

Compliance Assessment Report CAR_NRW0050498

Permit being assessed: AC0096401

For: BIRDPORT LIMITED CORPORATION ROAD, **held by:** Bird Port Ltd

At: BIRDPORT LIMITED, CORPORATION ROAD, NEWPORT, WALES, NP19 0RE.

Type of assessment carried out: Site Inspection,

Reason: Routine.

On 27/01/2026, between 10:15 and 11:40.

Parts of permit assessed: Site infrastructure and operations

NRW Lead Officer: Elis Nuttall.

Report sent to: Damian Walsh, Port Director, on 04/02/2026.

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

Part of permitted activity assessed (criteria)	Assessment result	Non-compliant permit condition
WQ-B1 - Water Quality - Operations - Permitted activities	C4 No impact	2 - Discharge location
WQ-B1 - Water Quality - Operations - Permitted activities	C3 Minor	4 - Sample point
WQ-A1 - Water Quality - Management - General management	C2 Significant	5 – Works Maintenance
WQ-B2 - Water Quality - Operations - The site	Action only (X)	
WQ-B3 - Water Quality - Operations - Operating techniques	Action only (X)	
WQ-B3 - Water Quality - Operations - Operating techniques	Action only (X)	
WQ-B2 - Water Quality - Operations - The site	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	Vary the permit to reflect an accurate NGR for the site's discharge point. Please request assistance in doing so if required.	04/03/2026
WQ-B1	Establish a new, accessible sample point for the treatment system. This can be done as part of the major renovation works needed to re-instate active sewage treatment on site.	04/08/2026
WQ-A1	Commission an assessment/survey of the sewage treatment system by an accredited service technician and make arrangements to repair/retrofit the system or replace the system entirely if needed. Continued updates on the progress shall be communicated with NRW.	04/08/2026
WQ-B2	Provide photographic evidence showing the internal conditions and integrity of the site's surface water drainage system.	04/03/2026
WQ-B3	Provide photographic evidence of the outlet pipe at low tide/when visible so that an assessment of the effluent quality can be undertaken.	Already completed
WQ-B3	Clear drainage channels and the treatment system of excess effluent and/or sludge and increase the frequency of these works (advise bi-monthly) until a permanent treatment solution is in place. Evidence of the work in the form of waste transfer notes and photos shall be provided.	04/03/2026
WQ-B2	Commission a drainage survey to map the site's sewage system and to identify where sewage is currently discharging and if there are any unknown inputs or discharges present.	04/05/2026
WQ-B3	Isolate and contain any sewage effluent that may be discharging to the estuary and make arrangements to dispose of it off site. Evidence of the work in the form of waste transfer notes shall be provided.	04/05/2026

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.

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

Site Visit Report

This report details the site visit made by Natural Resources Wales (NRW) on the

27/01/2026 to Bird Port Ltd (trading as Port Harcon Shipping Company Limited), permit reference number EPR-AC0096401.

I (NRW Environment Officer Elis Nuttall) attended Bird Port at 10:15 for a water quality permit compliance inspection where I met with the Port Director (DW). The weather was overcast with intermittent rain during the visit.

General Observations

The site is a commercial port on the banks of the River Usk estuary. There is a port office on site which contains the welfare facilities for the site operators. The facility is serviced by a sewage treatment system which is permitted to discharge biologically treated sewage effluent to the estuary.

The discharge limits of this permit are descriptive, with the only composition condition being the works shall be operated so as to prevent any matter being present in the effluent which will cause the receiving water to be poisonous or injurious to fish etc. In addition, the discharge volume is limited to 10m³/d with the discharge/sample point consented to be located at ST32908516.

The site was operational at the time of the visit.

Initial Discussion

This was the second compliance visit to the site, with the previous one conducted on the 21/03/2024. During that visit, no breaches of permit conditions were recorded, however actions were set to provide waste transfer notes for the treatment system as well as providing a copy of the port waste management plan. Additionally, a note was included stating the national grid reference(s) of the sample/discharge point(s) on the permit are inaccurate and that a variation may be needed to reflect the factually correct locations.

