

Compliance Assessment Report CAR_NRW0043760

Permit being assessed: BE0006402

For: LLANMADOC P.S.NO 2 EMERGEN, held by DWR CYMRU CYFYNGEDIG
At: LLANMADOC P.S.NO 2 EMERGEN, UNKNOWN, UNKNOWN, UNKNOWN,
UNKNOWN.

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

On 13/02/2024, between 13:15 and 13:45.

Parts of permit assessed: Outlet & Discharge

NRW Lead Officer: Sarah Bennett, accompanied by: Gareth Martin.

Report sent to: CARS@dwrwymru.com, CARS Mailbox, on 15/03/2024.

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	C3 Minor	4b. Discharge. To operate only in the event of a failure of the electricity supply.
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-B1	Please confirm by the 28/06/2024 if the emergency overflow is responsive to rainfall and is operating as a storm overflow. If it is operating as a storm overflow you must follow the steps set out in GN021 (Guidance Note on Unpermitted Storm Overflows).	28/06/2024
WQ-C1	Please confirm if there is a screen in place at the PS emergency outfall and what type of screen it is.	28/06/2024

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.

You are non-compliant with your permit.

At this time, we are issuing you with a warning for the non-compliance recorded above. Warnings may influence future enforcement response for continued or further non-compliance.

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 13 February 2024 we inspected the emergency outfall and receiving water for Llanmadoc Sewage Pumping Station. It was raining at the time of the visit and had been, on and off, for a number of days leading up to the 13th.

The outfall is quite inaccessible, being enclosed by several barbed wire fences and scrub. The location of the outfall pipe on your plans is incorrect. There was a significant amount of surface water flowing off the land over the top of the outfall. The outfall did not appear to be discharging and there was no evidence of sewage pollution in the downstream watercourse.

I have attached 2 photographs of the outfall. One taken in 2022 when it was dry and one taken on the 13 February 2024.

Although the outfall was not discharging at the time of our visit we believe, from the monitoring you have submitted to us, that it has been operating due to rainfall when it is only permitted to discharge due to a failure of the electricity supply.

This non-compliance is in contravention of Regulation 38 (2) of the Environmental Permitting (England and Wales) Regulations 2016 which states that it is an offence for a person to fail to comply with or to contravene an environmental permit condition. You have been issued with a warning for this non-compliance.

There is a process in place described in Section 5 of GN021 (Guidance Note on Unpermitted Storm Overflows) which guides you through the steps you need to take to address this non-compliance.

Action - Please confirm by the 28/06/2024 if the emergency overflow is responsive to rainfall and is operating as a storm overflow. If it is operating as a storm overflow you must follow the steps set out in GN021 (Guidance Note on Unpermitted Storm Overflows).

Condition 4viii requires the discharge to be screened.

Action - Please confirm if there is a screen in place at the PS emergency outfall and what type of screen it is.

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.