

## Compliance Assessment Report CAR\_NRW0045206

**Permit being assessed:** BP0287801

For: Storm and Emergency Overflow at Baglan Sewage Pumping Station, held by DWR CYMRU CYFYNGEDIG

At: Road through Baglan Energy Park, Off Brunel Way, Briton Ferry, Neath, SA11 2GA.

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

On 09/05/2024, between 14:00 and 15:00.

Parts of permit assessed: 1 & 2

**NRW Lead Officer:** Chris Palmer, accompanied by: Owen Caughlin, Rhys Griffiths, Rhys Griffiths.

**Report sent to:** CARS Mailbox, CARS Mailbox, on 16/09/2024.

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

Part of permitted activity assessed (criteria)	Assessment result	Permit condition
WQ-B3 - Water Quality - Operations - Operating techniques	C3 Minor	2.3.2 (b)
WQ-B3 - Water Quality - Operations - Operating techniques	Action only (X)	
WQ-A1 - Water Quality - Management - General management	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-B3	Return storm tank blowers/aerators to full service before the 2025 Bathing Water season	01/03/2025
WQ-B3	Please provide update on planned installation of permanent standby generators	04/10/2024
WQ-A1	Please confirm if an OPNOT was issued for LSO pumps and when it will be returned to operation	04/10/2024

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

This inspection of Baglan SPS was undertaken as part of our pre bathing water season compliance programme.

Permit version in effect - 31/05/2023

### Inlet Works

No non compliances noted at the inlet works, flows were entering from all 3 inlets at the time of inspection. It is noted, however, the high level letterbox outlets for Point of Discharge 2 are unscreened. We do not consider it acceptable to have such a large asset with an unscreened discharge in such close proximity to designated bathing waters. As such this is an issue we intend to pursue. We would welcome your views on this matter and any feasibility studies you may have already undertaken.

### Screens

The storm tank screens were clear and functional at the time of inspection.

### Storm tanks

The storm tanks were not filling at the time of inspection. However, it was noted an extensive layer of sludge had built up throughout the base of the tanks. We were informed that 3 out of 4 aerators were not functioning. This issue has been noted at two previous inspections and highlighted for action on the subsequent CAR forms (CAR\_NRW0039957 & CAR\_NRW0042242). We have also been informed that this should have been carried out prior to the 2023 BW season.

**Non Compliance - 2.3.2 (b) - (b)** *Off-line storm storage must be fully utilised before a discharge occurs. It shall only fill when the flow passed forward is equal to or greater than the overflow setting indicated due to rainfall and/or snow melt and shall be emptied and its contents returned to the continuation flow as soon as reasonably practicable. The minimum off-line storm storage required is specified in table S3.3*

**ACTION:** Return storm tank blowers/aerators to full service before the 2025 Bathing Water season - **1 March 2025**. Should this not be resolved we will look to our enforcement policy to escalate our response.

### Standby provision

An arrangement of standby generators (on hire) and associated fuel cubes and wiring had been installed in order to satisfy permit condition to provide Standby power. This arrangements satisfies actions raised at previous inspections (CAR\_NRW0039957 & CAR\_NRW0042242). However, it is noted that these are on hire until permanent generators are installed. We have been informed this is scheduled for November 2024 but is subject to change

**ACTION:** Please provide update on planned installation of permanent standby generators - **4 October 2024**.

Observations

Poor housekeeping - Litter and rag debris was noted across the site in varying quantities

Storm pumps - 3 on hire - 1 owned

LSO pumps - One LSO pump has been taken out of service and will not be replaced. One further pump was out for service.

**ACTION:** Please confirm if an OPNOT was issued for this work and when it will be returned to operation - **4 October 2024.**

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.