

## Compliance Assessment Report CAR\_NRW0039452

**Permit being assessed:** AN0060501

For: BARRY TOWN PS (EMER) ISLAND CAR PK, held by Dwr Cymru Welsh Water  
At: BARRY TOWN PS (EMER), ISALND CAR PARK, BARRY ISLAND BARRY, SOUTH WALES, CF62 5TP.

**Type of assessment carried out:** Site Inspection, Reason: Incident Response (Incident number: 2108139).

On 29/09/2021, between 14:45 and 15:00.

Parts of permit assessed: Relevant conditions

**NRW Lead Officer:** Hannah Jenkins.

**Report sent to:** CARS Mailbox, CARS Mailbox, on 25/02/2022.

### 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	C3 Minor	Condition 2.3.3 (b) 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.
WQ-B3 - Operations - Operating techniques	Action only (X)	
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-B1	Action taken at the time of the incident as detailed in the Final Watpol. Please provide the information requested listed in below and in Section 4 of this report as well.	Already completed
WQ-B3	Provide a copy of 'OT3 – Pumping station key protection measures' as referred to in Table S1.2 of the permit and required by permit condition 2.3.1	25/03/2022

Criteria	Action needed	Complete by
WQ-A1	Please provide maintenance records for the CSO from 29/04/2021 to 31/12/2021 including a list of routine checks and frequency of the routine if not included in the document. Please also include an explanation of any abbreviations or descriptions e.g. CSO Service Visit -1M KEY so that we may interpret the submission.	25/03/2022

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.

#### 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

Inspected outfall from CSO while in the area, sewage litter and sanitary waste observed along the foreshore and caught on the grid, reported via Pollfax on 29/09/21 WIRS ref: 2108139

Final Watpol received stating "Final - Crew and bronze tech have attended site 29/09/21. CSO had spilled in yesterday's heavy rainfall. The screen has been cleaned on site this evening and a clean-up has also been raised today by the pollution tech for 30/09/21 when there is low tide PM. When Alun Griffiths are there carrying out clean up they are also going to complete a man entry to remove wipes that are inside of the CSO chamber."

The discharge is non-compliant with permit AN0060501, this has been categorised as C3 against Condition 2.3.3 (b) of the permit *"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."*

Ensure that maintenance of the CSO and screen is undertaken regularly and the outfall is inspected and cleaned up following a spill where necessary.

#### **Actions:**

- Provide a copy of 'OT3 – Pumping station key protection measures' as referred to in Table S1.2 of the permit and required by permit condition 2.3.1
- Please provide maintenance records for the CSO from 29/04/2021 to 31/12/2021 including a list of routine checks and frequency of the routine if not included in the document. Please include an explanation of any abbreviations or descriptions e.g.

CSO Service Visit -1M KEY so that we may interpret the submission.

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.