

Compliance Assessment Report CAR_NRW0041651

Permit being assessed: CG0351702

For: BEACH ROAD PS BANGOR ,, held by DWR CYMRU CYFYNGEDIG

At: Bangor, Gwynedd, LL57 4HN.

Type of assessment carried out: Audit, Reason: Routine.

On 11/04/2023.

Parts of permit assessed: all permit

NRW Lead Officer: Cathrine Kiely.

Report sent to: CARS@dwrwymru.com, CARS mailbox, on 26/04/2023.

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

Part of permitted activity assessed (criteria)	Assessment result	Permit condition
WQ-B1 - Operations - Permitted activities	C2 Significant	2.3.1 a)

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

2. What action is required?

Criteria	Action needed	Complete by
WQ-B1	comply with conditions of the permit and ensure PFF is reached before storm facility is utilised	08/05/2023

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.

We are currently considering taking enforcement action against you for the non-compliance recorded above. We will contact you in due course.

4. Details of our assessment

Flow, storm tank level and EDM data for the period of August and September 2022 was provided by DCWW on 23/12/22.

The data submitted details pumps 4, 5, 6 and 7 running suggesting storm discharges from the long sea outfall only – no discharges from the short sea outfall.

The below table shows analysis of spill data in the range up to 29th September. The two columns on the end show the l/s discharged which is below the PFF volume of 382 l/s and the discharge in breach. The discharge in breach is calculated as each line is a 15 minute reading, we multiply the amount below by 15 min then by 60 to get litres discharged.

Example:

$$21.6 \times 15 \times 60 = 19440 \text{ L}$$

The total of the discharges in breach = 706680 litres over 1.5 months

Date & Time	Flow (l/s)	Reading (%)	Amount below 382	discharge in breach
02/08/2022 02:00:00	360.4000	100	21.6000	19440.0000
02/08/2022 04:30:00	356.2000	100	25.8000	23220.0000
02/08/2022 04:45:00	346.0000	100	36.0000	32400.0000
02/08/2022 05:00:00	339.2000	100	42.8000	38520.0000
02/08/2022 05:15:00	349.3000	100	32.7000	29430.0000
02/08/2022 06:15:00	359.2000	100	22.8000	20520.0000
24/08/2022 01:00:00	363.4000	100	18.6000	16740.0000
24/08/2022 01:15:00	355.6000	100	26.4000	23760.0000
24/08/2022 01:30:00	355.8000	100	26.2000	23580.0000
24/08/2022 01:45:00	353.5000	100	28.5000	25650.0000
24/08/2022 02:45:00	193.8000	100	188.2000	169380.0000
24/08/2022 03:00:00	194.0000	100	188.0000	169200.0000
26/08/2022 12:45:00	312.2000	100	69.8000	62820.0000
12/09/2022 15:00:00	324.2000	100	57.8000	52020.0000
01/08/2022 00:00:00	34.1000	0	Total	706680.0000

From previous correspondence with DCWW we know pump 4 & 5 pump 1275 l/s and pump 6 & 7 pump 2725 l/s.

Total discharge

For period up to and including 12th September 22:

Pump 4 ran for 20 minutes = $20 \times 60 \times (1275/2) = 765,000$ litres

Pump 5 ran for 3 minutes = $3 \times 60 \times (1275/2) = 115,000$ litres

Pump 6 ran for 110 minutes = $110 \times 60 \times (2725/2) = 9,000,000$ litres

Total discharge = 9,900,000 litres.

$$706680 \text{ litres} / 9,900,000 \times 100 = 7\%$$

So the discharge in breach of the permit is 7% of the total volume discharged.

On the 30th September 2022 the minimum PFF pumped forward is 334l/s.

$$382\text{l/s} - 334\text{l/s} = 48 \text{ l/s too little}$$

$$8 \text{ spills on EDM } 8 \times 15 \text{ min} \times 60 \text{ sec} = 7200$$

$$7200 \times 48\text{l/s} = 345,600 \text{ litres}$$

Therefore on 30/09/2022 345,600 litres was spilled in breach of permit.

Condition 2.3.1 states that a PFF of 382 l/s must be achieved before the storm tank facility can be utilised.

Natural Resources Wales would like to know if DCWW have any comments to make on the findings of the data audit and how do they intend on achieving compliance with the permit. **Please respond by 08/05/2023**

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.