

Compliance Assessment Report CAR_NRW0037450

Permit being assessed: BN0015602

For: CSO at Pennant STW, held by DWR CYMRU CYFYNGEDIG

At: Pennant STW, Pennant, Llanon, SY23 5JH.

Type of assessment carried out: Audit, Reason: Routine.

On 18/09/2020, between 13:45 and 14:20.

Parts of permit assessed: See criteria below

NRW Lead Officer: Jeremy Goddard, accompanied by: Emma Sharp.

Report sent to: CARS inbox, CARS inbox, on 02/02/2021.

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

Part of permitted activity assessed (criteria)	Assessment result	Permit condition
WQ-A1 - Management - General management	Assessed (A)	
WQ-B1 - Operations - Permitted activities	Assessed (A)	
WQ-B2 - Operations - The site	Action only (X)	
WQ-C1 - 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-B2	Please investigate the effectiveness of the existing storm screen in preventing rag and debris from entering the receiving watercourse and respond in writing as to whether improvement works are needed. If you consider alterations to the aperture of the storm screen are not needed please clarify why the existing screen is sufficient, taking into account the wet wipe that was observed in the watercourse.	15/03/2021
WQ-C1	Please review the data provided and confirm in writing whether it is correct or whether there have been problems with the monitoring equipment. If the readings are correct, please confirm in writing why the sewage works is discharging to storm so frequently and why it discharged to storm for such a long period between 24/01/2020 and 14/04/2020?	15/03/2021

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

To be used in conjunction with Compliance Assessment Report CAR_NRW0037449, which is the audit of the discharge permit at Pennant STW.

The site has an active storm discharge permit – BN0015602, which is an EDM variation issued on 1 May 2020,

Present at the audit: Jeremy Goddard, Emma Sharp (both NRW), Sarah Mowlam and Philip Brown (both DCWW).

Storm screen

There is a storm screen at the works inlet which is a bar grill. The bars of the grill are approximately 20mm apart and are half the height of the screen making it likely that large pieces of rag and debris could escape and enter the receiving watercourse. The screen can be seen below in Photo 1.



Photo 1: Bar grill at the works inlet. Due to the size of the gaps the grill would appear ineffective in being able to capture small pieces of rag and debris.

The storm discharge pipe into the watercourse was checked and there was a wet wipe found on the rocks adjacent to it, although this was the only piece of rag or debris found. There also appeared to be a thin growth

of sewage fungus on the rocks closest to the storm discharge pipe. There was a trickle of what looked like water coming out of the pipe – suggesting groundwater ingress into the pipe as nothing was entering the storm screen at the inlet to the sewage works, see Photo 2.



Photo 2: Trickle of liquid discharging from the storm discharge pipe (even though the works was not spilling to storm). The remains of a wet wipe can be seen in the pool, suggesting that the bar grill screen on the storm discharge will allow larger pieces of rag and debris to enter the watercourse, although there was no visual evidence of a significant polluting impact. There was also a thin growth of sewage fungus on the stones to the bottom left of the photograph.

We have concerns over how effective this grill will be in capturing all but the very largest pieces of rag and debris. We have checked the permit and there is no condition listed specifying the screen aperture size. There is also no condition specifying the overflow setting at which this asset can spill to storm.

Condition 2.4.1 of the storm discharge permit states that the operator shall complete the improvements specified in schedule 1, table S1.3 by the date specified in that table unless agreed in writing by Natural Resources Wales. Table S1.3 specifies that the operator shall provide the following in writing by 2 years from date of issue of the permit – weir setting and basis of calculation. The permit variation for BN0015602 was issued on 01/05/2020 so this information is required by 01/05/2022 or before.

We have concerns relating to the effectiveness of this screen and the potential for it to allow large pieces of rag and debris to enter the receiving watercourse. As a water company, you must design, construct and maintain sewerage systems according to best technical knowledge not entailing excessive cost (BTKNEEC). At the time of the audit there was insufficient visual evidence to say that the existing bar grill screen would classify the storm overflow as unsatisfactory due to significant visual or aesthetic impact caused by solids or sewage fungus. There was however some minor impact around the discharge point with the presence of some sewage fungus and a wet wipe. In the right conditions it is likely that more rag and debris will be able to escape via the storm screen.

ACTION: Please investigate the effectiveness of the existing storm screen in preventing rag and debris from entering the receiving watercourse and respond in writing as to whether improvement works are needed. If you consider alterations to the aperture of the storm screen are not needed please clarify why the existing screen is sufficient taking into account the wet wipe that was observed in the watercourse.

Storm Spill data (EDM)

There is a lack of the detail within the storm discharge permit as Dwr Cymru have until 01/05/2022 to model the overflow setting requirement for this asset. Without this detail it is difficult to establish whether the asset is spilling to storm prematurely as there are no limits to regulate against.

We have concerns in relation to the data provided for the EDM meter and storm discharges for this asset. According to the data provided there were 210 separate spills blocks between 24/01/2020 and 17/09/2020. Within those 210 separate spills blocks there were 25 separate spill events made up of an initial 12-hour block or an initial 12-hour block followed by subsequent 24-hour blocks.

A number of these spill events cause concern and bring into question whether there is an issue with the functionality of the sewer system (network and/or treatment works) or a problem with the EDM meter. Between 07:15 hours on 24/01/2020 to 19:15 hours on 14/04/2020 there was a continuous storm discharge event. It is concerning that for a period of just short of 3 months the sewage works was discharging to storm in a single spill event.

The WAF001 form states that Pennant STW has been reporting on EDM since 2020 with data available from 24/01/2020 07:15 hours. This explains why the requested data range of 18/9/2019 to 18/9/2020 has only been provided in part. The WAF001 form does not however state that there are any inaccuracies in the data provided which is in contrast with operator observations noted in the WOF007 Works Diary which stated that there had been issues with the storm discharge. Mr. Brown confirmed on site that there had been problems with the sensitivity of the EDM meter and telemetry alarms had been raised for storm discharges but when checked by an operator they had confirmed that no discharge had been made.

ACTION: Please review the data provided and confirm whether it is correct or whether there has been a problem with the monitoring equipment. If the readings are correct, please confirm in writing why the sewage works is discharging to storm so frequently and why it discharged to storm for such a long period between 24/01/2020 and 14/04/20.

ENDS

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 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

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.