

Compliance Assessment Report CAR_NRW0043841

Permit being assessed: BP0298901

For: Llysworney SPS, held by DWR CYMRU CYFYNGEDIG

At: Nr Moat Farm, Llysworney, Cowbridge, CF71 7NQ.

Type of assessment carried out: Audit, Reason: Incident Response (Incident number: 2402451).

On 18/02/2024.

Parts of permit assessed: Conditions 2.3.2(a)(ii)

NRW Lead Officer: Charlotte Rhodes.

Report sent to: DCWW CARS Mailbox, DCWW CARS Mailbox, on 19/04/2024.

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(a)(ii)
WQ-B3 - Water Quality - Operations - Operating techniques	C3 Minor	2.3.2(a)(ii)

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	Provide email updates on the progress of communications with the Council regarding the blocked culvert, including any post-completion inspection information.	20/05/2024
WQ-B3	Investigate the further upstream infiltration identified and provide email updates on expected completion/correction.	20/05/2024

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

On 18th February 2024 an incident self-report via WATPOL was received by NRW regarding a discharge of sewage matter from Llysworney Sewage Pumping Station, WIRS reference 2402451. Weather at the time of the incident was heavy rain and for at least the week previous (prolonged wet weather throughout this winter). This is based on data from the nearest rainfall gauge located at Cowbridge Wastewater Treatment Works which is within this same catchment.

The report stated: *“High water levels in the surrounding area causing DCWW foul line to hydraulically overload this is due to gross infiltration this is causing Llysworney SPS to discharge via the emergency overflow”*. This therefore demonstrates **non-compliance** with the below condition, in that infiltration into the foul sewer network is not considered within the definitions of “rainfall and/or snow melt” to justify emergency discharge to watercourse, and is an issue arising from poor network maintenance.

Condition 2.3.2(a)(ii) - the hydraulic capacity of the sewer network downstream of the combined sewer overflow is reached due to rainfall and/or snow melt and the level of storm sewage in the sewer at the combined sewer overflow is greater than the weir level of the overflow structure which is specified as an overflow setting in table S3.3.

A further and final WATPOL update stated: *“Investigations have been carried out in the Llysworney catchment and we have found a significant volume of surface water entering the network in the region of NGR SS 99610 73680. We have found a broken culvert at the top of this lane which is causing very high ground water saturation and the pressure [is] pushing surface water into our network. The council have been informed of this but we have yet to hear back. We will be carrying out work on our sewer in the area to try and protect it from ground water infiltration, this is due to be carried out in the next few months but no confirmed date yet”*.

A Storyboard for this incident was then received on 06/03/2024, which included the ammonia readings taken on site by DCWW on 18/02/2024 (table below) and photos showing Stembridge Brook in high flows, overtopping its banks, and minimal visual impact at the outfall.

Sample taken	Location	Result
Ammonia Parts Per Million	Upstream 5m	0.00
Ammonia Parts Per Million	Outfall	0.83
Ammonia Parts Per Million	Downstream 20m	0.23



Left: Stembridge brook breaking its banks; Right: blocked culvert found at NGR SS 96576 73715

In its conclusion gross infiltration was identified as the cause for recent repeated incidents as well as long drain-down time during dry weather, however it is only during this specific incident that high-volume sources of infiltration were discovered. *“A site investigation found that there is a large volume of infiltration on the network at the top of the catchment ... The primary cause of this seems to be a failed culvert which is saturating the surrounding ground and causing increased ground water pressure which inevitably enters our network. The council have been informed of this issue but we have yet to get a response. To combat this infiltration, we will be carrying out remedial work on the manholes in the area and on the sewer network to try to protect the sewer from this ground water.”*

Other recent CARs for incidents at this asset, which took place in December 2023 and January 2024 (CAR_NRW0043826 and CAR_NRW0043840 respectively), noted non-compliances regarding monitoring data and screening of discharge and have outstanding relevant actions which will not be repeated in this report. Although there was little evidence of rag and debris at the outfall and a high volume input was discovered on this occasion, we do not believe this to be solely responsible given the wider context of persistent groundwater infiltration affecting this asset/catchment and thus include a written **Warning**.

Going forward, in addition to the actions raised in the aforementioned associated CARs being adhered to, the sources identified during this investigation must be rectified to reduce the impact of infiltration on this network. Actions to do so are as follows:

Actions:

1. Provide email updates on the progress of communications with the Council regarding the blocked culvert, including any post-completion inspection information.
2. Investigate and resolve the further upstream infiltration identified.

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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.