

Compliance Assessment Report CAR_NRW0037666

Permit being assessed: AN0287701

For: A CSO 700M SE OF PLAS MACHEN COTAGE, held by DWR CYMRU CYFYNGEDIG
At: Track past Plas Machen Cottage, Off A468, LOWER MACHEN, NEWPORT, NP10 8GX.

Type of assessment carried out: Site Inspection, Reason: Incident Response (Incident number: 2101124).

On 12/02/2021, between 10:30 and 11:30.

Parts of permit assessed: All site operations (data and information to follow)

NRW Lead Officer: Luke Burton, accompanied by: Rhys Handley.

Report sent to: DCWW, CARS mailbox, on 17/02/2021.

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-B2 - Operations - The site | Assessed (A) | |
| WQ-C3 - Emissions and monitoring - Emissions of substances not controlled by emission limits | 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-C3 | Outfall flap valve clogged with debris and sewage type debris collected in immediate downstream vegetation. Cleanse valve and remove debris. | 01/03/2021 |

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

Site inspection of permitted asset.

Reason for inspection: Incident response (WIRS 2101124) and because asset discharges to Water Framework Directive watercourse.

Pollution Prevention Technician Daniel Humphreys present.

Weather: minus temperatures and clear.

The Combined Sewer Overflow (CSO) screen hatch was opened for inspection. The sewer was flowing but not reaching the weir of the CSO screen i.e. all flow being passed forward to treatment.

The CSO screen was a mechanical type served by a helical brush and debris 'flipper arm'. The screen was clear and appeared to be in an efficient operational condition. The screen featured a bypass for screen blinding or extremely high flows. Subsequent data request to establish if and when this bypass has been used.

The pass forward flow in the sewer is controlled by two penstocks. Both penstocks appeared to be in an efficient operational condition.

Telemetry alarms were in place to warn of power failure, CSO operation, and sewer level. The asset also has Event Duration Monitoring (EDM) equipment in place.

The CSO's power unit was on.

There was suitable access for standby power such as a mobile generator as a minimum.

Whilst on site we ran through a scenario of an electrical failure stopping CSO or penstock operation. Satisfactory methods in dealing with this scenario were presented on site.

The asset was secure with chain link fencing topped with barbed wire on all sides. The grounds were clear and well maintained.

The CSO outfall into the River Rhymney was observed. The outfall flap valve was clogged with debris and there was sewage type debris collected in the immediate downstream vegetation. This debris was assumed to have been from the CSO screen bypass. Subsequent data request to establish if and when this bypass has been used.

Action: Remove flap valve debris and sewage type debris from immediate downstream vegetation by 01/03/21. Short timescale due to UK bird nesting season starting 1st March.

NB. An audit of data recorded on site will be conducted in addition to this site inspection. If the data indicates breaches, a further Compliance Assessment Report (CAR) will be submitted to you for comment and actions. This data will be requested separately from this site inspection CAR.

END

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.