

Compliance Assessment Report CAR_NRW0046249

Permit being assessed: AN0243001

For: CSO and EO at Kymin Pumping Station, held by DWR CYMRU CYFYNGEDIG

At: Opposite Alexandra Court, The Esplanade, Penarth, CF64 3LA.

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

On 11/02/2025, between 10:00 and 10:30.

Parts of permit assessed: All

NRW Lead Officer: Harry Warburton, accompanied by: Hannah Jenkins, Alexander Grainger.

Report sent to: CARS, CARS, on 04/03/2025.

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	Action only (X)	
WQ-D3 - Water Quality - Information - Notifications	C3 Minor	4.3.1 Natural Resources Wales shall be notified as soon as reasonably practicable following detection, within the site of the regulated facility of any malfunction, breakdown or failure of equipment or techniques, accident, or emission of a substance not controlled by an emission limit which has caused, is causing or may cause significant pollution."

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	Ensure the screen gearbox is repaired and functional prior to the start of the bathing season.	05/05/2025
WQ-D3	Issue an OPNOT with the relevant timeframes for the faulty gearbox.	14/04/2025

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.

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

Compliance inspection undertaken by Environment Officers Harry Warburton, Hannah Jenkins and Alexander Grainger. Accompanied by Dwr Cymru operators to inspect permit AN0243001 for Kymin pumping station. Weather at the time was dry.

At the time of the initial inspection on 11/02/2025 the covers could not be lifted to inspect the screens or wet well due to the covers requiring a lift machine to do so. The site was due for maintenance on 18/02/2025 so the screen and wet well was inspected at this time.

On the 18th of February the wet well chamber was lifted since it was undergoing its annual pre bathing maintenance, this involved cleaning the wet well and maintaining the screen.

On site we were informed that the mechanical screen gearbox was not functional and had not been since May. Due to this the screen would have been acting as a static screen and be easily blinded, particularly since the screen cannot be maintained easily due to the heavy covers and yearly maintenance. NRW did not receive an OPNOT for the gearbox being out of action. We should have received an OPNOT for this occurrence, particularly since it occurred over the bathing season and 9 months before this inspection with it still not being resolved.

A similar discussion was had at Penarth Head SPS for the same issue in which an OPNOT was not received. Moving forward NRW would like to receive OPNOTs for these sorts of issues, particularly in relation to the screens and bathing water assets.

This falls under permit condition 4.3.1:

"Natural Resources Wales shall be notified as soon as reasonably practicable following detection, within the site of the regulated facility of any malfunction, breakdown or failure of equipment or techniques, accident, or emission of a substance not controlled by an emission limit which has caused, is causing or may cause significant pollution."

Action:

- Ensure the screen gearbox is repaired and functional prior to the start of the bathing season.
- Issue an OPNOT with the relevant timeframes for the faulty gearbox.

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.