

## Compliance Assessment Report CAR\_NRW0049761

**Permit being assessed:** DB3495CT

For: Microsoft, held by John Paul Construction

At: Celtic Way, Duffryn, Coedkernew, Newport, Newport, NP10 8FS.

**Type of assessment carried out:** Site Inspection, Reason: Routine.

On 21/10/2025, between 10:02 and 12:16.

Parts of permit assessed: Site operations and infrastructure

**NRW Lead Officer:** Elis Nuttall.

**Report sent to:** Jackson Turmel, EHS Lead, on 04/11/2025.

### 1. Summary of our findings (full details in section 4)

Part of permitted activity assessed (criteria)	Assessment result	Permit condition
WQ-D1 - Water Quality - Information - Records	Action only (X)	
WQ-A1 - Water Quality - Management - General management	Action only (X)	
WQ-B3 - Water Quality - Operations - Operating techniques	Action only (X)	
WQ-B1 - Water Quality - Operations - Permitted activities	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-D1	Provide an example of flow rate and discharge volume data as evidence of compliance.	18/11/2025
WQ-A1	Provide copies of the SWMP, MS and CEMP for NRW's record management purposes.	18/11/2025
WQ-B3	Remove the piece of timber observed within the effluent sample point chamber.	18/11/2025
WQ-B1	Confirm the frequency of the treatment system's use since it was installed (rainfall dependant).	18/11/2025
WQ-B3	Provide an example of maintenance records for the treatment system as evidence of appropriate management.	18/11/2025

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.

#### **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

#### **Site Visit Report**

This report details the site visit made by Natural Resources Wales (NRW) on the 21/10/2025 to John Paul Construction Limited's Site (Microsoft), permit reference number EPR-DB3495CT.

I (NRW Environment Officer Elis Nuttall) attended John Paul Construction Limited's Site at Celtic Way, Duffryn, Coedkernew, NP10 8FS at 10:02 for a water quality permit compliance inspection where I met with the EHS Lead (JT). The weather was clear, dry and overcast at the time of the visit.

#### **General Observations**

The site is a new data centre being built at the existing Microsoft site in Newport. The permit regulates a discharge of treated site drainage which is rainfall dependant. The treatment system comprises swales, settlement ponds and a Siltbuster which discharge into an unnamed reeN leading to Percoed Reen (at ST 27834 83882) at the greenfield runoff rate. An effluent sample point is located at ST 27876 83937.

Polyaluminium chloride may be added to the discharge as a flocculant. The discharge will only occur when the maximum volume of discharge to the foul sewer via a DCWW trade effluent consent is reached.

The following limits are set to ensure the discharge causes no detrimental or adverse environmental impacts:

- Maximum daily discharge volume: 1000 m<sup>3</sup>
- Maximum rate of discharge: 46.5 litres per second
- Suspended solids: 50 mg/l
- pH: 6 to 9
- Total Aluminium as Al: 1000 ug/l
- Visible oil or grease: No significant trace

The discharge is temporary until mid-2026.

#### **Initial Discussion**

As this was the first compliance inspection of this site, I began the visit by discussing the

site in general as pertaining to the requirements of the permit with JT. It was noted that while the permit is temporary until mid-2026 there may be a requirement to extend this if construction timelines are not met, but it was stressed that hopefully this will not be the case. I have actioned myself to follow up with JT in six months (May 2026) to discuss whether an extension is needed. I have also queried the requirements of an extension with NRW's permitting team which will be shared with JT.

JT then gave me an overview of site operations, progress and environmental management. From the evidence provided it is clear that good internal environmental and sustainability work is a significant priority for the client (Microsoft). It was also confirmed that the trade effluent is only discharged via this permitted infrastructure when the maximum discharge to foul (DCWW trade effluent consent) is reached. A record of discharge and treatment usage was seen, with a note that flow rates are also recorded. Records of flow rate were not available at the time of the visit so an action has been set to provide an example dataset as evidence of compliance. This is outlined in the actions list below.

I observed digital copies of the Surface Water management Plan (SWMP), Management System (MS) and Construction Environmental Management Plan (CEMP), all of which were comprehensive and appeared appropriate for the ongoing operations on site. While it was stated the SWMP has been updated recently, 95% is the same as approved by NCC planning with only minor changes to on-site water management. All off site discharges (including discharge and sampling points) remaining the same. I requested that copies of all three documents be provided for NRW's record keeping purposes.

