\_NRW0041540

**Permit being assessed:** BC0003001

For: GOWERTON WwTW, held by DWR CYMRU CYFYNGEDIG

At: GOWERTON WwTW, VICTORIA ROAD, GOWERTON, SWANSEA, SA4 3AB.

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

On 14/03/2023.

Parts of permit assessed: Operations

**NRW Lead Officer:** Sarah Bennett.

**Report sent to:** CARS Mailbox, CARS Mailbox, on 14/03/2023.

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

Part of permitted activity assessed (criteria)	Assessment result	Permit condition
WQ-B3 - Operations - Operating techniques	C3 Minor	2.3.5 (b) Sewage can only go to storm storage if, and for as long as, the flow of sewage is equal to or greater than the storm overflow setting due to rainfall and/or snowmelt.
WQ-B3 - Operations - Operating techniques	Action only (X)	
WQ-B3 - Operations - Operating techniques	C3 Minor	2.3.5 (c) Storm storage must be fully utilised before it can discharge to land or water.

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

### 2. What action is required?

Criteria	Action needed	Complete by
WQ-B3	Action 1: Please ensure that the PFET plant is fully operational and can treat the required 300 l/s when required. The permit requires that flows up to 612 l/s are subject to biological treatment and disinfection by ultra violet irradiation. Flows in excess of 612 l/s up to 912 l/s are subject to PFET and disinfection by ultra violet irradiation.	30/06/2023
WQ-B3	Action 2: Please ensure that all the monitoring described in the Operating Technique specified in the permit has been carried out. Please see details below for more information.	31/03/2023
WQ-B3	Action 3: Please ensure that the maintenance programme for the storm tanks is sufficiently minimising the risk of failure.	28/04/2023

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

On the 23/12/2020 and the 10/01/2023 you informed us that issues with the PFET plant had resulted in the required 912 litres/second flows passed forward permit condition not being met. This will have resulted in premature discharges of effluent to the storm tanks.

Condition 2.3.5 states that sewage can only go to storm storage if, and for as long as, the flow of sewage is equal to or greater than the storm overflow setting due to rainfall and/or snowmelt.

On the 08/11/2022 you also informed us that, in order to stop a leak from faulty valves on one of the storm tanks, the levels in 2 of the 5 tanks had to be dropped. The fault was repaired on the 27/01/2023. The permit requires 8913m<sup>3</sup> of online storm storage to be provided at Gowerton WWTW. I believe that operating the storm tanks at a reduced capacity will have resulted in premature discharges to the environment from the storm tanks during this period.

Condition 2.3.5 states that the required 8913m<sup>3</sup> of storm storage must be fully utilised before it can discharge.

I believe that non-compliances with the above conditions have occurred. It is an offence under Regulation 38 (2) of the Environmental Permitting Regulations 2016 for a person to fail to comply with or to contravene an environmental permit condition.

Please carry out the actions specified in order to bring the discharge into compliance with permit condition 2.3.5.

**Action 1: Please ensure that the PFET plant is fully operational and can treat the required 300 l/s when required.** The permit requires that flows up to 612 l/s are subject to biological treatment and disinfection by ultra violet irradiation. Flows in excess of 612 l/s up to 912 l/s are subject to PFET and disinfection by ultra violet irradiation.

**Action 2: Please ensure that all the monitoring described in the Operating Technique has been carried out.** The permit requires that the activities shall, subject to the conditions of this permit, be operated using the techniques and in the manner described in the Operating Technique specified in the permit. Please ensure that all the monitoring

described in the Operating Technique has been carried out. Notably that, in addition to the EDM permit requirements, DCWW will also carry out an annual comparison between the number of CSO discharges predicted by the hydraulic models for both catchments for the amount of rain recorded at the Penclacwydd rain gauge (or other mutually agreed source if the Penclacwydd rain gauge is not available) and the actual number logged and report the results of this analysis each year to NRW.

The monitoring report could form part of the investigation report into the EDM Trigger Exceedance which occurred at the end of 2022.

**Action 3: Please ensure that the storm tanks are maintained sufficiently so as to minimise the risk of failure.**

End

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](mailto: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](mailto: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.