

## Compliance Assessment Report CAR\_NRW0046000

**Permit being assessed:** BP0283401

For: Settled Storm and Emergency Overflow at Bow Street SPS, held by DWR CYMRU CYFYNGEDIG

At: Off A487, Bow Street, Ceredigion, SY23 3BJ.

**Type of assessment carried out:** Check Monitoring/Sampling, Reason: Incident Response (Incident number: 2406197).

On 04/05/2024.

Parts of permit assessed: 2.1.1

**NRW Lead Officer:** Bethan Lewis.

**Report sent to:** CARS mailbox, CARS mailbox, on 23/01/2025.

### 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	C3 Minor	2.1.1

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	Clear fallen tree from the outfall of Bow Street SPS and confirm next steps in relation to the Bow Street rising main.	07/03/2025

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 04 May 2024, Natural Resources Wales (NRW) received an OPNOT (ref: 040524094) and self-reporting WATPOL (SAP ref: 316918894) from Dŵr Cymru Welsh Water (DCWW)

following a burst rising main near Bow Street, Ceredigion on the 03 May 2024 at National Grid Reference SN 62084 83311. The rising main was repaired on the 04 May 2024 and subsequently recharged. Whilst recharging the main, a further burst occurred near the location of the first. Neither burst caused sewage to enter a watercourse; however, during the repair of the second burst on the 04 May 2024, a discharge occurred from Bow Street Sewage Pumping Station (SPS) (permit number: BP0283401) into the Bow Street Brook for 2 hours and 15 minutes. Bow Street Brook was in spate at the time of the discharge, therefore photographs provided by DCWW do not show a visual impact on the watercourse. Samples collected by DCWW at the point of entry of the discharge and 10 metres downstream had ammonia concentrations of 0.3mg/l and 1.89mg/l respectively. An ammonia concentration of 1.89mg/l is representative of poor (or at best moderate) water quality under Water Framework Directive (WFD) standards. Due to a fallen tree across the outfall of the SPS, no photographs or samples were collected from the Bow Street Brook upstream of the discharge at the time of the incident.

Numerous bursts have occurred on the Bow Street rising main since at least August 2022. Between January and April 2024 alone, NRW were notified of at least 8 bursts on the rising main. In a document received by NRW on the 13 September 2024, DCWW stated that "*the pipework is in poor condition with numerous pinholes found, resulting in numerous bursts*". Due to the repeated nature of the bursts and poor condition of the pipework, NRW argue that the bursts that occurred on the 03 and 04 May 2024 were anticipated and foreseeable.

Condition 2.1.1 of Bow Street SPS permit states that the only activities authorised by the permit are discharges of storm sewage (activity reference A1) and sewage in an emergency (activity reference A2). The discharge into the Bow Street Brook on the 04 May 2024 cannot be considered to have been a discharge of storm sewage as it did not occur due to rainfall and/or snowmelt but due to the isolation of the rising main for the repair of a burst. Whilst NRW has previously accepted that discharges from Bow Street SPS following a burst on the rising main would fall under activity reference A2, in a letter issued to DCWW on the 02 April 2024, NRW stated that "*going forward ... any similar incidents at this location will now be foreseeable and the subsequent spills at Bow Street SPS will not be covered under the emergency condition 2.1.1. Schedule 1 Table S.1.1, activity reference A2*". For this reason, the discharge from Bow Street SPS on the 04 May 2024 is considered to have been a breach of condition 2.1.1. A category 3 non-compliance has therefore been recorded above, which represents a non-compliance that has the potential to have a minor or minimal impact or effect on the environment, people and/or property.

In response to the above non-compliance, NRW ask DCWW to clear the fallen tree from the outfall of Bow Street SPS (if not already done so), and confirm next steps in relation to the Bow Street rising main. NRW ask for a response from DCWW by no later than the **07 March 2025**.

*In this document 'Natural Resources Wales' means the Natural Resources Body for Wales established by Article 3 of the Natural Resources Body for Wales (Establishment) order 2012.*

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.