Regarding on site incidents (spills, discharges etc), it was displayed (with evidence) that only a few minor spills have occurred, all of which were contained on site and managed efficiently and effectively. No off site impacts were noted and NRW have not received any incident reports related to this site. It is noted these records are of high quality and are logged in a very structured manner.

We then proceeded to inspect the site infrastructure.

### **Site Infrastructure**

JT and I were joined on the infrastructure inspection by the site's Construction Manager (KO'G) who was able to give wider site and construction perspectives for any queries I had or observations made.

General site condition were good, with KO'G noting that a road sweeper is in continual use on site to ensure excess sediments are removed from haulage roads and vehicle access areas. The site also maintains a dedicated vehicle maintenance area on an impermeable surface. All wastes are stored within appropriately contained and labelled skips/areas and all liquid materials (chemicals, oils etc) are stored within COSHH compliant containers and bunded appropriately where required.

The effluent sample point was observed first and recorded to be located at ST2788583931 (measured using an on-site GPS). This reading is within 11m of the listed permitted location and as such is within the acceptable discrepancy meaning it is compliant. On

lifting the chamber cover, the discharge at the time of the visit was clear of any visible pollutants.

There appeared to be a large piece of timber within the chamber which I noted whilst reviewing the collected evidence after the visit. While not noted on site, I request that this item be removed as a priority to ensure it does not pose a restriction risk or damage any infrastructure which could lead to a non-compliance related to the discharge. This is actioned below.

While there was some accumulated sediments and aggregate within the chamber, this does not necessarily mean that a non-compliant discharge has occurred and is likely to represent an accumulation of solids over an extended period of time. As a precautionary measure, an advisory comment has been added to undertake periodic reviews of the chamber's condition and initiate a cleaning regime if required to ensure the accumulated solids do not pose a risk in future or restrict flows through the system. These observations can be seen in Figure 1.



Figure 1: The effluent sample point as observed during the visit.

There was no access to the discharge point at the time of the visit. This was due to heavy vegetation overgrowth and JT's hesitance to undertake clearing operations in proximity to/within a protected site (Gwent Levels - St. Brides SSSI). I reassured JT that, while not a permit condition, access to the discharge point would be beneficial in order to undertake any required management which could assist with on-site compliance. As such, I have compiled a plan (Figure 2) showing that the boundary of the SSSI is ~142m (at its closest)

from the discharge point. While linked hydrologically, I do not see a risk in undertaking appropriate vegetation removal to install an access route as long as appropriate mitigation measures are used to ensure no discharges of sediments and/or materials are made during this work. This is listed as an advisory comment below.

