

Compliance Assessment Report CAR_NRW0049277

Permit being assessed: BP0237405

For: CSO 11, Adjacent to Junction of Mumbles Rd, held by DWR CYMRU CYFYNGEDIG

At: Outside No. 48 Norton Road, Mumbles, Swansea, SA3 5TQ.

Type of assessment carried out: Report/Data Review, Reason: Routine.

On 02/09/2025.

Parts of permit assessed: 3.1 Emissions to Water

NRW Lead Officer: Sarah Bennett.

Report sent to: CARS@dwrcymru.com, CARS Mailbox, on 02/09/2025.

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	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-C1	Please complete the Stage 2 Full Investigation Proposal (FIP) by the 30 May 2026 and provide us with a detailed Stage 3 Trigger Exceedance Reasons Report (TERR) by the 31 July 2026.	31/07/2026

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.

At this time, we do not intend to take any further action.

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

The purpose of this report is to:

- assess compliance with conditions relating to Event Duration Monitoring
- record our comments and approval of full investigation proposal
- give advice on compliance going forward.

Following a Spill Trigger Exceedance on the 12 June 2025 you sent us a Stage 2 Full Investigation Proposal (FIP) on the 21 August 2025.

Whilst you submitted the FIP within the 3 months required by permit condition 3.1.2 (b) the proposal includes work that was supposed to have been completed as part of the previously agreed FIP submitted to us on the 2 November 2023.

The 2023 FIP explained that root cutting and a CCTV had already been carried out. It was suspected that hydraulic overload was causing the trigger exceedances and modelling was proposed to determine if the FPF was correct and to confirm hydraulic overload. The FIP said that the work would be carried out by 1 May 2024 which we agreed to.

Unless the modelling proposed in the 2023 FIP was carried out, but more complex modelling is still required, the information I have suggests that the approved FIP was not completed. It is likely that the failure to carry out the work agreed in the 2023 FIP is a breach of condition 3.1.2 c) which requires the investigation proposal to be implemented.

If the reality is that it has not been possible to complete an agreed FIP or the investigation has brought up unexpected issues and has had to change direction, this should be explained in any reports submitted so we can take it into consideration when deciding whether to approve a repeat FIP.

Not implementing a FIP and then submitting another one further down the line without an explanation of why the agreed work wasn't completed in the first place is not something I would want to see repeated in the future.

Despite the modelling not been completed, I know that work has been ongoing with onsite investigations and monitor replacement. It would appear that DCWW is finding it difficult to implement the more complex work proposed in earlier FIPs, possibly due to unrealistic/untimely proposals or issues with securing modelling services. For this reason I am prepared to accept the 2025 FIP.

The 2025 Full Investigation Proposal includes the following tasks to be completed by May 30 2026:

1. Modelling assessment of asset and surrounding networks. Purpose - asset modelled to confirmed root cause as hydraulic overload.

Your report also suggests that detailed root cause analysis, optioneering and solution development is already being carried out.

I approve the submitted investigation proposal. Please complete the Stage 2 Full Investigation Proposal (FIP) by the 30 May 2026 and provide us with a detailed Stage 3 Trigger Exceedance Reasons Report (TERR) by the 31 July 2026.

Once the 2025 FIP is completed we would expect you to have enough information to move onto Stage 4 in the process of reducing spill numbers and submit a Spill Reduction Plan (SRP) to NRW with timeframes as required by condition 3.1.2(c) of your permit.

Thank you.

End

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.