

## Compliance Assessment Report CAR\_NRW0043872

**Permit being assessed:** BP0054501

For: RHOSSILI WWTW PITTON SOUTH GOWER, held by DWR CYMRU CYFYNGEDIG  
At: RHOSSILI WWTW, PITTON, SOUTH GOWER, SWANSEA, .

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

On 19/03/2024, between 11:05 and 11:40.

Parts of permit assessed: Parts of Nature, Location, Sample Point, Flow.

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

**Report sent to:** CARS@dwrcymru.com, CARS Mailbox, on 05/04/2024.

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

Part of permitted activity assessed (criteria)	Assessment result	Permit condition
WQ-B1 - Water Quality - Operations - Permitted activities	Action only (X)	
WQ-B1 - Water Quality - Operations - Permitted activities	C3 Minor	Condition 1. Nature. The Discharge shall consist solely of secondary treated sewage effluent.
WQ-B2 - Water Quality - Operations - The site	C3 Minor	Condition 2(c). Location. The Discharge shall be made in the manner and at the place specified as at NGR SS4286586469

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	Make an assessment as to whether the EO needs to be retained and permitted. Apply for a permit if necessary.	28/06/2024
WQ-B1	If the EO is to be retained and it is also operating in response to rainfall, notify us of this issue in accordance with Guidance Note 021 Unpermitted Storm Overflows Section 5 and then carry out the steps described in Section 5.	26/07/2024
WQ-B2	Please investigate the blockage on the outfall and report your findings back to us. The report should include a description of where the final effluent is being discharged to.	07/06/2024

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 19/03/2024 we carried out an inspection of Rhossili Wastewater Treatment Works. It was dry at the time of the inspection but there had been rainfall in the morning and during the days before the inspection. We also inspected the final effluent coastal outfall on the 11 March during a very low tide.

Rhossili is a small rural treatment works which I believe was constructed to serve a foul only system. The works consists of 2 large septic tanks which treat the incoming flows before they are collected and pumped up to reedbeds for further treatment. The treated effluent then drains to a pumping station before being periodically pumped out to the final effluent outfall pipe from where it flows via gravity out to sea.

Screenings are removed from the influent in the septic tanks which are periodically desludged. There did not appear to be any carry over of rag into the reedbeds.

Flows are measured between the septic tanks and the reedbeds. An MCERTS inspection and certification of flow measurement was carried out in October 2023. My understanding is that this works is not at risk of failing the Dry Weather Flow conditions of the permit.

The effluent at the final effluent sample point was clear. The sampling frequency for this discharge is currently 4 times per year. In 2023 the results were well below the numeric limits of the permit. The pumping station did not operate during the inspection.

An unscreened emergency overflow was identified during the inspection. There is no Environmental Permit in place for any emergency discharges from Rhossili WwTW. If the EO is necessary to protect property from flooding in the event of a pump failure, you should apply for an Environmental Permit to legalise any emergency discharges.

In addition, my understanding is that the monitoring installed at this overflow shows it is operating during rainfall events. This may account for the rag seen at the inspection chamber on the final effluent outfall (see below). Whilst we recognise that there may be a need for an EO at Rhossili WwTW, we do not believe that the works was originally intended to include a storm overflow.

Guidance Note 021 Unpermitted Storm Overflows, lays out the steps you need to take when you become aware that an emergency overflow is responsive to rainfall and operates as a storm overflow. Please be aware that we normally refuse permit applications for

existing emergency overflows to operate as storm overflows when they were not were not originally designed as storm overflows. I believe this to be the case at Rhossili.

**Action: Make an assessment as to whether the EO needs to be retained and permitted. Apply for a permit if necessary.**

**Action: If the EO is to be retained and it is also operating in response to rainfall, notify us of this issue in accordance with Guidance Note 021 Unpermitted Storm Overflows Section 5 and then carry out the steps described in Section 5.**

During our inspection of Rhossili WwTW final effluent outfall we saw that the end of the outfall looked blocked with sand and stones. There was evidence of a previous discharge, including rag, from an inspection chamber just above the beach some 150 metres from the permitted discharge point. Whilst we did not see final effluent flowing from the chamber at the time of the visit Officers have previously seen effluent discharging from this chamber. It is possible that on the latest visit the final effluent was not being pumped to the outfall.

Any effluent discharging from this chamber would drain straight to ground as the inspection chamber appears to be sitting on an area of limestone rocks surrounded by vegetation. The aquifer in this location is designated as a Principal one. The area is also designated as a SSSI and SAC.

We believe that the final effluent is being discharge at a place other than the permitted discharge point. This is a breach of permit condition 2c) which specifies that the discharge shall be made in the manner and at the place specified as at National Grid Reference SS 42865 86469. In other words, at the end of the outfall into the sea.

**Action: Please investigate the blockage on the outfall and report your findings back to us. The report should include a description of where the final effluent is being discharged to.**

Discharging storm sewage from Rhossili WwTW is also a breach of permit condition 1 which specifies that the discharge shall consist solely of secondary treated sewage effluent.

These breaches are 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.

This CAR contains a Warning for these breaches.

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.