

Compliance Assessment Report CAR_NRW0041562

Permit being assessed: BC0016601

For: Trebanos Wastewater Treatment Works, held by DWR CYMRU CYFYNGEDIG

At: Pheasant Road, Trebanos, Pontardawe, Swansea, SA8 4BR.

Type of assessment carried out: Site Inspection, Reason: Incident Response (Incident number: 2201599).

On 06/03/2022, between 13:10 and 14:00.

Parts of permit assessed: 2.3.4 (b)

NRW Lead Officer: Owen Caughlin, accompanied by: Gavin Thomas, Chris Palmer.

Report sent to: CARS mailbox, CARS mailbox, on 09/06/2023.

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

Part of permitted activity assessed (criteria)	Assessment result	Permit condition
WQ-C1 - Emissions and monitoring - Emissions to water	C2 Significant	2.3.4. (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-C1	Please refer to actions table in main text.	01/08/2023

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

This CAR Form is a re-issue of Ref- NRW0041562 originally issued on 31/03/2023

A discharge from the storm outfall serving Trebanos WWTW was reported to NRW at 15:49 on 5/03/2022 (WIRS ref: 2201599). A polfax was sent to Dŵr Cymru at 16:01 on 5/03/2022.

NRW officer Gavin Thomas attended site at 13:10 on the 6/03/2022 and confirmed discharge from the storm tank was still occurring. Discolouration to the river water in the

Afon Tawe was evident. Sewage fungus and sludge on the riverbed to approx. 200m downstream of discharge was also present. Photographs of discolouration of river water and sewage fungus and sludge were taken.

Samples of the effluent and river water upstream and downstream were taken and sent to our laboratory for water quality analysis.

This incident was categorised as High Level significant under OGN 019. Following a Dŵr Cymru challenge to this classification, the process as detailed in OGN 232 was followed and the categorisation of this incident was upheld.

The incident has been categorised as High – significant.

MET office rainfall data has been evaluated at rainfall gauges in Trebanos and the last recorded rainfall in that area was on the 03/03/2022.

MET office rainfall data has been evaluated at rainfall gauges in Ystradgynlais and the last recorded rainfall in that area was on the 04/03/2022.

Dŵr Cymru flow data for Trebanos WWTW provided to NRW upon request following this incident confirms that flows entering the works exceeded the storm weir setting of 146 l/s (FFT) consistently between 4/03/2022 and 6/03/2022.

In reference to a study of Trebanos WWTW catchment commissioned by Dŵr Cymru which details a drain-down time in the WWTW catchment to be approximately 5.5 hours. NRW has made an allowance of up to 8hours (~32% additional time). We have used this method when considering the discharge in question, to be consistent with previous discussions and CARs previously issued.

The above information shows that the storm was discharging in excess of the 8 hours allowed for catchment drain down time and as such this discharge is considered a breach of permit condition 2.3.4 a. This condition states that *'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 snowmelt.'*

Actions

Action Reference	Action Detail	Action Deadline
01	Share with NRW the finished Dŵr Cymru procedure for spill response, impact monitoring, escalation and triggers for reporting to NRW for storm discharges at Trebanos WWTW, in line with previous discussions at NRW/ Dŵr Cymru liaison meetings.	01/08/2023
02	Investigate short term mitigation/solutions and submit a report to NRW.	01/08/2023

03	As per previous discussions, in line with IMAX driver for AMP8, upgrade the works to reduce the frequency and duration of the storm discharges from the works to comply with condition 2.3.4a.	31/12/2030
04	Initiate surface water reduction strategy for the sewerage catchment with relevant partners (NRW, NPTCBC, etc).	01/08/2023

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.