

Compliance Assessment Report CAR_NRW0038623

Permit being assessed: CG0114001

For: BODEDERN STW, held by DWR CYMRU CYFYNGEDIG

At: BODEDERN STW, UNKNOWN, UNKNOWN, UNKNOWN, UNKNOWN.

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

On 07/07/2021, between 10:15 and 11:30.

Parts of permit assessed: Whole permit

NRW Lead Officer: Euryrn Roberts, accompanied by: Ceris Evans, Simon Roberts.

Report sent to: Ifan Jones, Catchment Manager, on 14/01/2022.

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

Part of permitted activity assessed (criteria)	Assessment result	Permit condition
WQ-B1 - Operations - Permitted activities	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

The following text was included in the CAR form when originally submitted to Dwr Cymru, along with a requirement for a permit variation and a warning via the CAR form:

During the visit it was explained that the site treats 16 litres per second of flow rather than the 8.2 litres per second specified in the permit. However the permit refers to flows above 8.2 l/s as being treated via the storm tank. The storm tank on site was seen and is understood not to have been used for many years.

In terms of the environmental impact of the site, it's better that all the flows are treated rather than there being a storm discharge - if the works can cope with the flows. However

the permit needs to reflect the flows being treated for the discharge to be legal.

From the discussions on site it appeared that there was a desire to repair the storm tank and to bring it back online. However, it should be noted that from our records Dwr Cymru wrote to the Environment Agency in March 2010 to request a revocation of permit CG0114002. This was followed by a revocation of the permit by the Environment Agency. This was the storm discharge permit. So there is now no permit in place for a storm discharge from the site.

Given that the site is treating more flow than allowed under the permit condition, the permit needs to be varied to reflect what is going on on site for the discharge to be legal. Please therefore apply for a permit variation on this front.

Secondly, water was seen to be seeping out from a crack in the base of the old storm tank to ground. This appeared to be clean water as the tank isn't in use. The fact that there is a seepage from the tank shows that the tank is not in a fit condition to bring back into use at present. Two photographs showing the outside of the storm tank are attached.

Since submitting the CAR form warning to Dwr Cymru, James Camis, Environmental Permitting Specialist for Dwr Cymru replied with a copy of a bulk permit modification which showed that the maximum flow to treatment limit had been removed from the permit.

In light of this additional information, this amended CAR form is being issued as a means of confirming that the warning regarding the flow condition is withdrawn.

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.