

Compliance Assessment Report CAR_NRW0046372

Permit being assessed: AN0225001

For: Whitebridge PS Peterston Super Ely, held by DWR CYMRU CYFYNGEDIG
At: Wyndham Park Way, Peterstone Super Ely, Vale of Glamorgan, CF5 6LF.

Type of assessment carried out: Report/Data Review, Reason: Incident Response
(Incident number: 2501403).

On 19/02/2025.

Parts of permit assessed: Relevant conditions

NRW Lead Officer: Charlotte Rhodes.

Report sent to: DCWW CARS Mailbox, DCWW CARS Mailbox, on 21/03/2025.

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-A1 - Water Quality - Management - General management	Action only (X)	
WQ-B3 - Water Quality - Operations - Operating techniques	Action only (X)	

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	Please provide the data requested by Weds 12th March 2025.	23/04/2025
WQ-A1	Confirm if there are any known issues in this catchment which might be putting pressure on the storm system e.g. infiltration and if so, what planned work is there to address this?	23/04/2025
WQ-B3	Please confirm that there was indeed a storage capacity of 27.3m ³ at the STW before the rainfall event, and evidence this.	23/04/2025

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

On 5th February 2025 an incident report was received, WIRS 2501403, concerning discharge from Whitebridge SPS in Peterson Super Ely, permit reference **AN0225001**.

It was reported that the permitted asset was discharging into the River Ely at 8:24am on 6th January 2025, during which time there was reportedly “no rainfall and limited rainfall the previous day”, and that there was a notable odour and visible impact upon entering the river. It was also mentioned that there was 27.3m³ of storage available at the Sewage Treatment Works (STW), before the rainfall event – **please see actions**.

Data from the nearest rainfall gauge at St Fagans shows that there had been consistent light rain recorded between 4th and 6th January, with a few heavier peaks up to 4.8mm including one the evening before the witnessed discharge between 8-9pm, then ceasing by 5am on the day in question.

The nearest river level data also shows a marked increase in flow between 5th and 7th January, reaching its peak around 8am on the 6th, around 2.36m compared with 0.5m prior. This is consistent with the rainfall data observed.

Despite this, in order to fully assess compliance with the permitted conditions for this asset we request the following data be submitted:

For the period 31st Dec 2024 - 7th January 2025;

1. Pass Forward Flow in l/s
2. Storm tank levels in metres
3. EDM spill data during this period

Additionally, the following query was not responded to in the previous report CAR_NRW0043099:

We wish to understand if there are any known issues in this catchment which might be putting pressure on the storm system e.g. infiltration and if so, what planned work is there to address this?

Please confirm that there was indeed a storage capacity of 27.3m³ at the STW before the rainfall event, and evidence this.

Please provide the data requested and respond to the actions listed above by **Wednesday 23rd April 2025**.

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.