I began this inspection by conducting an office based meeting and querying if there have been any major changes to operations at the site which would have drastically changed the management of the sewage treatment plant. DW noted that there had been no major changes, and that the system currently services ~15 members of staff on site. It was estimated that the system has a much larger capacity for sewage treatment than is currently produced by the site. However, when asked, it was confirmed that the site holds no records or plans for the system so it is unknown what the true size and treatment capacity is. Additionally, DW stated that there are no drainage plans available for the site.

Regarding routine maintenance it was claimed that visual checks of effluent quality are made monthly, however this is difficult due to the discharge being made to a tidal waterbody and that the outlet pipe is often submerged. However, in the previous compliance report the inspecting officer did witness the outlet pipe discharging clear effluent of which an evidence photo was included. Regarding cleaning of the system, DW noted that GD Environmental conduct maintenance in the form of tankering/clearing of the drainage channels, of which transfer notes are kept and I saw physically copies during this meeting. On inspecting these transfer notes, the European Waste Code (EWC) listed was

20-03-03 which is for “street-cleaning residues”. This raised concerns of what systems were being cleaned and what exactly was being removed. Through discussions with DW it was clarified that GD were clearing the surface water drainage systems on site, but they were unsure on if this included the sewage pipes which transport effluent from the office to the treatment system. There was no confirmation on if GD conduct cleaning/clearing of the treatment system itself.

No further questions were asked or discussions held. We then proceeded to inspect the site infrastructure.

Site Infrastructure

DW first drew my attention to several chambers located near the office building which were identified as the site’s surface water drainage channel. This is where GD Environmental have previously removed effluent from the site. While the chambers were accessible, we were unable to lift them to inspect the internal conditions at the time of the visit. I have added an action to provide evidence of the internal conditions of this system via photographic evidence. These chambers can be seen in Figure 1.



Figure 1 – Site drainage system chambers as observed during the visit.

We then proceeded to inspect the sewage treatment system which was located within an enclosed building at ST3301385153 and was accessible at the time of the visit. On opening the system it was clear that it was non-operational as the motor was not running,

the filter drum was not turning and the majority of the components were severely corroded. Additionally, the walls of the chamber was severely deteriorated with several pieces of blockwork having become dislodged and have fallen into the chamber, restricting the internal infrastructure (particularly the drum) from operating. There was no flow observed coming into or discharging from the system at the time of the visit. These observations can be seen in Figure 2.



Figure 2 – The condition of the sewage treatment system as observed during the visit.

To the rear of the treatment system building there was an additional motor and pipe appearing to leave the building. DW explained that this was the outlet pipe from the system but similarly to the internal infrastructure this was in a poor condition and non-operational. As can be seen in Figure 3, this non-operational condition is supported by the fact that the system is not plugged in.



Figure 3 – The rear of the sewage treatment system as observed during the visit.

From my observations and the evidence provided here I am confident in stating that the system is completely non-operational and not fit for purpose. I advised DW that this was a major concern and that the site effectively does not currently have the ability to conduct sewerage treatment. Any discharges of sewage effluent will be untreated and a breach of permit requirements as well as the Environmental Permitting Regulations (England and Wales)(2016). The requirements and actions needed are discussed further below.

As noted in a previous report, the listed grid reference for the discharge/sample point is more than likely inaccurate. This was confirmed when DW noted the location of the outlet pipe from the treatment system was located in the vicinity of ST3299085137, ~100m to the SE of the listed point. As a result, I have set an action to vary the permit to change the NGR to reflect an accurate discharge point. However, a new sample point will be needed as it is a permit requirement for it to be accessible so that a representative sample can be taken. I advise that this should be completed as part of the major infrastructure improvements that will be required to re-instate a fully functional sewage treatment system

on site. This is reflected in the actions list below.

