

Compliance Assessment Report CAR_NRW0042845

Permit being assessed: AN0305901

For: RHYMNEY VALLEY TRUNK SEWER CSO, held by DWR CYMRU CYFYNGEDIG
At: RHYMNEY VALLEY TRUNK SEWER CSO, /EMERGENCY OUTFALL, CARDIFF, ,, .

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

On 21/11/2023, between 10:00 and 11:50.

Parts of permit assessed: Operations and site infrastructure

NRW Lead Officer: Elis Nuttall.

Report sent to: Dwr Cymru/Welsh Water, Asset owner/operator, on 05/12/2023.

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

Part of permitted activity assessed (criteria)	Assessment result	Permit condition
WQ-B2 - Operations - The site	C3 Minor	3.2.3 Monitoring point access
IR1A - Management - General management	Action only (X)	
IR1A - Management - General management	Action only (X)	
IR4B - Information - Reporting	Action only (X)	

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

2. What action is required?

Criteria	Action needed	Complete by
WQ-B2	DCWW to identify in their record where the monitoring point is located and inform NRW. This monitoring point should be kept accessible at all times i.e. free from vegetation or obstructions.	Already completed
IR1A	Improve access to site infrastructure through clearing of vegetation, particularly around the storm tank access points and pathway.	21/12/2023
IR1A	Assess and undertake maintenance on the final penstock chamber covers as they were deteriorating and held in place with two large rocks. This is a H&S concern.	21/12/2023
IR4B	During next asset inspection DCWW are requested to provide NRW an update on the condition of the outfall pipe and any maintenance required. Please note that a specified deadline for this action will not be enforced.	28/12/2023

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.

At this time, we do not intend to take any further action.

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**Site Visit Report**

This report details the site visit conducted on 21/11/2023 to Combined Sewer Overflow and Emergency Overflow serving Rhymney Valley Trunk Sewer, permit number AN0305901.

NRW Officer Elis Nuttall attended Rhymney Valley Trunk Sewer, St Mellons, Cardiff for a water quality and permit compliance review at 10:00 where he met with DCWW Pollution Officer Samuel Hampson (SH). The weather was clear, dry and cold but recent heavy rainfall was recorded in the area.

It is noted that at the time of the visit the regulating officer had submitted a data request for this asset to DCWW but had not yet received the requested information. A data audit assessment will be carried out separately to this site/infrastructure assessment.

Site Observations**General Observations**

The site is a Combined Sewer Overflow and Emergency Overflow serving Rhymney Valley Trunk Sewer. It is consented to discharge storm sewage at a rate of 1109 l/s with a maximum solid matter size no greater than 6mm in more than 1 dimension. This is achieved via all flows being screened via a screen with an aperture of 6mmx6mm. The site was operational at the time of the visit.

CSO, Storm Tanks and Monitoring point

This asset was described to the officer as a big asset with lots of ongoing maintenance required, particularly on the flipper arms (which clear the screen of solid wastes) which regularly have to be replaced. This was last reported to have taken place ~6 months prior to this visit. The flipper arms were observed to be working as designed with no apparent defects during this visit. This is evidenced in Figure 1.



Figure 1: Site visit photo – flipper arms clearing the screen of debris. This debris is then returned to foul for treatment and not discharged.



Figure 2: Site visit photo – high flow visible prior to effluent screening.

There were very high flows at the time of the visit due to heavy rainfall in the days preceding the visit. This is evidenced in Figure 2. It was explained by SH that there is a general latency period between the high rainfall and any spill events due to the system taking the flows from the Rhymney Valley (which stretches for ~30km north of the CSO) and as such any triggers in telemetry occur after heavy rainfall. The frequency of these triggers will be assessed during the data audit once it is provided by DCWW.

The screen was in good condition with no damage observed and free of debris. The

automated clearing system, combined with the flipper arms, was actively clearing debris from the screen at the time of the visit. This is evidenced in Figure 3.



Figure 3: Site visit photo – automated screen debris removal working at the time of the visit.



Figure 4: Site visit photo – screen condition at the time of the visit.

It was noted that general maintenance of the screen includes monthly jetting to remove residual debris. It was not possible to physically measure and check the aperture size of the screen during the visit but on visual inspection it does appear to meet the permitted aperture size of 6mmx6mm. This will be confirmed by SH via correspondence after the visit. The condition of the screen is evidenced in Figure 4.

