

Compliance Assessment Report CAR_NRW0044140

Permit being assessed: AN0308501

For: CARDIFF EAST DISTRICT LONG OUTFALL, held by DWR CYMRU CYFYNGEDIG
At: CARDIFF EAST DISTRICT, PUMPING STATION LONG OUTFALL, ROVER WAY,
CARDIFF, .

Type of assessment carried out: Audit, Reason: Incident Response (Incident number: 2302284).

On 27/03/2023.

Parts of permit assessed: Conditions 6, 7 & 11(a)(b)

NRW Lead Officer: Charlotte Rhodes.

Report sent to: DCWW CARS Mailbox, DCWW CARS Mailbox, on 30/04/2024.

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

Part of permitted activity assessed (criteria)	Assessment result	Permit condition
WQ-B2 - Water Quality - Operations - The site	Action only (X)	
WQ-C1 - Water Quality - Emissions and monitoring - Emissions to water	C3 Minor	6 (Schedule 01)
WQ-C1 - Water Quality - Emissions and monitoring - Emissions to water	Action only (X)	
WQ-B1 - Water Quality - Operations - Permitted activities	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-B2	Provide a recent update on whether further work is required at this asset or whether this incident has been closed down as finished, as we are unable to find this clarification in our records.	30/05/2024
WQ-C1	Please clarify if this pump replacement was planned or reactive? If the latter, when did the pump fail? How quickly was the replacement executed?	30/05/2024
WQ-C1	It is not referenced in the storyboard or incident info whether sewage storage was fully utilised prior to discharge in line with Condition 7 (Schedule 02) or Condition 6 (Schedule 01) – please clarify.	30/05/2024
WQ-B1	Please explain how DCWW plan to deal with future works going forward as the current method of diverting flows to the opposite chamber in the inlet shaft did not prevent	30/05/2024

Criteria	Action needed	Complete by
	unpermitted discharge in this instance.	

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.

We are currently considering taking enforcement action against you for the non-compliance recorded above. We will contact you in due course.

4. Details of our assessment

Incident details

Initial update was received on 27th March 2023 at 20:27 stating *"Telemetry trends suggest that a discharge has potentially occurred for approximately 1.5hrs from 16:15-17:45. Levels have now dropped. Due to H&S considerations, attendance to be made AM 28/03 to assess any impact. Further updates to follow."* Weather at the time was dry with light rain preceding.

An update was then received on 6th April 2023 stating *"No further issues since the work was completed but there has been discussion around the potential for further work on the other pumps. We are unsure of what is required for now but would like to keep the incident open until either we're sure no further work is needed or until we complete any further work. We will update accordingly."*

A storyboard was then received on the same day with the following summary – no photos, sample results or telemetry were included:

Cardiff inlet works needed to exchange one of the inlet pumps. Flows were Passed through the opposite chamber in the inlet shaft for the duration of the work however there was a risk that if flows were too high and the 2 pumps in the opposite shaft could not cope, flow would have to be ramped back at cardiff east cso.

An OPNOT was submitted to cover the work with the risk of having to ramp back flows to remove then install the new pump. EDM monitoring confirmed a spill of approximately 1.5-2 hours to the Severn estuary while the work was completed. Photos or evidence of impact is unavailable as the spill is via a long sea outfall. Further work at Cardiff Inlet may be required and a review will be taking place with the site supervisors to determine next steps and to understand what mitigation we could put in place to prevent a spill from Cardiff East CSO. The incident will remain open until we are either satisfied that no further work is required, or that further work is required and then completed.

Update email from DCWW Pollution Tech on 02/08/2023:

"I have spoken to the site supervisor today, and he's advised me there will be a changing round of pumps again in the future but this would be done at the same time as the regular maintenance for these pumps (two birds one stone sort of thing). We'll deal with these maintenance periods as and when they happen and

communicate them through an OPNOT

Hopefully we can carry out this maintenance during dry weather and put mitigation in place to reduce a risk of spill, but it can be difficult with these pumps due to their size, and the lead times on parts and refurbishment with the manufacturer.

I've ensured the supervisor contacts me when they plan in any such event so that we can communicate it properly."

Compliance context

Condition 6 (Schedule 01) – We require further information on this but currently consider this incident **non-compliant** with this condition since the discharge does not appear to have taken place under storm or emergency conditions.

Action: Please clarify if this pump replacement was planned or reactive? If the latter, when did the pump fail? How quickly was the replacement executed?

6. The Discharge shall only occur when, and only for as long as, **the storm sewage storage facility is fully utilised** and the rate of flow at the storm overflow weir is in excess of 2230 litres per second **due to rainfall and/or snow melt**. The storm sewage storage facility shall be emptied automatically by maintaining the pumping rate of 5000 litres per second at the Cardiff Wastewater Treatment works inlet pumping station until the water level in the pumping station sump falls below –17.58 m AOD.

Condition 7 (Schedule 02) – It is not referenced in the storyboard or incident info whether the sewage storage facility was fully utilised prior to discharge. Please clarify this - see **Actions**.

In summary, we assess that this discharge was **non-compliant** with the Long Sea Outfall permit and further information is required regarding the incident specifics. Despite this and the dry weather, this incident was categorised as Low Level at the time due to the dilution factor associated with discharging via long sea outfall.

Actions

1. Provide a recent update on whether further work is required at this asset or whether this incident has been closed down as finished, as we are unable to find this clarification in our records.
2. Please clarify if this pump replacement was planned or reactive? If the latter, when did the pump fail? How quickly was the replacement executed?
3. It is not referenced in the storyboard or incident info whether sewage storage was fully utilised prior to discharge in line with Condition 7 – please clarify.
4. Please explain how DCWW plan to deal with future works going forward as the current method of diverting flows to the opposite chamber in the inlet shaft did not prevent unpermitted discharge in this instance.

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.