

## Compliance Assessment Report CAR\_NRW0051404

**Permit being assessed:** BW4100301

**For:** Settled Storm and Emergency Overflow at New Crofty C SPS, **held by:** DWR CYMRU CYFYNGEDIG

**At:** Crofty, North Gower, Swansea, SA4 3SJ.

**Type of assessment carried out:** Report/Data Review,

**Reason:** Routine.

**On** 25/03/2026.

**Parts of permit assessed:** Emissions to Water

**NRW Lead Officer:** Sarah Bennett.

**Report sent to:** CAR@dwrwymru.com, CARS Mailbox, on 10/04/2026.

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

Part of permitted activity assessed (criteria)	Assessment result	Non-compliant permit condition
WQ-C1 - Water Quality - Emissions and monitoring - Emissions to water	C3 Minor	3.1.2(b)
WQ-C1 - Water Quality - Emissions and monitoring - Emissions to water	Action only (X)	
WQ-C1 - Water Quality - Emissions and monitoring - Emissions to water	Action only (X)	
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	Advice: Please try to submit any future reports within the required 3-month period.	Already completed
WQ-C1	SPS FPF investigation. DCWW AGA operations team to carry out condition assessment and maintenance checks including any remedial works to return FPF back to design capability.	30/09/2026
WQ-C1	Rising Main investigation. DCWW BGA operational team to carry out condition assessment and maintenance checks including any remedial works on R/Main and air valves to	30/09/2026

Criteria	Action needed	Complete by
	return FPF back to design capability.	
WQ-C1	Please provide us with a Stage 3 Trigger Exceedance Reason Report (TERR) after the Stage 2 Full Investigation Proposal (FIP) is completed.	30/10/2026

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 Condition 3.1.2(b) relating to a Spill Frequency Trigger (SFT) exceeded on 03/12/2025**
- **record our comments and approval a Stage 2 Full Investigation Proposal (FIP) submitted on 25/03/2026**
- **give advice on complying with Condition 3.1.2(c) going forward.**

#### **Compliance with Condition 3.1.2(b) relating to a SFT exceeded on 03/12/2025**

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 a Stage 2 Full Investigation Proposal (FIP) on the 25 March 2026 when it should have been sent to us by the 2 March 2026. This means you not compliant with the requirement in Condition 3.1.2(b) to submit the proposal within 3 months. A Category 3 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.

**Advice: Please try to submit any future reports within the required 3-month period. This Advice and Guidance is given formally as part of our enforcement response.**

#### **Comments and approval of a FIP submitted on 25/03/2026**

You have submitted a full investigation proposal for our approval. The proposal describes work you have already carried out, speculates on a potential reason for the trigger exceedance and outlines an investigation proposal with timescales.

You have informed us that an issue with the EDME cello has already been rectified. Its set

up and condition has been checked and it has been recalibrated and verified. This action was completed in January 2026.

I understand that an initial concern was raised about the flow meter condition and accuracy. A flow meter condition, performance review and verification has been carried out. The flow meter has been confirmed as serviceable, and accuracy has been ruled out as a potential root cause for the Trigger Exceedance. This action was completed in February 2026.

I understand that your initial desktop studies have identified that the SPS is no longer meeting the designed Flow Passed Forward (FPF) and you have speculated that this may be a root cause for the trigger exceedance. The SPS has previously met and maintained FPF so you have speculated that the reduction in FPF may be due to pump performance and/or head loss in the rising main system. The investigations you have proposed should determine if a failure to pass forward the correct flows is the root cause of the trigger exceedance.

However, you have informed us that additional catchment surveys, further flow modelling and additional inflow and infiltration removal may be needed depending on the outcome of any maintenance work carried out to reinstate the correct FPF.

**I accept that there may have to be a follow up Investigation Proposal depending on the outcomes of this one and I approve the submitted Stage 2 Full Investigation Proposal.**

Advice on complying with Condition 3.1.2(c) going forward.

Condition 3.1.2(c) states that if a full investigation is required by condition 3.1.2(b), implement the proposal as approved by Natural Resources Wales and provide to Natural Resources Wales a report which identifies the reason/s for the Trigger Exceedance.

You now need to implement the investigation proposal in order to comply with Condition 3.1.2(c).

**Action: SPS FPF investigation. DCWW AGA operations team to carry out condition assessment and maintenance checks including any remedial works to return FPF back to design capability.**

**Action: Rising Main investigation. DCWW BGA operational team to carry out condition assessment and maintenance checks including any remedial works on R/Main and air valves to return FPF back to design capability.**

Condition 3.1.2(c) also requires you to provide NRW with a report which identifies the reason/s for the Trigger Exceedance.

**Action: Please provide us with a Stage 3 Trigger Exceedance Reason Report (TERR) after the Stage 2 Full Investigation Proposal (FIP) is completed.**

Thank you.

End

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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](mailto: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](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.