

Compliance Assessment Report CAR_NRW0043805

Permit being assessed: AA0032601

For: Maesygartha SPS and CSO, held by DWR CYMRU CYFYNGEDIG

At: Off A465, Opp entry to 'Old Trap Road', Gilwern, Abergavenny, NP7 0HA.

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

On 18/03/2024 - 20/03/2024, between 09:20 and 09:00.

Parts of permit assessed: Discharge point

NRW Lead Officer: Alastair Krzyzosiak.

Report sent to: CARS@DWRCYMRU.COM, CARS@DWRCYMRU.COM, on 28/03/2024.

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	C3 Minor	2.3.2 d - The discharge shall not be comminuted or macerated and shall have passed through screens as specified and shall not contain a significant quantity of solid matter with a particle size greater than any indicated. All screenings shall be removed from the discharge.

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	Responses required as detailed in Comments section	30/04/2024

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

Actions Required

(Re-issued to remove DCWW staff names)

Actions and questions requiring a response are set out in **Bold**.

The discharge point was visually assessed by Holly Sisley at 09:20 on 18th March 2024. The area had not experienced rain in over 24 hours. The asset was discharging with a lot of large sewage litter/debris around the outfall. There was a visible plume of sewage in the watercourse.



The site was visited at 09:00 on 19th and 20th March 2024, again by Holly Sisley. On both subsequent occasions, there was a sewage discharge occurring, with a plume in the watercourse, sewage debris in the discharge, as well as potentially sewage fungus around the outfall.



There have been a series of reports over the last couple of years of this asset discharging outside of storm conditions and sewage debris being caught up around the outfall.

On 12th December 2023, DCWW Network Manager confirmed “A 6mm screen is installed, along with a telemetry system to allow immediate notification of a failure at the asset– and this is maintained on a 1 monthly basis and our pollution technician attends weekly and if perhaps after a period of heavy rain the screen is required to be cleansed more regularly this is carried out.” On this occasion it is clear that the screen clearing frequency is not adequate. The frequency of cleaning on this asset should be increased to prevent sewage debris entering the river.

1. **Please provide details of an increased cleaning schedule.**
2. **Provide a reasonable timescale for completing your investigations into a new option for screening at this site. We will then agree a timescale for installation.**
3. **Provide a comprehensive summary of all works undertaken in relation to this asset over the previous 3 years.**
4. **Our records show that the site is listed under PR24. Please also set out in as much detail as possible, what additional works are planned for this site.**

A recent Drop Test, undertaken after various repairs (upstream lining works, air valve replacement in discharge chamber, replaced impellers, etc), demonstrated that “The permitted PFF is 18 l/s and the pumps are currently delivering 25.6 l/s per second” (DCWW Network Manager, 31st January 2024). Previous correspondence with DCWW has said that telemetry is fully operational at the site’. However, of the two data requests I made in 2022 and 2023:

- 2022 - Data requested from 22/3/2022 to 21/3/2023. 3 spill blocks from 5/4/22 to 22/3/23. 10 months data missing 6/4/22 to 10/2/23 due to comms failure.
- 2023 - Data requested from 21/3/2023 to 20/12/2023. 18 spill blocks from 21/3 to 19/10. 2 months data missing 19/10 to 20/12 due to comms failure, form says under investigation.

We need to understand what is going wrong with the telemetry at this site. The data request forms from 2022 and 2023 both say the gaps were 'due to a comms failure'. Therefore, the picture of how this asset is really operating remains unclear. It is said that DCWW have reduced the spills of the asset from 86 per year to 29 per year. But given the data gaps, I am unclear on how this figure has been arrived at.

5. **Please clarify, over what time period is this reduction in spills?**
6. **When were the 86 and 29 spills?**
7. **How was this figure arrived at in the absence of full spill data?**
8. **Please confirm, could spill data be missing due to lack of mobile signal at location (deep in gorge, surrounded by woods).**
9. **How do these monitors actually work / send data?**
10. **Is data stored on the device on site?**
11. **Can it be downloaded from site, or is it transmitted remotely**
12. **Does the 24 hour response telemetry alarm system suffer from the same blackouts as the spill data?**
13. **What system is the stated figures for reductions in spill frequency based on? EDM or emergency alarm notifications?**
14. **If DCWW are reliant on the "telemetry system to allow immediate notification of a failure", and there are large gaps in the data due to comms failure, how can DCWW be sure that the notification system is working properly?**
15. **Is the notification system also going offline during these long spells of comms failed shown on the spill data?**

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.