

Compliance Assessment Report

Report ID:
CAR_NRW0036503

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

Site	CSO 70 A4067 Nthbnd Landore Swansea	Permit Ref	BW4105401		
Operator/Permit holder	DWR CYMRU CYFYNGEDIG				
Regime	WaterQuality				
Date of assessment	06/04/2020	Time in	N/A	Out	N/A
Assessment type	Report/Data Review				
Parts of the permit assessed	Nature and Composition				
Lead officer's name	Bennett, Sarah				
Accompanied by					
Recipient's name/position	Dwr Cymru/ CARS inbox	Date issued	09/04/2020		

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
A1 - Specified by permit	C3	Conditions 1, 4 and 6
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

At 20:32 on the 19th April 2019 DCWW reported to NRW, after having attended a wet well high level alarm, that the CSO was discharging to the River Tawe. By the early hours of the morning DCWW had managed to stop the discharge by installing over pumping. The discharge was caused by a blockage in the 'letterbox' flow control which had to be removed by a man-entry. Its location on a busy 'A' road also meant that traffic management, which is restricted to a few hours a night, had to be set up. The work was completed by the early hours of the 21 April 2019 and the pass forward flow was reinstated. The discharge resulted in a Low Level incident, reference 1902515.

I believe that the discharge breached Conditions 1, 4 and 6 of the Environmental Permit issued on the 30th December 1999. Please note that this permit was varied on the 21st October 2019 so reference will have to be made to the permit dated 30th December 1999. These conditions require that:

- 1 - The discharge shall consist solely of storm sewage.
- 4 - The discharge shall occur only when the rate of flow in the sewer at the combined sewage overflow exceeds 200 l/s due to rainfall and/or snow melt.
- 6 - The overflow shall be maintained in an efficient operational condition.

My understanding is that the CSO is inspected every 3 months via man-entry when the 'letterbox' flow control is inspected, along with the flows, channel and screen. A lane closure on the A4067 is required if any follow on work (e.g. cleaning) needs to be done.

I understand that a risk for the asset has already been raised within DCWW which suggests a proposed solution to install an additional bypass line in the CSO that could be operated by a penstock in the event of a blockage in the 'letterbox' flow control. Given the difficulties in maintaining this CSO it may also be worth looking into any options that might be available for changing the 'letterbox' flow control and screen, if possible.

I appreciated that the sewerage catchment for this CSO is large and complex, but if a 'Stop the Block' campaign could be done in the most relevant areas this may help to minimise the risk of another discharge.

I would like to thank DCWW for taking such prompt action to stop the pollution once it had been identified.

EPR Compliance Assessment Report

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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.

We will now consider what enforcement action is appropriate and notify you, referencing this form.

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			
A1	C3	Continue investigations into potential solutions that would minimise the risk of causing pollution.	01/04/2021

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.