

## Compliance Assessment Report CAR\_NRW0042835

**Permit being assessed:** BP0237412

For: CSO 121 at Sandfields SPS (Outfall 'L'), held by DWR CYMRU CYFYNGEDIG

At: Adjacent to Civic Centre Carpark, Oystermouth Road, Swansea, SA1 3SN.

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

On 14/12/2023.

Parts of permit assessed: 3.1 Emissions to water

**NRW Lead Officer:** Sarah Bennett.

**Report sent to:** CARS@dwrcymru.com, CARS Mailbox, on 14/12/2023.

### 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	Assessed (A)	
WQ-C1 - Emissions and monitoring - Emissions to water	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-C1	Please re-submit the proposal with a predicted timescale for when the investigation will be completed.	31/01/2024

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

The purpose of this report is to:

- assess and record compliance with Condition 3.1.2 (b) relating to Event Duration Monitoring
- record our comments and approval of the proposed investigation

Condition 3.1.2 (b) requires you to provide a reason for a Trigger Exceedance and a description of any remedial action undertaken or proposed. Where the reason/s for the Trigger Exceedance cannot be identified within the 3 months of the Trigger Exceedance you must provide a proposal with timeframes for a full investigation to be carried out to identify the reason/s for the Trigger Exceedance for approval by Natural Resources Wales.

On the 3 November 2023 you sent to us an investigation proposal which included timeframes for an investigation into the reasons for the trigger exceedance.

As the report was received within 3 months of the trigger exceedance and satisfies the requirements of the permit condition, you are compliant with this permit condition.

At this point in time, you have been unable to establish the exact reason for the Trigger Exceedance although you have indicated that it will likely be attributed to hydraulic overload.

Investigation work carried out so far includes

- CCTV surveys on the pipework between the CSO and the trunk sewer. No obstructions were identified.
- CCTV surveys of the Sandfields catchment did not identify any large volume misconnected surface water assets beyond what would be expected of a combined sewerage system, such as local highway drainage.
- A review of SPS operational control philosophy, current performance and asset condition did not identify anything to suggest the SPS to be the root cause of the spill.
- There is correlation between spills at the CSO and high flows on the adjacent trunk sewer, leading to the possibility that the trunk sewer may be backing up into the CSO. If confirmed, there are potentially three separate scenarios that could cause the asset to spill:
  - High flows from Sandfields restricted from D/S flow control in stilling chamber (HO at the CSO)
  - High flows in trunk sewer preventing PFF from Sandfields line (HO in trunk sewer)
  - High flows in trunk sewer backing up to CSO (HO in trunk sewer).

Your investigation proposal is to:

- Investigate outfall infiltration and tidal flow into storm sump.
- Installation of additional level monitors in downstream assets.
- Understand the impact of trunk sewer upon this asset and investigate potential for reverse flow.
- Upstream catchment investigations and flow modelling.

You are proposing to install flow monitors to gather the necessary data by 1<sup>st</sup> April 2024 but have not given any timescales for rest of the proposed investigation. My understanding is that installing the flow monitors is just part of the investigation.

The reason you have given for not providing more detailed timescales is that the large scale of the asset and associated flows requires the work to be escalated for DCWW

Capital Alliance for intervention.

**I cannot approve the submitted investigation proposal without timescales for the whole investigation. Please re-submit the proposal with a predicted timescale for when the investigation will be completed.**

Thank you.

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.