

Compliance Assessment Report CAR_NRW0043272

Permit being assessed: BW2302001

For: CSO .400 YDS D/S Cluence Dulai, held by DWR CYMRU CYFYNGEDIG

At: Tidal Reach, Pontarddulais, Swansea, SA4 8RP.

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

On 30/01/2024, between 12:00 and 12:30.

Parts of permit assessed: Parts of Operations & Emissions and Monitoring

NRW Lead Officer: Sarah Bennett, accompanied by: Catherine Tucker.

Report sent to: CARS@dwrcymru.com, CARS Mailbox, on 09/02/2024.

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	Assessed (A)	
WQ-B3 - Operations - Operating techniques	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 confirm where the overflow and monitoring takes place (the Point of Overflow), giving an accurate NGR. If the location given in the permit is wrong, please correct this when the permit is next varied.	03/05/2024

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

On the 30 January 2024 we carried out an inspection of the Combined Sewer Overflow (CSO) known as 400 YDS D/S Confluence with Dulais.

The weather was dry at the time of the inspection. It had rained the previous day but the

rainfall had not been heavy. The CSO was not operating at the time of the visit.

The CSO appeared to be a simple weir structure with no mechanical flow controls installed.

The Event Duration Monitor was installed in the CSO chamber above the overflow weir as expected. However, the Point of Overflow in the permit describes the overflow and monitoring point as within Pontarddulais SPS compound.

Action

Please confirm where the overflow and monitoring takes place (the Point of Overflow), giving an accurate NGR. If the location given in the permit is wrong, please correct this when the permit is next varied.

The Event Duration Monitoring data submitted to NRW annually indicates that the EDM is fully operational and recording more than 98% of the time. In 2022 the EDM recorded 5 block counted spills lasting 24 hours in total.

The weir setting is 71.27 litres per second. As the number of spills is currently low, I have no reason to believe that the permitted flow passed forward is not being met.

There are no screens installed at this CSO. The overflow chamber had traces of sewage debris in it but was otherwise clean. The short section of outfall we were able to inspect within the compound of Pontarddulais SPS was clean. Although it was not evident in the CSO that excessive sewage debris is an issue in this catchment, I understand that the amount of debris arriving at the pumping station is problematic.

My understanding is that DCWW is going through a process of classifying all its storm overflows in accordance with Guidance Note GN066 'How to classify storm overflow performance'. I would expect this asset to have been classified as substandard due to the lack of screens. The next stage in this process is to prioritise which assets will be improved first. During the process of prioritisation, it will be important to consider the levels of sewage debris seen at the SPS given that it will be difficult to assess the aesthetic impact of unscreened discharges on a relatively inaccessible intertidal waterbody.

We did not inspect the outfall which is quite inaccessible and located on the banks of the Loughor some 400 metres downstream of the Normal Tidal Limit. The outfall is shared with the permitted storm and emergency overflow from Pontarddulais SPS.

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 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.