

Compliance Assessment Report

Report ID:
CAR_NRW0034905

This form will report compliance with your permit as determined by an NRW officer

Site	LOWER NEW INN (PONTYFELIN LANE	Permit Ref	AD0008001		
Operator/Permit holder	DWR CYMRU CYFYNGEDIG				
Regime	WaterQuality				
Date of assessment	10/09/2018	Time in	N/A	Out	N/A
Assessment type	Audit				
Parts of the permit assessed	ALL				
Lead officer's name	Healan, Maria				
Accompanied by					
Recipient's name/position	osm@dwrwymru.com/ OSM mailbox	Date issued	02/04/2019		

Section 1 – Compliance Assessment Summary

This is based on the requirements of the permit under the Environmental Permitting Regulations or the licence under the Water Resources Act 1991 as amended by the Water Act 2003. A detailed explanation is captured in "Compliance Assessment Report Detail" (Section 2) and any actions you may need to take are given in the "Action(s)" (section 4). This summary details where we believe any non-compliance with the permit has occurred, the relevant condition and how the non-compliance has been categorised using our Compliance Classification Scheme (CCS). CCS Scores can be consolidated or suspended where appropriate, to reflect the impact of some non-compliances more accurately. For more details of our CCS scheme, contact your local office.

Permit conditions and compliance summary	CCS Category	Condition(s) breached
E3 - Emissions - Surface water	C3	Condition 1

KEY: See Section 5 for breach categories, suspended scores will be indicated as such.

A = Assessed or assessed in part (no evidence of non-compliance), **X** = Action only,

O = Ongoing non-compliance, not scored.

Number of breaches recorded	1	Total compliance score (see section 5 for scoring scheme)	4
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If the Number of breaches recorded is greater than zero, please see Section 3 for our proposed enforcement response

Section 2 – Compliance Assessment Report Detail

This section contains a report of our findings and will usually include information on:

- The part(s) of the permit that were assessed (eg. Maintenance, training, combustion plant, etc)
- Where the type of assessment was 'Data Review' details of the report/results triggering the assessment
- Any non-compliances identified
- Any non-compliances with directly applicable legislation
- Details of any multiple non-compliances
- Information on the compliance score accrued inc.
- Details of advice given
- Any other areas of concern
- Any actions requested
- Any examples of good practice
- A reference to photos taken

On 10th September 2018, NRW received a self-report from DCWW stating that a high level telemetry alarm had been received from this asset. WIRS ref: 1805839.

The notification advised that DCWW crew currently on site following an alarm. Blockage was identified at this CSO, the crew carrying out work to clear. Further updates to follow. SAP ref: 94749788

DCWW – msge 2: Crew have cleared a blockage of rags within the CSO. Outfall has been inspected and confirm a discharge to the watercourse. A discolouration plume identified around outfall area, CCTV investigation will be carried out to investigate the condition of our sewer. Further updates to follow.

DCWW – final msge: Blockage was cleared promptly following initial attendance. Visual inspection and manned entry has since been made finding no further issues. CCTV attempted but too much flow on network at the time. A further arrangement will now be made controlling flows upstream whilst carrying out CCTV. Final update.

This water discharge activity was a breach of permit condition 1, as the discharge from this asset took place during non-storm conditions. A second WIRS was also received about this incident (WIRS ref: 1805842) which was marked as a duplicate of this original one.

There was some confusion regarding which permit was linked to the asset where the pollution originated. NRW mapping system (MyMap) showed that permit ref: AD0010901 was connected to the discharge point in question. However, having checked our records, they showed that this permit had been surrendered in December 2018. Discussions took place with DCWW staff to clarify which permit was relevant. Our final conclusion was that the correct permit was surrendered and this matter was connected to AD00018001.

Action: Both our mapping systems should be updated so that they are more accurate of what is on the ground.

A similar issue occurred from this asset on 31st May 2017. Therefore, whilst it is appreciated that the blockage was cleared and rectified in a timely manner, please could you forward a copy of your maintenance schedule of this asset for our records by 1st May 2019. Please monitor and maintain this asset more closely in the future, as rags were the cause of the blockage 2yrs ago.