The storm storage tanks on site are located to the south of the CSO and are accessed by a locked gate at the rear of the DCWW compound. This is easily accessible and is evidence in Figure 5.



Figure 5: Site Visit Photos – access to storm tanks at the rear of the compound.

The tank system themselves were described as “tidal tanks” which empty themselves on the low tide. This raised questions regarding permit condition 2.3.3 b which states “The storage shall be emptied and its contents returned to the continuation flow as soon as reasonably practicable.” While the described system does return the contents to the flow, it is unclear whether it complies with the condition as at low tide any stored effluent may be discharged immediately to the outfall. The officer will query this with a senior officer.

There were numerous access points to the storage tanks which were clearly accessible during the visit, although general site maintenance to remove excess vegetation and increase access is advisable. This is evidenced in Figure 6.



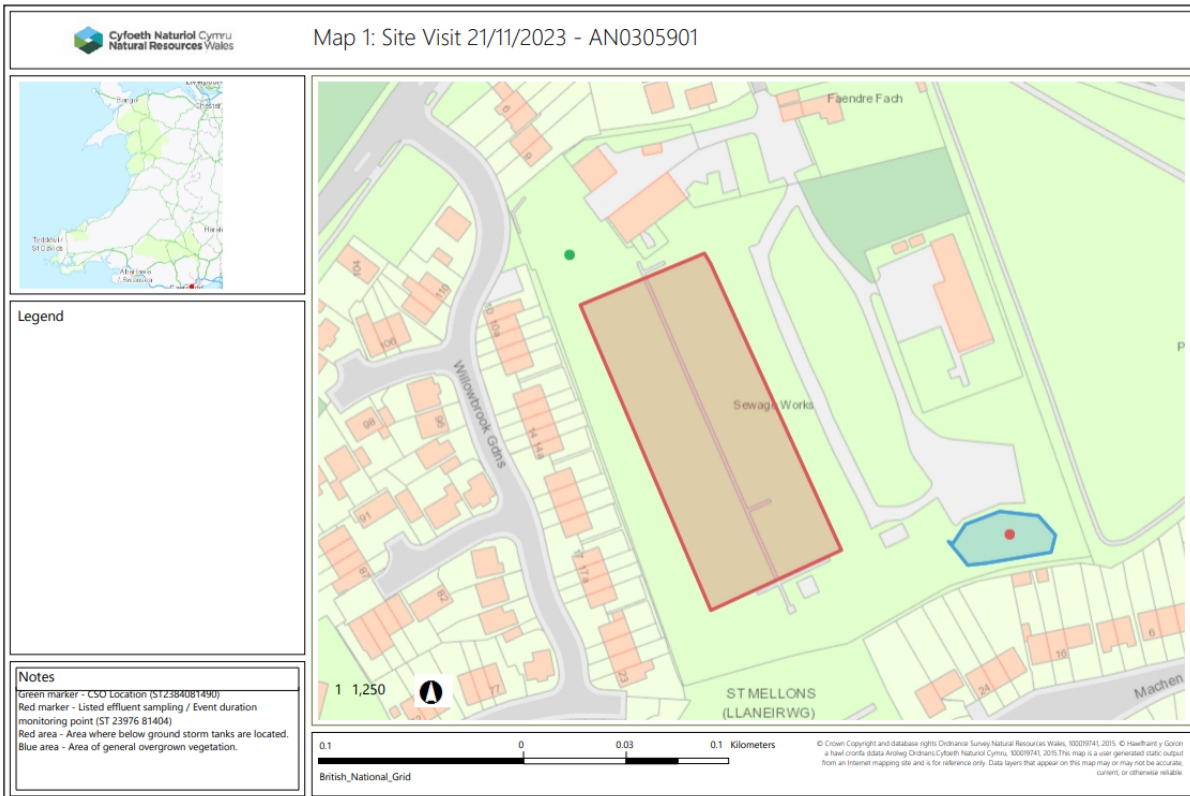
Figure 6: Site visit photo – An example of an access point to the storage tanks.

The final penstock before the storm line leaves site at ST2391581387 was observed and no permit issues were noted. However, the chamber covers at this point appear to have deteriorated (being held down by two large rocks) and may pose a risk to site operators' safety and/or unauthorised access. They are secured withing a fenced compound but SH noted unauthorised access has been an issue in the past. It is advised that there covers are assessed and replaced by DCWW if deem them a hazard. This is evidenced in Figure 7.



