

Compliance Assessment Report CAR_NRW0042242

Permit being assessed: BP0287801

For: Storm and Emergency Overflow at Baglan Sewage Pumping Station, held by DWR CYMRU CYFYNGEDIG

At: Road through Baglan Energy Park, Off Brunel Way, Briton Ferry, Neath, SA11 2GA.

Type of assessment carried out: Site Inspection, Reason: Routine.

On 12/05/2023, between 14:00 and 14:40.

Parts of permit assessed: All

NRW Lead Officer: Owen Caughlin, accompanied by: Chris Palmer, Rhys Griffiths.

Report sent to: Mike Jones, MEI Supervisor, on 25/08/2023.

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	C2 Significant	10
IR1A - Management - General management	C2 Significant	6(a)&7
IR1A - Management - General management	C3 Minor	7 (&4)
IR1A - Management - General management	C3 Minor	7

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	See below	01/10/2023
IR1A	See below	25/09/2023
IR1A	See below	25/09/2023
IR1A	See below	25/09/2023

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 report is also linked to the inspection of permit BP0287901 undertaken during the same visit - Ref: 2023 05 12 BP0287901 Compliance report CAR_NRW0042244-Baglan SPS Tdl BW Insp

Additionally a formal information request Ref: 230606 Baglan SPS has been made for outstanding information relating to both this CAR Form and the previous inspection Ref: 2022 05 05 BP0287801 Compliance report CAR_NRW0039957-Baglan SPS BW Inspection 2022

12/05/2023 Officers visited site with MEI Supervisor Mike Jones. At the time of inspection officers observed several instances of non compliance with permit BP0287601, these have been listed below;

Non Compliance: *Officers observed that back-up power generators **remain** unavailable for use in an emergency. As such, in a power failure there is significant risk of a major environmental incident during the bathing water season (and thereafter until resolved).*

Condition(s): 10

Action: *Investigate and implement standby power provisions which will enable the site to operate as designed until mains power is restored as per condition 10 of the permit.*

Non Compliance: *Upon inspection, the screens for the storm tank were out of order, blind and in need of cleansing, meaning the screens were unavailable if conditions changed and they were called into action. This was proven to be due to an electrical fault, though it is unclear why this had not been raised and resolved through the existing telemetry system.*

Condition(s): 7

Action: *Ensure the screens are always working effectively through regular inspection. Cleanse the screens and investigate and report on any issue with telemetry system / prioritisation of tasks among the workforce. Improve site inspection frequency and maintenance program.*

Non Compliance: *Officers observed that 3/4 storm tank aerators were broken hampering performance and increasing the risk of a build up of grit/debris and an overall reduction in available storm volume.*

Condition(s): 7 & 4

Action: *Cleanse the storm tank and repair / replace the broken aerators during dry weather. Improve site inspection frequency and maintenance program.*

Non Compliance: *Officer observed a significant amount of screenings discarded around the site as well as a notable build up in the pre screen area. In many of the instances observed, the screenings contained vegetation growth, suggesting they had been there for some time. It was noted that there is a skip present on site for disposing of this type of material.*

Condition(s): 7

Action: *Cleanse the site fully and ensure all staff are appropriately trained. Improve site*

inspections frequency and maintenance program.

Notes

Officers noted that the overall state of Baglan Sewage Pumping Station was neglected/poor and it was clear that general housekeeping and maintenance have become an issue for this site. Many of the points raised in this CAR Form were raised in the previous inspection and remain unresolved or have worsened. This represents a disappointing increase in the amount of environmental and reputational risk being carried in the day to day operation of the site, which discharges both between two significant bathing waters (in Aberafan and Swansea Bay) and to the tidal Afon Nedd, which is home to the Crymlyn Burrows SSSI. Officers would welcome a discussions on these issues and how lasting improvements can made.

In addition to resolving the above non compliances by the assigned dates, officers will require Dwr Cymru to provide the following information;

1. Five year maintenance records for the site.
2. Details of the status of all on site pumps and any spares.
3. EDM readings for the operation of the storm overflow and emergency overflow for BP0287601.

The data requested should in both the summary block counting and 15 minute interval formats for a period of two years.

Please provide this information on or before 25/09/2023.

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.