

Compliance Assessment Report CAR_NRW0043283

Permit being assessed: AB0067102

For: Settled Storm Tank at Nash Waste Water Treatment Works, held by DWR CYMRU CYFYNGEDIG

At: Off West Nash Rd, Nash, Newport, NP18 2BZ.

Type of assessment carried out: Site Inspection, Reason: Incident Response (Incident number: 2309685).

On 15/12/2023, between 14:10 and 15:45.

Parts of permit assessed: Operating techniques

NRW Lead Officer: Elis Nuttall.

Report sent to: John Bowd, Catchment Manager, on 28/05/2025.

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	C2 Significant	PERMIT CONDITION 2.3.1(c) – Utilisation of storm storage

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	Identify and inform Natural Resources Wales why the On-line storm storage was not fully utilised prior to discharging untreated effluent to the River Usk.	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.

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

This report details the site visit made on the 15/12/2023 to Nash Wastewater Treatment Works operated by Dwr Cymru Welsh Water. This was in response to WIRS 2309685. The incident reported was of an inlet penstock failure into main inlet works which resulted in the

storm tanks being utilised and a discharge into the environment. This site has an active permit which is AB0067102.

Site Visit Report

I (NRW Officer Elis Nuttall) attended Nash Wastewater Treatment Works (Off West Nash Rd, Nash, Newport, NP18 2BZ) on 15/12/2023 at 14:10 in response to Incident Report WIRS 2309685 of an EPR related offence. The weather was dry, cold and clear at the time of the visit but heavy rain had been experienced in the days preceding the visit. I arrived on site and met with the Operational Supervisor to inspect the site and respond to the incident as it is a regulated facility.

The Operational Supervisor informed me that the inlet flow meter on site developed an unknown fault at ~13:30-14:00 on the 14/12/2023 and flows went high when it failed. The flow head was replaced at ~09:00 on 15/12/2023 with the discharge coming to an end at ~11:00 on 15/12/2023. The timings provided were estimated by Dwr Cymru. No information was provided on the volume of effluent discharged or quality. All 4 storm tanks were in operation at the time of the incident.

After speaking to the Operational Supervisor we proceeded to the consented discharge point for both final effluent (this has a separate permit) and storm discharges. On arrival to the outfall discharge points at 14:25 at ST3345284118 the watercourse at this location discharges to St Julian's Reen, then the River Usk. It was low tide at the time of the visit. High flows were observed from the Final Effluent outfall, with a very low flow exiting the storm discharge point. No evidence of crude sewage was discharging at the time of the visit. Photos were taken as evidence and are seen in Figures 1 and 2 below.



Figure 1 - Site visit photo: Observed conditions at the outfall to the river Usk at the time of the visit. High flows observed from final effluent outfall.



Figure 2 – Site visit photo: Conditions observed downstream of the outfall to the River Usk at the time of the visit.

I inspected the storm tanks at 14:36 and it was clear that tanks 1 and 2 were holding water as seen in Figures 3 and 4 respectively, although exact quantity was unknown, despite not being under storm conditions.



Figure 3 – Site visit photo: Storm Tank 1 as observed at the time of the visit.

Figure 4– Site visit photo: Storm Tank 2 as observed at the time of the visit.

Tanks 3 and 4 were holding water but significantly less than tanks 1 and 2 as seen in Figures 5 and 6. The solids layer at the base of tanks 3 and 4 were visible at the time of the visit.



Figure 5 – Site visit photo: Storm Tank 3 as observed at the time of the visit.



Figure 6 – Site visit photo: Storm Tank 4 as observed at the time of the visit.



Figure 7 – Site visit photo: The weir no longer discharging at the time of the visit.

The flow level control infrastructure was checked at 14:43. It was noted by site operators that prior to this visit the site had never had an issue with the system; checks and maintenance plans are in place, of which details can be passed to NRW. Records of maintenance are also kept and can be requested. The new flow control unit was observed to be in place at 14:50. The weir on site was no longer discharging to storm tanks as seen in Figure 7.

I held a final discussion with the Operational Supervisor prior to leaving site. The Operational Supervisor noted DCWW's response to the fault was to replace the flow control meter and open the Penstock to send effluent back to treatment whilst the unit was being replaced. The OPNOT 316698546 was submitted to reflect this. The Operational Supervisor noted their intentions to keep this OPNOT open until the 18/12/23 as a precaution. I advised that it should be closed and a new OPNOT should be submitted if there are any new issues and any further discharges to the environment need to be self-reported.

I left site at 15:50.

Breaches of permit condition:

Below are the permit breaches that were identified during the site inspection.

1. PERMIT CONDITION 2.3.1(c) – Utilisation of storm storage

On-line storm storage must be fully utilised before a discharge occurs. It shall only fill with the excess flows due to rainfall and/or snow melt. The storage shall be emptied and its contents returned to the continuation flow as soon as reasonably practicable. The minimum on-line storm storage required is specified in table S3.3.

Justification: Storm tanks were operational outside of rainfall event and Pass Forward Flow (PFF) was not achieved.

Action required by dates specified:

1. Replace all malfunctioning components of the monitoring system and inform Natural Resources Wales once this has been completed.

Deadline: Completed

2. Identify and inform Natural Resources Wales why the On-line storm storage was not fully utilised prior to discharging untreated effluent to the River Usk.

Deadline: Completed

3. Inform NRW of the quantity of untreated effluent discharged to the River Usk due to the malfunction.

Deadline: 21/06/2025

4. Investigate why the inlet flow control meter failed and produce a report for NRW's benefit.

Deadline: 21/06/2025

5. Provide copies of checks and maintenance plans for the flow control infrastructure.

Deadline: 21/06/2025

6. Confirm the current status of flow control on the inlets and confirm if the storm flow meters have been replaced.

Deadline: 21/06/2025

If we do not receive the information requested within specified deadline and have not been informed as to why there is a delay then we may serve a Regulation 60 Notice requiring the information under Environmental Permitting (England and Wales) Regulations 2016.

Contact details:

If you have any queries regarding this CAR form or to provide an update on any actions above, please contact me using the following details: Elis Nuttall, Environment Officer, elis.nuttall@naturalresourceswales.gov.uk

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.