

Compliance Assessment Report CAR_NRW0037464

Permit being assessed: BP0218501

For: CROSS INN / NEBO STW CSO, held by DWR CYMRU CYFYNGEDIG

At: Off B4337, Llanon, Ceredigion, SY23 5ND.

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

On 18/09/2020, between 14:40 and 15:25.

Parts of permit assessed: See criteria listed below

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

Report sent to: CARS inbox, CARS inbox, on 11/02/2021.

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	Officers were unable to see the storm screen whilst on site as it was below covering. Please confirm in writing the aperture of the storm screen. If it has a greater aperture than the required 10mm x 10mm please advise on when the screen will be replaced with one compliant with Condition 2.3.1, Table S3.3 of the permit?	15/03/2021
WQ-C1	Please advise in writing whether you think the data is under or over reporting storm spillages from the asset. Please advise in writing as to when the ultrasonic head on the storm tank is to be repositioned to get more accurate readings?	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_NRW0037455, which is the audit of the discharge permit at Cross Inn / Nebo STW.

The site has an active storm discharge permit – BP0218501, 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

Condition 2.3.1, Table S3.3 states that the screen aperture size of the storm discharge should be 10mm x 10mm.

ACTION: Officers were unable to see the storm screen whilst on site as it was below covering. Please confirm in writing the aperture size of the storm screen. If it has a greater aperture than the required 10mm x 10mm please advise on when the screen will be replaced with one compliant with Condition 2.3.1, Table S3.3 of the permit?

Storm Spill data (EDM)

Having reviewed the EDM data for this asset and the storm tank data this asset doesn't appear to be excessively spilling. According to the data provided there were 25 separate spills blocks between 25/10/2019 and 26/08/2020. Within those 25 separate spills blocks there were 12 separate spill events made up of an initial 12-hour block or an initial 12-hour block followed by subsequent 24-hour blocks. The asset does not appear to be spilling excessively based on the EDM, however within the supplied WAF001 spreadsheet it states: *'Please note that the data for Nebo SWK Storm Tank and Spill data is suspect. The ultrasonic head on the storm tank is looking to be repositioned to a more central location, rather than one to side of the tank.'* This statement is backed up with the data received for storm tank depth. The height of sewage within the storm tank fluctuates throughout the reporting period but does appear high for long periods suggesting that the storm tank is being frequently utilised. It is also difficult to understand the data as at points there is no discharge according to the EDM meter but the height of sewage within the tank is greater than in periods when there is a recorded storm discharge.

ACTION: Please advise in writing whether you think the data is under or over reporting storm spillages from the asset. Please advise in writing as to when the ultrasonic head on the storm tank is to be repositioned to get more accurate readings?

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.