

Compliance Assessment Report CAR_NRW0037419

Permit being assessed: BP0238001

For: ABERPORTH STW ABERPORTH ,, held by DWR CYMRU CYFYNGEDIG

At: ABERPORTH STW ABERPORTH ,, ABERPORTH ,, ABERPORTH ,, ABERPORTH ,, SA43 2EZ.

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

On 18/09/2020, between 10:00 and 11:15.

Parts of permit assessed: See criteria listed below

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

Report sent to: CARS inbox, CARS inbox, on 24/05/2021.

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	Assessed (A)	
WQ-C1 - Emissions and monitoring - Emissions to water	Assessed (A)	

Result types are explained in more detail in the 'Important Information' section below.

2. What action is required?

No action required.

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 read in conjunction with CAR_NRW0037418 which is the audit of the main discharge permit at the site.

This was a pre-planned OSM audit carried out by Natural Resources Wales officers Emma Sharp and Jeremy Goddard, who were accompanied by Dŵr Cymru Welsh Water staff Michael Jones,

Sarah Mowlam and Sam Bacon.

The site has an active storm discharge permit (BP0238001) which was issued on 24/02/2016. Final effluent and storm discharge from the same outfall into the sea. A visual inspection of the outfall could not be made due to its remote location.

Storm screen

Condition 2.3.2 (c) Table S3.3 states that the screen aperture size of the storm discharge should be 6x6mm.

ACTION: Please confirm in writing the aperture size of the storm screen. If it has a greater aperture than the required 6x6mm then please advise on when the screen will be replaced with one compliant with permit condition 2.3.2 (c) Table S3.3.

On 31/03/2021 NRW received an email from Sarah Mowlam of DCWW confirming that there is a 6mm screen on the storm. Therefore this action has been taken out of the report.

Storm spill data (EDM)

Following the visit, a request was made to Dwr Cymru for monitoring data associated with Aberporth STW. The data covered the period from 18/09/2019 to 18/09/2020.

The permit states that only flows equal to or greater than 32 litres per second at the inlet should go to storm. This is specified in condition 2.3.2 (a) Table S3.3. There is no storm tank on site, therefore discharge goes directly to Cardigan Bay.

We have reviewed the data from the inlet and compared with the EDM storm discharges. DCWW have informed us that there is a risk of under-reporting spills at this asset in 2020 as no data was available for the storm overflow channel until 26/11/2019. Looking at the data provided in relation to the EDM meter and storm discharges, there was a total of 69 spills to storm from 28/11/2019 to 03/09/2020. For three of the 'initial 12-hour block spill' events, the flow reading at the outlet was less than 32l/s. These were on the following dates; 09/02/2020, 13/02/2020 and 21/08/2020. For all other initial spill events, the inlet was above 32l/s.

ACTION: Please review the data provided and confirm in writing why the works is discharging to storm on the following dates; 09/02/2020, 13/02/2020 and 21/08/2020, when the required overflow setting of 32l/s has not been reached.

On 31/03/2021 NRW received an email from Sarah Mowlam of DCWW confirming that the works was receiving flows over 50 l/s on the dates mentioned above. This action has been taken out of the report.

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.