

## Compliance Assessment Report CAR\_NRW0039030

**Permit being assessed:** AN0408701

For: Herbert St CSO, held by DWR CYMRU CYFYNGEDIG

At: River Terrace, Treorchy, Treorchy, CF42 6AW.

**Type of assessment carried out:** Site Inspection, Reason: Incident Response (Incident number: 2109570).

On 03/12/2021.

Parts of permit assessed: 1.1.1

**NRW Lead Officer:** Hannah Goddard.

**Report sent to:** CARS mailbox, cars@dwrwymru.com, on 14/02/2022.

### 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	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-A1	Remove tree from SW outfall	02/05/2022

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

**\*\* Update to CAR following response from DCWW\*\***

**\*\*20th Dec 2022 - The outfall screen mentioned in the CAR form is a trash screen on a Non DCWW Surface Water line / Highway drainage. Any blockages within this line will not be the responsibility of DCWW to remove. Whilst the tree will also not be our responsibility to remove we've taken the decision to remove this ourselves in order that the outfall can have a clear line of sight from the opposite river bank. This will give us a safer and easier point for future inspections as part of the regular maintenance checks on the CSO that utilises this line approx. 250m upstream.**

*I've visited the site myself on 06.12.2021 (photo attached) and passed on a work instruction to our R&M Contractors but due to the location they have had to pass this onto a special sub contractor as rope access will be needed, we are currently awaiting the RAMS for this to be agreed and signed off but due to the time of year it will be looking like this this be hopefully completed early in the new year. Once the tree has been removed our contractor will supply images of the outfall to understand what is blocking it (I presume it will be siltation) and we can then share this with yourselves and the local authority.*

**\*\* NRW accept that this is not a breach of permit, as the blockage is on the SW line, not the outfall of the CSO. We will expect a follow up on the removal of the tree.\*\***

Following a report on 26th Nov 2021, this compliance form is being issued to make DCWW aware that the screen downstream from the asset is partially/fully blocked, interfering with surface water drainage, and a risk to the performance of the asset.

Please see report below:

*There is an outfall structure within the riverwall in Treorchy RCT. This outfall structure has a trash screen and it appears fully blocked, and has a tree growing out of it/near it. The upstream manholes are holding water due to this blockage, I believe that this is a storm overflow line belonging to DCWW, however if the trash screen is removed for cleansing, there may be copious amounts of pollution to fall into the river.*

#### CONDITION

General management

1.1.1 The operator shall manage and operate the activity:

(a) in accordance with a written management system that identifies and minimises risks of pollution so far as is reasonably practicable, including those risks arising from operations, **maintenance**, accidents, incidents, non-conformances and those drawn to the attention of the operator as a result of complaints.

#### ACTION

Maintain outfall screen with appropriate pollution prevention in place.

#### CONTACT

Hannah Goddard, 0300 065 3211, [hannah.goddard@naturalresourceswales.gov.uk](mailto:hannah.goddard@naturalresourceswales.gov.uk)

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.