Figure 7: Site visit photos – Final penstock before storm line leaves site. Condition of the chamber covers is noted as a general improvement consideration.

On attempting to identify the monitoring point, EN and SH encountered difficulty in locating it. It is noted to be located at ST 23976 81404, in the same location as the EDM. Map 1 notes the area where the sample point is noted in the permit. However, the area is overgrown and EN could not identify it clearly. It is noted that SH did not know where the sampling point was supposed to be located at the time of the visit commented that he was unaware of any CSOs having a monitoring point denoted in the permit. Usually DCWW would monitor/sample a CSO discharge from the outfall point. SH will confirm where DCWW have their monitoring point listed in their records and this will be cross referenced with the point listed in the permit. Until this is confirmed this lack of access to the sampling point constitutes a breach of permit condition 3.2.3.



Map 1 – Location of CSO, storage tanks and monitoring point. Note that the area highlighted in blue is overgrown and made locating the monitoring point difficult.

The chambers located at ST2392281377 (far south of the site) were inspected. It was noted that this is the last access point before the storm line leaves the site towards the outfall. This is also where the telemetry equipment of the CSO is located. All was in good order and no clear defects or maintenance needs were observed. This is evidenced in Figures 8 and 9.



Figure 8: Site visit photo – Final inspection/access point before storm line leaves site.



Figure 9: Site visit photo – Telemetry equipment is located in this chamber at ST2392281377.

Outlet Point

An attempt was made to observe the storm outlet point located at ST 25394 78673. However, as this outfall is a below water discharge the pipe itself was not observable at the time of the visit due to the tide obscuring its view and the nature of the site being located on the banks of the Severn Estuary. This is evidenced in Figure 10. As a result an assessment of the outfall conditions could not be undertaken at this time. It is requested

that DCWW provide NRW with an update on the outfall condition and any required maintenance on the next asset inspection.



Figure 10: Site visit photo – Storm outfall submerged and inaccessible at the time of the visit.

After a discussion of observations with SH, brief action points were outlined which are listed in detail below.

Officer Elis Nuttall left site at 11:50.

Breaches of permit condition:

Below are the permit breaches that were identified during the site inspection.

CATEGORY C3 BREACH – PERMIT CONDITION 3.2.3 – Monitoring point access

“An Accessible monitoring point shall be provided and maintained to enable the emissions monitoring programme to be carried out at the monitoring point specified in table S3.4 of schedule 3 and shown marked on the site plans in schedule 7”.

The permitted monitoring point could not be located during the visit due to lack of operator knowledge of its whereabouts and vegetation overgrowth in the area where it is listed on the site plan.

Action required by dates specified

1. DCWW to identify in their records where the monitoring point is located and inform NRW. This monitoring point should be made and kept accessible at all times i.e. free from vegetation or obstructions. Once accessible, DCWW should inform NRW of the completion of the works.

Deadline: 21/12/2023 - Completed on 28/11/2023

2. DCWW to confirm the aperture size of the screen currently installed at the CSO. The permitted size is 6mmx6mm.

Deadline: 21/12/2023 - Completed on 28/11/2023**Other advisory comments/actions**

1. Improve access to site infrastructure through clearing of vegetation, particularly around the storm tank access points and pathway.

Deadline: Advisory – when possible.

2. Assess and undertake maintenance on the final penstock chamber covers as they were deteriorating and held in place with two large rocks. This is both a water ingress concern and a H&S concern.

Deadline: Advisory – when possible.

3. During next asset inspection DCWW are requested to provide NRW an update on the condition of the outfall pipe and any maintenance required.

Deadline: On completion of next asset inspection.

If we do not receive the information requested within specified deadline and have not been informed as to why there is a delay then we may serve a Regulation 60 Notice requiring the information under Environmental Permitting (England and Wales) Regulations 2016.

Contact details

If you have any queries regarding this CAR form or to provide an update on any actions above, please contact me using the following details: Elis Nuttall, Environment Officer, elis.nuttall@naturalresourceswales.gov.uk, 03000654651/07904606156.

Thank you,

Elis Nuttall.

In this document 'Natural Resources Wales' means the Natural Resource 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.