The other area of concern is that this permit is exceptionally old, dated 28th June 1968. Ideally DCWW should apply to update it, in a timely manner. To be discussed in Ops meeting.

EPR Compliance Assessment Report

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Operator/Permit holder	DWR CYMRU CYFYNGEDIG	Date	10/09/2018

Section 3 – Enforcement Response

You must take immediate action to rectify any non-compliance and prevent repetition. Non-compliance with your permit conditions constitutes an offence and can result in criminal prosecutions and/or suspension or revocation of a permit. Please read the detailed assessment in Section 2 and the steps you need to take in Section 4 below.

In respect of the above non-compliance you have been issued with a warning. At present we do not intend to take further enforcement action. This does not preclude us from taking additional enforcement action if further relevant information comes to light or offences continue.

Section 4 – Action(s)

This section summarises the actions identified during the assessment along with the timescales for when they will need to be completed.

Criteria Ref.	CCS Category	Action required/advised	Due Date
See Section 1 above			
E3	C3	Maintenance schedule to be updated and a copy shared with NRW. Need to amend mapping system so NRW records are more accurate. The permit should really be updated as issued in 1968 and not fit for purpose.	01/05/2019

Section 5 – Compliance notes for the Operator

To ensure you correct actual or potential non-compliance we may

- Advise on corrective actions verbally or in writing
- Require you to take specific actions verbally or in writing
- Issue a notice
- Require you to review your procedures or management system
- Change some of the conditions of your permit
- Decide to undertake a full review of your permit

Any breach of a permit condition is an offence and we may take legal action against you

- We will normally provide advice and guidance to assist you to come back into compliance either after an offence is committed or where we consider that an offence is likely to be committed. This is without prejudice to any other enforcement response that we consider may be required.
- Enforcement action can include the issue of a formal caution, prosecution, the service of a notice and/or suspension or revocation of the permit.

See our Enforcement and Civil Sanctions guidance for further information

This report does not relieve the site operator of the responsibility to

- Ensure you comply with the conditions of the permit at all times and prevent pollution of the environment
- Ensure you comply with other legislative provisions which may apply

Non-compliance scores and categories

CCS category	Description	Score
C1	A non-compliance that could have a major environmental effect	60
C2	A non-compliance which could have a significant environmental effect	31
C3	A non-compliance which could have a minor environmental effect	4
C4	A non-compliance which has no potential environmental effect	0.1

Operational Risk Appraisal (Opra) - Compliance assessment findings may affect your Opra score and/or your charges. This score influences the resource we use to assess permit compliance.

Section 6 – General information

Data protection notice

The information on this form will be processed by the Natural Resources Wales (NRW) to fulfil its regulatory and monitoring functions and to maintain the relevant public register(s). The NRW may also use and/or disclose it in connection with:

- Offering/providing you with its literature/services relating to environmental matters
- Consulting with the public, public bodies and other organisations (eg. 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 its service
- Freedom of Information Act/Environmental Regulations request

The NRW may pass it on to its agents/representatives to do these things on its behalf. You should ensure that any persons named on this form are informed of the contents of this data protection notice.

Disclosure of information

The NRW will provide a copy of this report to the public register(s). However, if you consider that any information contained in this report should not be released to the public register(s) on the grounds of commercial confidentiality, you must write to your local area office within fifteen working days of receipt of this form indicating which information it concerns and why it should not be released, giving your reasons in full.

Customer charter

What can I do if I disagree with this compliance assessment report?

If you are unable to resolve the issue with your site officer, you should firstly discuss the matter with officer's line managers using the informal appeals procedure. If you wish to raise your dispute further through our official Complaints and Commendations procedure, phone our general enquiry number 0300 065 3000 (Mon to Fri 08.00 – 18.00) and ask for the Customer Contact team or send an email to enquiries@naturalresourceswales.gov.uk. If you are still dissatisfied you can make a complaint to the Public Services Ombudsman for Wales. For advice on how to complain to the Ombudsman phone their helpline on 0845 607 0987.

Welsh Language

If you would like this form in Welsh please contact your Regulatory Officer.