

## Compliance Assessment Report CAR\_NRW0038394

**Permit being assessed:** S/01/04136/S

**For:** ST MICHAELS CRESCENT, held by POWYS COUNTY COUNCIL

**At:** FORDEN, FORDEN, .

**Type of assessment carried out:** Site Inspection, Reason: Incident Response (Incident number: 2007028).

On 28/09/2020.

Parts of permit assessed: all

**NRW Lead Officer:** Timothy Arlett.

**Report sent to:** Powys council, permit holder, on 15/06/2021.

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

| Part of permitted activity assessed (criteria)        | Assessment result | Permit condition                                                                              |
|-------------------------------------------------------|-------------------|-----------------------------------------------------------------------------------------------|
| WQ-C1 - Emissions and monitoring - Emissions to water | C3 Minor          | c the effluent shall not take up more than 20 parts per million of dissolved oxygen in 5 days |

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

### 2. What action is required?

| Criteria | Action needed                           | Complete by       |
|----------|-----------------------------------------|-------------------|
| WQ-C1    | bring plant back into line with permit. | Already completed |

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.

**You are non-compliant with your permit.**

**At this time, we are issuing you with a warning for the non-compliance recorded above. Warnings may influence future enforcement response for continued or further non-compliance.**

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

### St Michaels Sewage Works

St Michaels Crescent, Forden is a housing development built around 1950 where some 32 households are served by a private drainage system and a Klargester Bio disc [installed in 2007] which belongs to Powys County Council Housing service. Many of the properties on St Michaels Crescent are privately owned.

Powys County Council maintenance and repairs services are carried out by a third party – Heart of Wales Property Services [HoWPS] HoWPS provide planned and reactive maintenance to the housing service sewage works including St Michaels Crescent.

In October, 2020 the housing team were advised that domestic heating oil had found its way into the sewage system due to a split tank in a private garden on St Michaels Crescent.

Urgent action was taken to tanker waste from site and to make good the damage that had been caused to the biodisc itself.

In December 2020, there was a further emergency call out to a failure due to blockage caused by wipes.

A catch pit was installed in the foul line for two purposes. The catch pit should prevent oil from entering the system and collect wipes and prevent them entering the treatment works. There has been a growing problem on site with wipes blocking the system. Catching the wipes ahead of the treatment plant will help prevent the bio disc ragging up and blocking the recirculating pump.

HoWPS were instructed to empty the catch pit monthly to prevent materials building up.

At recent site visit with HoWPS and their sub-contractor, both parties were in agreement that the plant was functioning well and they were confident that with proper maintenance the equipment could be serviceable for 10-15 years.

The Council has begun the process to procure telemetry on site to ensure that the maintenance team are alerted to any future equipment failure.

CCTV works are planned to identify whether there are any issues within the sewer pipes where action could be taken to reduce the load on the biodisc.

In addition to this, the council's engineering team have been asked to undertake a desktop exercise so that options for the site can be considered. The preferred course of action would be for people living in St Michaels Crescent area of Forden to have sewage services provided by Hafren Dyfrdwy.

The housing service has a huge problem with wipes in many of its small treatment plants and pumping stations. Wipes have been found to cause blockages at St Michaels on numerous occasions. Leaflets have been prepared to hand to householders as part of a local engagement exercise – this project is underway.

In November 2020, the housing service appointed a project officer for sewerage to improve the relationship with the housing service maintenance company, improve services to customers and reduce the risks to the environment. Alongside this, the officer is to consider a longer term programme of renewal and to have dialogue about site adoption with Hafren Dyfrdwy and Dwr Cymru.

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](mailto: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](mailto: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.