

Compliance Assessment Report CAR_NRW0049271

Permit being assessed: BP0315201

For: Ben Hughes Foundry CSO, held by DWR CYMRU CYFYNGEDIG

At: Nr 5 Bwlch Road, Loughor, Swansea, SA4 6SA.

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	C4 No impact	3.1.2 (b) provide a reason for the Trigger Exceedance and a description of any remedial action undertaken or proposed. Where the reason/s for the Trigger Exceedance cannot be identified within the 3 months of the Trigger Exceedance the operator must provide a proposal with timeframes for a full investigation to be carried out to identify the reason/s for the Trigger Exceedance for approval by Natural Resources Wales
WQ-C1 - Water Quality - Emissions and monitoring - Emissions to water	Assessed (A)	
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 try to submit any future reports within the required 3-	Already

Criteria	Action needed	Complete by
	month period.	completed
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 and record compliance with conditions relating to Event Duration Monitoring**
- **record our comments and approval of the proposed full investigation**
- **review previous CAR actions**
- **give advice on compliance going forward.**

Condition 3.1.2 (b) requires you to provide a reason for a Trigger Exceedance and a description of any remedial action undertaken or proposed. Where the reason/s for the Trigger Exceedance cannot be identified within the 3 months of the Trigger Exceedance you must provide a proposal with timeframes for a full investigation to be carried out to identify the reason/s for the Trigger Exceedance for approval by Natural Resources Wales.

We received your Investigation Proposal on the 20 August 2025 when it should have been sent to us by the 15 July 2025. This means you not compliant with the requirement in Condition 3.1.2 (b) to submit the proposal within 3 months. A C4 breach has been recorded for this non-compliance.

This breach is in contravention of Regulation 38 (2) of the Environmental Permitting (England and Wales) Regulations 2016 which states that it is an offence for a person to fail to comply with or to contravene an environmental permit condition.

Please try to submit any future reports within the required 3-month period. This advice and guidance is given formally.

Following a Trigger Exceedance in 2023 a previous Full Investigation Proposal (FIP) was submitted to us for our approval as you were unable to determine, at that point in time, what had caused the exceedance. You suspected that it was likely to be attributed to hydraulic overload of the sewerage system, coupled with operational maintenance issues, however, further investigation was required to confirm if this was the case.

You had already carried out CCTV investigations of the downstream network to check for any obstructions that may be impeding FPF through the CSO. No obstructions were identified, but a survey of the tanks and flow control could not take place, as you were unable to gain safe access to the asset.

Your initial investigation proposal was to acquire formal land entry to facilitate access to the assets for inspection, survey and to undertake any maintenance work that may be identified.

Normally we would expect a full investigation proposal to include all the foreseeable tasks necessary to either

- resolve the issues causing a trigger exceedance or
- find a reason for the trigger exceedance that allows you to move onto developing a solution and implementing it

However, due to the access issues which had inhibited maintenance at this CSO we agreed to a proposal which investigated the asset only and not the wider catchment. A completion date of the 31 June 2024 was agreed.

On the 20 August 2025 we received a report from you which details the investigation so far, any conclusions you have come to and a proposal for more investigations into detailed route cause analysis in order that you can move forward with optioneering and solution development.

You have completed the investigations proposed in 2023 and 2024. You thought the Alpheus flow control unit was defective and potentially restricting flows, so it was removed and replaced with a new split orifice flow control unit. This work was completed in March 2025 however the CSO is still spilling too frequently which suggests hydraulic overload of the system. The storm storage tank was inspected and cleaned prior to the 2025 exceedance.

You have informed us that a detailed root cause cannot be determined at this stage, however it is likely to be infiltration in the pipe network along with connection of impermeable areas such as roof and yard areas from properties in the catchment.

I believe that, with respect to the 2023 FIP, you have complied with Condition 3.1.2 (c) of the permit which requires you to implement the proposal as approved by NRW and to provide a report identifying the reason/s for the Trigger Exceedance.

You have submitted a follow up investigation proposal for our approval. The 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.
2. Undertake CCTV investigations upstream to identify any water ingress. Purpose - to identify any flow removal opportunities that may contribute to spill frequency.

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.