

## Compliance Assessment Report CAR\_NRW0039374

**Permit being assessed:** BM0004402

For: Ewenni No 2 Pumping Station, held by DWR CYMRU CYFYNGEDIG

At: Abbey Road , Ewenny , Corntown, Bridgend, CF35 5BN .

**Type of assessment carried out:** Site Inspection, Reason: Other.

On 30/11/2021, between 13:00 and 13:40.

Parts of permit assessed: Relevant conditions

**NRW Lead Officer:** Hannah Jenkins.

**Report sent to:** CARS Mailbox, CARS Mailbox, on 17/02/2022.

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

Part of permitted activity assessed (criteria)	Assessment result	Permit condition
WQ-B3 - Operations - Operating techniques	C3 Minor	2.3.2(d)
WQ-B3 - Operations - Operating techniques	Action only (X)	
WQ-D2 - Information - Reporting	Action only (X)	
WQ-C1 - Emissions and monitoring - Emissions to water	Action only (X)	
WQ-B3 - Operations - Operating techniques	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-B3	See action 4 below	13/05/2022
WQ-B3	Provide a copy of the 'Pumping Station Key Protection Measures' document	31/03/2022
WQ-D2	Provide EDM spill data for discharge between the periods 01.01.20 to 31.12.21	31/03/2022
WQ-C1	Confirm the status of the SOAF investigation and provide an indicative timeframe for an output from the SOAF process.	13/05/2022
WQ-B3	Provide a report into the operation of the discharge including a summary of investigations of the pumping station, overflow, and network you have undertaken to date or intend to take. In line with Condition 2.3.2 (a), (b) and (c) & (d) respectively please include: - The pass forward flow - The status and capacity of storm storage (on-line and off line) associate with this discharge including any maintenance records available for the storm storage - Regarding the screen, as a minimum provide records of the screen maintenance for the past 12 months and include	13/05/2022

Criteria	Action needed	Complete by
	<p>any improvements that will be made to screening future storm discharges.</p> <p>You should also include an action plan with time frames for any investigations, maintenance, or interventions you intend to take to manage the situation and bring about a long-term solution to the operation.</p>	

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.**

**We are currently considering taking enforcement action against you for the non-compliance recorded above. We will contact you in due course.**

### 4. Details of our assessment

Site visit was undertaken on 30 November 2021 accompanied by Dan Foreman, Pollution Technician, following a meeting via MS Teams on 5th October 2021 between NRW and Dŵr Cymru to discuss Ewenny No 2 SPS. The purpose of the meeting was to follow up on the temporary arrangement which had been put in place previously to allow the discharge of storm sewage from the pumping station when the river is higher than the outfall to prevent flooding. The operational status and condition of the outfall was unknown at the time of the meeting, the purpose of the visit was to inspect the pumping station overflow, hire pump set up and outfall.

On inspection of the wet well of the pumping station the incoming flow was very dilute despite little rain in the preceding days. The wet well appeared to have been at a high level and above the level of the inflow pipe.

The screen is a static box screen surrounding the outfall pipe but the top of the screen is open allowing flows to bypass screening. Unable to gauge the size of the screen on visual inspection as the screen was at blinded with sewage rag/litter, evidence of sewage inside the box screen indicating the screen is overtopped.



Photo 1 - Wet well showing incoming flows and screen

There is a hire pump in place in an inspection chamber on the highway opposite the SPS compound, the pump operates on a level switch to allow over pumping of storm discharges entering the chamber be released to the river via pipework laid overland. The end of the pipe is located a few meters downstream of the constructed outfall location. There was some impact immediately around the outfall, unable to get down the river bank to inspect closer but from the bank above the outfall could see some grey fungus and appeared to be some sewage litter on the bed.



Photo 2 - inspection chamber over pumping





Photo 3 - hire pump



Photo 4 - Constructed outfall



Photo 5 - Temporary pipework outlet

The permit requires that *"The discharge shall not be comminuted or macerated and shall have passed through screens as specified and shall not contain a significant quantity of solid matter with a particle size greater than any indicated [10mm]. All screenings shall be removed from the discharge."*

The screen does not appear to be operating adequately to prevent solid matter and sewage litter entering the discharge, this has been scored as a category 3 non-compliance against condition 2.3.2(d).

The location of the discharge is a potential breach of the permit, however the Grid reference in the permit for the outfall (NGR: SS 90820 77543) does not appear to be accurate, this location is in the woodland area between the bank and the highway. You should apply to update your permit with an accurate grid reference at the location of discharge.

The hire pump in place to over pump storm flows is not an acceptable long term solution to the operational problems of the storm overflow and outfall. Whilst we were notified that the temporary pump arrangement was being put in place and initially it was agreed that this could be done as a short terms solution in storm conditions in order to prevent flooding in the catchment, this was agreed on a basis that this solution would have a limited duration, and would be in place whilst a longer term solution could be sought.



An excerpt of EDM summary data submitted to NRW as part of the annual return is below:

Total Duration (hours in decimals) of all spills prior to processing through 12-24 hour counting method	Counted Spills using 12-24 block counting method	Percentage complete data
5273.75	231	99.99

This data shows that the storm over flow is spilling approximately 60% of the time which is an excessive amount of time particularly in such a small catchment as Corntown.

It was confirmed in the October meeting that the EDM spill data recorded by an ultrasonic level and is reliable data, it was also confirmed that the pumping station is under investigation through the Storm Overflow Assessment Framework (SOAF). The latest SOAF tracker available to NRW (17/01/22) shows BM0004402 Ewenny PS No 2 at Stage 1 of SOAF which was due to be started 22.10.21.

The storm overflow is not operating in a satisfactory manner, in terms of categorisation for compliance at this stage it would be deemed sub-standard and is potentially unsatisfactory, further information will be required to determine if this.

To address the issues identified and as set out in Section 1 above:

1. Provide a copy of the 'Pumping Station Key Protection Measures' document as required by condition 2.3.1 and Table S1.2 of the permit.
2. Provide EDM spill data for discharge between the periods 01.01.20 to 31.12.21 in line with table S4.1 of the permit, in addition to the data please provide the level reading at which a spill occurs in order that we may interpret the data.
3. Confirm the status of the SOAF investigation and provide an indicative timeframe for an output from the SOAF process.
4. Provide a report into the operation of the discharge including a summary of investigations of the pumping station, overflow, and network you have undertaken to date or intend to take.

In line with Condition 2.3.2 (a), (b) and (c) & (d) respectively please include:

- The pass forward flow
- The status and capacity of storm storage (on-line and off line) associate with this discharge including any maintenance records available for the storm storage
- Regarding the screen, as a minimum provide records of the screen maintenance for the past 12 months and include any improvements that will be made to screening future storm discharges.

You should also include an action plan with time frames for any investigations, maintenance, or interventions you intend to take to manage the situation and bring about a

long-term solution to the operation.

If you have any queries regarding these actions or require additional time to complete them please contact me.

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.