

Compliance Assessment Report CAR_NRW0044881

Permit being assessed: CM0052901

For: PRESTATYN SPS MARINE RD EAST, held by DWR CYMRU CYFYNGEDIG

At: End of Marine Road East (past no 60), Prestatyn, Denbighshire, LL19 7HS.

Type of assessment carried out: Report/Data Review, Reason: Incident Response
(Incident number: 2410890).

On 25/07/2024 - 26/07/2024.

Parts of permit assessed: Emergency discharge

NRW Lead Officer: Amy Chisnell.

Report sent to: CARS Mailbox, CARS Mailbox, on 13/09/2024.

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

Part of permitted activity assessed (criteria)	Assessment result	Permit condition
WQ-C1 - Water Quality - Emissions and monitoring - Emissions to water	C3 Minor	Emergency 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	Ensure regular routine maintenance is carried out to prevent future blockages of pumps.	Already completed

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

Natural Resources Wales received an Early Warning report from DCWW on the 26th July 2024 for Llanasa Headworks SPS (Sewage Pumping Station), also known as Prestatyn SPS Marine Road East. The Early Warning notification was sent as the flows were going to the storm storage, rather than being passed forward to treatment.

The duty officer that received the report contacted DCWW's pollution technician who confirmed that data showed a total of 45 mins spill, in 15 minute intervals between 17:45 and 21:00 the previous evening, the 25th July 2024. This was caused by a partial blockage

in the pump.

A self report was submitted for these spills.

The storm tank level between 25th and 26th July is shown below.



DCWW have submitted a no impact claim, along with a storyboard for NRW to review. Following discussions with DCWW and internally, NRW have decided not to accept the no impact claim due to the following reasons:

This is because:

- The spills occurred during the bathing water season
- Based on the confidence +/- 1%, the storm tank may have been spilling to the environment more than initially anticipated and for the duration seen at the peak of the graph (approx. 3pm on the 25th of July until the blockage was cleared at around 10am on the 26th July). The graph reaches 100% on 3 occasions but on closer inspection, there are many data points during this period between 99-100%. As the EDM is set up to monitor the storm tank level and not the spill point, it cannot be determined if spills did not occur at 99%
- The storm return valve was open, allowing some of the sewage to return to wet well, to be passed forward to the treatment works or recirculated by the storm pumps back into the storm tank. There is no telemetry on the return valve to determine what volume was returned to the wet well and therefore further increasing the difficulty in determining when the asset was spilling.
- Although samples were taken from the watercourse following the clearance of the blockage, NRW believes that the time lag between the last potential discharge:

- assuming the last spill was at 21:00, was more than 12 hours later

- assuming the asset was still in spill until the blockage was cleared, was approx. 2 hours later and therefore would not have captured the impact of the spills whilst they were occurring and the plug from the spills had already travelled downstream at the time of sampling and therefore the results cannot be used to determine no impact.

DCWW have reviewed their alarm set up for the site, and have added a new SPIN alarm, level 6 Foul Pump Running + Storm Tank 75% and Rising + Llanasa SBR flow below 100 l/s for 2 hours alarms. This will facilitate faster detection and response in the future. A learning report was put together and briefed to the relevant teams.

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.