I attempted to locate and observe the discharge/sample point but it was below the water line at the time of the visit as can be seen in Figure 4. A white outlet pipe can be seen in the left hand photo but DW stated the effluent discharge from the treatment system is located in the eroded channel that can be seen in the right hand photo. I actioned DW to supply photographic evidence of the outlet pipe at low tide when it is visible and I will assess any discharge visually.



Figure 4 – The location of the sample/discharge point to the estuary as observed during the visit.

No further observations were made during this visit. We returned to the site office to discuss the findings of the inspection.

Final Discussion

The main discussion on returning to the office was setting a list of actions based on the observations made during the inspection. I note each action and deadline listed below was agreed between myself and DW before leaving site.

The initial priority for the site is identifying where sewage is currently discharged and where it is going. It is assumed that the effluent is either discharging to the estuary with no treatment or it is sitting in drainage channels as there is no pump operating in the treatment

system, posing a risk of backing up and surcharging. Undertaking another clear out of the drainage channels and identifying the drainage layout on site is imperative and the first priority. This is reflected in the actions list.

Additionally, if there is movement of effluent that is bypassing any treatment and discharging to the estuary then this must be isolated and removed from site for disposal until a new treatment system/solution can be implemented.

Finally, an assessment of the existing system should be undertaken by an accredited technician and arrangements made to retrofit the infrastructure and bring it back into operation or (more likely) make arrangements for a new sewage treatment system to be installed for the site. As this is potentially a major schedule of works with long lead times I have issued a substantial deadline. I advise that until a new treatment system is installed all sewage effluent should be isolated and removed for disposal off site.

No further discussions were held and no further questions asked. I thanked DW for their cooperation and support.

I left site at 11:40.

Breaches of permit conditions

Below are the permit breaches that were identified during the site inspection.

1. CATEGORY 4 BREACH – PERMIT CONDITION 2 – Discharge Location

The discharge shall be made in the manner and at the place specified as follows:-

- *Discharging via: 100mm dia pipe.*
- *Discharging to: The River Usk Estuary.*
- *At OS Grid Ref.: ST32908516*
- *As shown marked: 'Consent Point' on the attached plan no: BL/1.*

Justification:

The listed coordinates place the discharge ~100m to the NW of the location identified by the site manager as the actual location of the discharge. As such a breach which has no environmental implications (category 4) is justified and an administrative variation should be undertaken to rectify this error.

2. CATEGORY 3 BREACH – PERMIT CONDITION 4 – Sample Point

Adequate facilities, approved in writing by the Authority, shall be provided to enable representative samples of the discharge to be safely and conveniently obtained at any time at the Manhole Chamber as shown marked 'Sampling Point' on the attached drawing/plan no: BL/1.

Justification:

The sample point location (as specified in the location plan) was not accessible due to it being within an estuarine environment. As such a representative sample of the discharge

cannot be easily obtained. This stands as a minor risk to the environment as stands as a category 3 breach.

3. CATEGORY 2 BREACH – PERMIT CONDITION 5 – Works Maintenance

The works shall be operated and maintained in accordance with the manufacturer's instructions, in particular the works shall be maintained such that:

- a. *It remains fully operational except at times of mechanical or electrical breakdown.*
- b. *Any such breakdowns shall be attended to promptly and the equipment returned to normal operation as soon as possible.*
- c. *Tanks shall be desludged at sufficient frequency and in such a manner as to prevent problems with rising sludge or excessive carry over of suspended solids.*

Justification:

The sewage treatment system is non-operational and is not currently treating any sewage. Due to the excessive corrosion and damage observed the sewage treatment system has been assessed as not fit for purpose and requires immediate attention to bring it back online or replace it entirely as a priority. As there is no active treatment of polluting material that is discharged to the environment a category 2 breach (significant environmental effect) is justified.