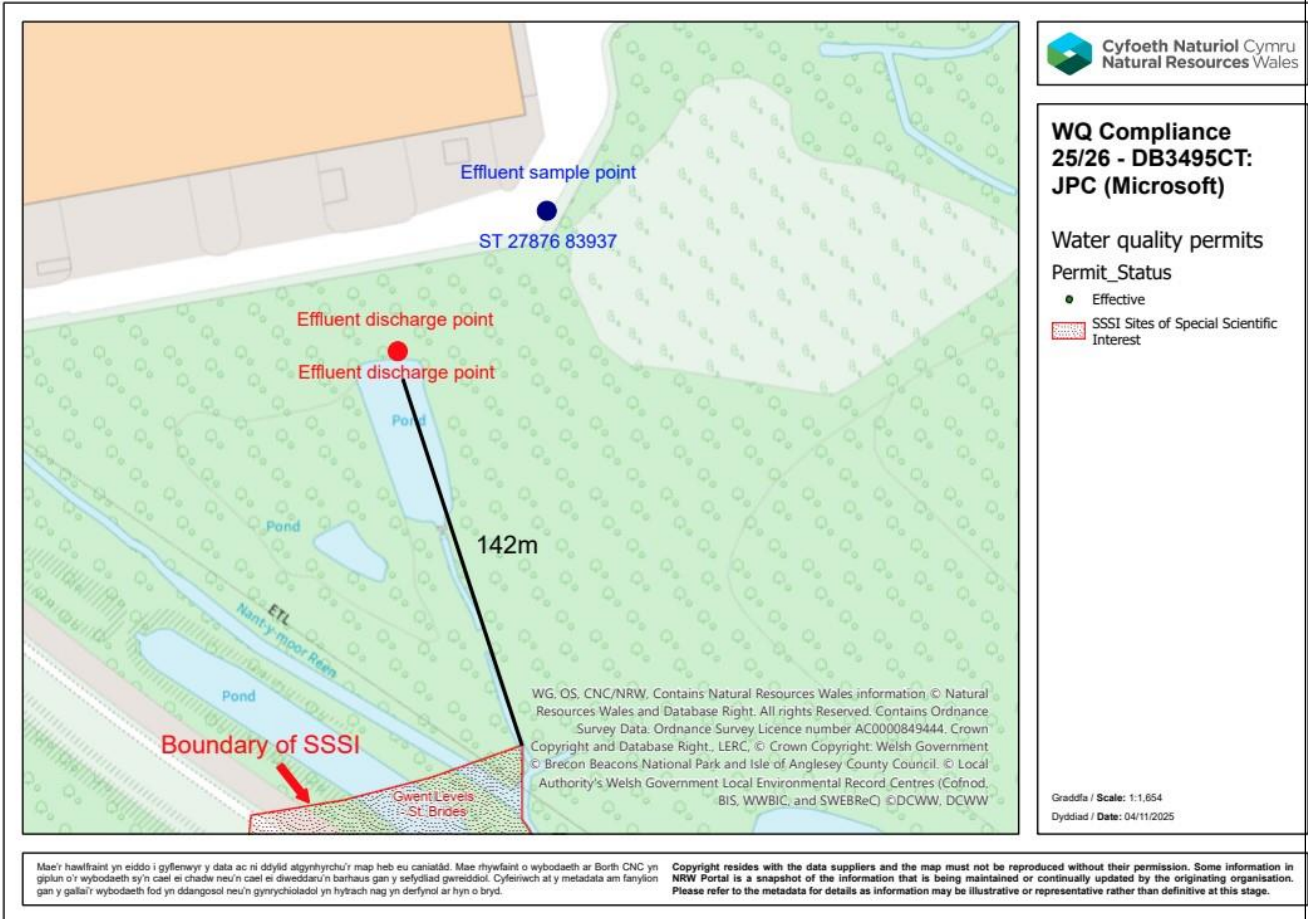


Figure 2: A plan displaying the proximity of the discharge point to the SSSI boundary.

The treatment system and settlement pond were observed, composing of a generator, dosing system and Siltbuster. The system was not in use at the time of the visit, so I requested information on the frequency of usage since it was installed, although I understand that it is dependant on rainfall which during the six months prior to the visit was lower than average. Overall the system seemed to be managed appropriately, with no excessive build up of material and requisite mitigation measures (bundling, spill kits etc) in place. I requested an example of maintenance records for the system to be shared as evidence of appropriate management. This is outlined below. These observations are evidenced in Figure 3.



Figure 3: The treatment system infrastructure as observed during the visit.

I noted the presence of one empty AdBlue container within the generator unit during the visit. While minimal, I have added an advisory comment to ensure all wastes are removed from site operational areas and disposed of appropriately in line with the site's MS. JT removed this container during the visit and deposited it in the on-site waste collection area.

No further infrastructure observations were made during this inspection. We returned to the site office for final discussions.

### **Final Discussion**

I ran through my observations, actions and advisory comments with JT who raised no further questions.

I left site at 12:16.

### **Breaches of permit conditions**

No breaches of permit conditions were recorded during this inspection.

### **Actions required by dates specified**

1. Provide an example of flow rate and discharge volume data as evidence of compliance.

**Deadline: 18/11/2025**

2. Provide copies of the SWMP, MS and CEMP for NRW's record management purposes.

**Deadline: 18/11/2025**

3. Remove the piece of timer observed within the effluent sample point chamber.

**Deadline: 18/11/2025**

4. Confirm the frequency of the treatment system's use since it was installed (rainfall dependant).

**Deadline: 18/11/2025**

5. Provide an example of maintenance records for the treatment system as evidence of appropriate management.

**Deadline: 18/11/2025**

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.

### **Other advisory comments**

1. Undertake periodic reviews of the effluent sample point chamber condition and initiate a cleaning regime if required to ensure the accumulated solids do not pose a

pollution risk or restrict flows through the system.

2. Complete appropriate vegetation removal to install an access route to the discharge point. This is to facilitate any maintenance requirements on the outfall to ensure no non-compliant discharges are made from the site. Appropriate mitigation measures should be used to ensure no discharges of sediments and/or materials are made during this work.
3. Ensure all wastes are removed from the site's operational areas and disposed of appropriately in line with the site's MS

Please note these are advisory comments only and not actions. No deadlines have been set and no updates will be requested.

### **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@cyfoethnaturiolcymru.gov.uk](mailto:elis.nuttall@cyfoethnaturiolcymru.gov.uk), 03000 65 4651.

Thank you,

Elis Nuttall.

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](mailto: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](mailto: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.