

## Compliance Assessment Report CAR\_NRW0045919

**Permit being assessed:** BP0282301

For: Settled Storm and Emergency Overflow at Picton Place SPS, held by DWR CYMRU CYFYNGEDIG

At: County Hall Car Park, Freemans Way, Pembrokeshire, SA61 1UG.

**Type of assessment carried out:** Audit, Reason: Other.

On 03/01/2025.

Parts of permit assessed: S1.1 A1

**NRW Lead Officer:** Rod Thomas.

**Report sent to:** CARS mailbox, CARS@dwrwymru.com, on 06/01/2025.

### 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	Assessed (A)	

Result types are explained in more detail in the 'Important Information' section below.

### 2. What action is required?

No action required.

### 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

**Email received from DCWW 3 January 2025**

Apologies it has taken a while to respond to the further 4 questions asked in CAR\_NRW0044548 for Picton SPS & Picton Fields CSO, we had to liaise with a number of teams to ensure we had the right information.

Please find the details below regarding **Picton PS & Picton Fields CSO** and **CAR\_NRW0044548**. We have marked these actions as closed in our records, but we

require your review of the response to confirm whether it can be formally closed. Please can you review the information and confirm at your earliest convenience if the closure is acceptable, or if further action is needed.

**Action 1: Why was the tank designed in such a way as to make cleaning extremely difficult.**

The tank was constructed in 2000 by DCWW Capital Partners. Following commissioning and handover of the scheme, it became apparent that the design did not consider DCWW's confined space entry protocol. Following handover, this asset was classified as a high risk confined space and presented significant challenges in DCWW's ability to complete the cleaning task safely.

As this is a high risk confined space entry, complex and hazardous evacuation techniques are required. The presence of Hydrogen Sulphide (H<sub>2</sub>S) gas, indicated by triggered alarms during cleaning quotations, further complicates the process.

**Action 2: When was the tank last cleaned**

The last clean was completed in 2015. The permitted volume of the storm tank is 950m<sup>3</sup>, during the clean, the actual storm tank capacity was measured at 1080m<sup>3</sup>. The volume of grit extracted was 90m<sup>3</sup> and the volume of sludge extracted was 20m<sup>3</sup>. Therefore, this confirmed that there was 130m<sup>3</sup> of capacity above the permitted volume in the Storm Tank.

**Action 3: What is the scheduled cleaning frequency for this tank**

There is no designated cleaning frequency for this tank. The tank is cleaned on an as-need basis, depending on operational requirements and conditions.

**Action 4: Why hasn't the tank been fitted with a measurement system to measure any build-up of silt?**

Currently, we do not have the technology to continuously measure the levels of silt build-up in the tank. DCWW are exploring the potential to periodically survey the silt levels via drone, using bathymetric survey technology to determine when cleaning is required. This will eliminate the need to make a confined space entry to assess storage capacity. While we do have methods of monitoring silt levels using sludge judges and visual inspections, these methods are not accurate enough for the scale and depth of the Picton SPS storm tank.

NRW comment 6 January 2025

This CAR Form only looks at condition S1.1 A1 which requires the storm tank to be 950m<sup>3</sup>.

For this condition, we can consider the CAR form closed.

Based on the information provided above, the tank capacity exceeds that required by the permit and even if grit and sludge deposition is factored in, available volume at the time was just over 950m<sup>3</sup>.

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.