Due to this significant breach, the report will also stand as a warning to site and enforcement actions may be considered if the actions outlined below are not completed.

Actions required by dates specified

1. Provide photographic evidence showing the internal conditions and integrity of the site's surface water drainage system.

Deadline: 04/03/2026

2. Vary the permit to reflect an accurate NGR for the site's discharge point. Please request assistance in doing so if required.

Deadline: 04/05/2026

3. Establish a new, accessible sample point for the treatment system. This can be done as part of the major renovation works needed to re-instate active sewage treatment on site.

Deadline: 04/08/2026

4. Provide photographic evidence of the outlet pipe at low tide/when visible so that an assessment of the effluent quality can be undertaken

Deadline: Already completed.

5. Clear drainage channels and the treatment system of excess effluent and/or sludge

and increase the frequency of these works (advise bi-monthly) until a permanent treatment solution is in place. Evidence of the work in the form of waste transfer notes and photos shall be provided.

Deadline: 04/03/2026

6. Commission a drainage survey to map the site's sewage system and to identify where sewage is currently discharging and if there are any unknown inputs or discharges present.

Deadline: 04/05/2026

7. Isolate and contain any sewage effluent that may be discharging to the estuary and make arrangements to dispose of it off site. Evidence of the work in the form of waste transfer notes shall be provided.

Deadline: 04/05/2026

8. Commission an assessment/survey of the sewage treatment system by an accredited service technician and make arrangements to repair/retrofit the system or replace the system entirely if needed. Continued updates on the progress shall be communicated with NRW.

Deadline: 04/08/2026

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. During the renovations required on site please ensure that the site surface water drainage system is separate from the site sewage drainage system. Any surface water discharging to the sewage treatment system poses a risk of overloading the treatment process and resulting in ineffective treatment. Any sewage discharging to surface water systems poses a risk of polluting the water environment and is an offence under EPR 2016 regulations.
2. A list of NRW endorsed accredited service technicians can be found via the following link:
<https://www.britishwater.co.uk/page/ListofAccreditedServiceTechnicians>
3. A list of NRW endorsed certified small wastewater treatment systems (up to 50PT) can be found via the following link:
<https://www.britishwater.co.uk/page/Accreditation-Certificationcertified-small-wastewater-treatment-systems-for-up-to-50-pt>

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@naturalresourceswales.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 required for the permit condition assessed to avoid non-compliance. No non-compliance scored at this time
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

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 Monitoring
- WQ-C5 Installation of monitoring boreholes

WQ D: Information

- WQ-D1 Records
- WQ-D2 Reporting
- WQ-D3 Notifications

Enforcement response

Any non-compliance with a permit condition 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 twenty working days to let you know if we agree to your request.

Disputing the Content of this Compliance Assessment Report Form

If you disagree with the content of this Compliance Assessment Report form, you should submit your concerns, in writing, to the regulating officer who issued it within **15 working days** of its issue. This will be treated as a **Stage 1 review**.

If you are not satisfied with the outcome of the stage 1 review, you may request a **Stage 2 appeal**. This request must be submitted **within 21 working days** of receiving the response from the stage 1 review.

Further details on our review and appeal process are available at: [Natural Resources Wales / Appeal a regulatory decision from Natural Resources Wales](#)

Concerns Not Related to the Content of this Compliance Assessment Report Form

If your concerns do not relate to the content of the Compliance Assessment Report form, you should first attempt to resolve the issue with the regulating officer or their line manager.

If the issue remains unresolved, please contact our **Customer Contact Team**:

- **Telephone:** 0300 065 3000 (Monday to Friday, 09:00–17:00)
- **Email:** enquiries@naturalresourceswales.gov.uk

They will provide details on how to escalate your concerns through our **Complaints and Commendations procedure**.

If you are dissatisfied with our response, you may contact the **Public Services Ombudsman for Wales**:

- **Telephone:** 0300 790 0203
- **Email:** 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.