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Y Gweinidog Newid Hinsawdd
Minister for Climate Change



Llywodraeth Cymru
Welsh Government

Llyr Gruffydd MS,
Chair,
Climate Change, Environment, and
Infrastructure Committee

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3 December 2021

Dear Llyr,

Thank you for your letter of 18 November 2021 regarding sewage discharges from storm overflows and the Environment Act 2021.

We are taking an approach to improving water quality which is best suited for specific Welsh circumstances, and these do not necessarily replicate the approach being taken in England.

I am extremely concerned about the impact of pollution on the quality of our rivers across Wales, and I am committed to tackling the causes. Protecting and enhancing our water environment is a priority for this government and, this year alone, we have made nearly £10m available to improve water quality.

Discharges from combined storm overflows (CSOs) are not the main cause of poor water quality in Wales – the main causes is runoff from animal waste and chemicals used in agriculture, pollution from disused mines, runoff from built up areas, and sewage pipes being wrongly connected to drainage networks. I have enclosed a summary at annex 1.

The regulatory arrangements for discharges from storm overflows are governed by The Environmental Permitting (England and Wales) Regulations 2016 which set out the legal framework for NRW to permit discharges to the water environment. This includes the discharge of any poisonous, noxious, polluting or waste matter or any trade or sewage effluent into water bodies. It is NRW's role to determine and regulate environmental permits for storm overflows, these contain conditions that limit when the overflow can operate and also require measures such as screens to prevent sewage debris escaping.

NRW works strategically with the Environment Agency and Ofwat on the regulation of sewage discharges, planning for required investment in sewerage infrastructure, and monitoring of company performance. In cross-border catchments NRW operational teams have local liaison arrangements in place with EA counterparts.

NRW is working collaboratively with the water companies and continually reviews its regulatory position in relation to each asset. They advise that where required they will use their powers to drive improvement work forward. NRW have issued enforcement notices where they feel action is not progressing as required. As further data is collected and

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Rydym yn croesawu derbyn gohebiaeth yn Gymraeg. Byddwn yn ateb gohebiaeth a dderbynnir yn Gymraeg yn Gymraeg ac ni fydd gohebu yn Gymraeg yn arwain at oedi.

We welcome receiving correspondence in Welsh. Any correspondence received in Welsh will be answered in Welsh and corresponding in Welsh will not lead to a delay in responding.

shared by the water companies NRW will take the necessary action to ensure non-compliance with permit is dealt with accordingly.

The requirements in the Environment Act 2021 include a specific focus on CSOs however we need to take a holistic approach to ensure sustainable solutions not only deliver water quality improvement but also supports climate change adaptation, improved biodiversity and delivers on net zero.

The water companies in Wales already report on the performance of storm overflows and publish full information on their websites so it is publically available and real-time alerts are available at key designated bathing sites and they are also required to provide a summary of spill data to NRW on an annual basis.

NRW are developing a Roadmap for Storm Overflows in Wales. Working with Welsh Government, Ofwat, and both Water Companies they are developing recommendations aimed at tackling the impacts of Storm Discharges on Welsh rivers. The work is overseen by the Chair of NRW and Ofwat. NRW would be happy to share this work with you as it approaches its final stages.

The first non-statutory Drainage and Wastewater Management Plans (DWMPs) will be published by water companies in 2022. These new Plans will deliver more action to help sewerage companies better address the risks that some sewerage assets, such as storm overflows, may pose to the environment.

These will set out a long and short term plan to reduce the discharges from CSOs and any environmental harm from them. This will include improved treatment of sewage, improved storage capacity and natural, environmentally friendly ways of reducing the volume of water entering the sewage system. Nature based solutions should be used to divert as much surface water as possible away from the sewerage systems, through catchment management. These projects often need multi sector co-operation, to ensure a catchment area is not overwhelming a water company's infrastructure capacity.

I intend to put DWMP's on a statutory during this Senedd term using powers conferred by the Environment Act 2021. I will be consulting on regulations setting out the form and content of these plans.

This Government has already taken action by making sustainable drainage systems (SuDS) mandatory on most new building developments, and encouraging water companies and local authorities to retrofit their existing water and wastewater network with more sustainable drainage systems. This will relieve pressure on the sewer network by redirecting and slowing down the speed at which surface water enters the network – ensuring CSOs are only used as a last resort. The Programme for Government includes a specific commitment to enhance the SuDS legislative framework to provide additional environmental, biodiversity, well-being and economic benefits to our communities.

Between 2020 and 2025 Dŵr Cymru Welsh Water (DCWW) are investing £101 million to upgrade their wastewater management network to reduce discharges into waterways as part of a wider investment package of £765 million to protect the environment.

This includes investing £42m in the Storm Overflow Assessment Framework (SOAF) which will determine wastewater assets for improvement. This will improve both watercourse amenity value and water quality overall. NRW will help ensure this investment is targeted appropriately so that the framework aligns with the Sustainable Management of Natural Resources principles, as set out in the Environment (Wales) Act 2016.

Over the same period Hafren Dyfrdwy will invest almost £17m on waste and environmental improvements including £7.6m on improving river water quality, and £3.3m on waste network and treatment works enhancements.

Bathing water quality monitoring and sampling takes place at all designated bathing waters in Wales from 15 May to 30 September. This year, for the fourth consecutive year Wales met 100% bathing water quality compliance standards, with 85 of the 105 bathing waters achieving a classification of 'excellent'.

Clean water and a healthy environment are essential for life in Wales and tackling pollution is a priority. This is reflected in the Welsh Government's Programme for Government, which makes a commitment to designating inland waters and strengthening water quality monitoring.

Yours sincerely



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Annex 1

- i. The Water Framework Directive (England and Wales) Regulations 2017 aim to reduce pollution and improve the condition of aquatic ecosystems, promote the sustainable use of water and reduce the effects of floods and droughts. They place a statutory duty on Welsh Ministers to prevent deterioration and improve all water bodies to good status by 2027. To deliver compliance with this duty NRW advise a multimillion pound programme of works is required across Wales between now and 2027 if all 942 water bodies in Wales to achieve good ecological status by 2027.
- ii. NRW have a statutory duty to assess and report on the status of every water body in Wales but its benefits are far wider. This is a key evidence source for our State of Natural Resources Report and an indicator for the Well Being of Future Generations Act.
- iii. NRW prepare River Basin Management Plans for each of the 3 river basin districts in Wales (Western Wales, the Dee and the Severn). They address the issues impacting on water quality status and are revised and published every six years – the next cycle of plans will cover the period 2021-2027. They have identified 5 key factors preventing these water bodies from reaching good status as follows:
 - a) **Physical Modifications cause failure in 241 water bodies (113 failures from farming and 16 from forestry)** - Artificial changes made by humans to rivers, lakes, estuaries and our coastline which alter the size and shape of natural habitats. These include artificially straightening channels to aid navigation or flood risk management, structures designed to reduce flood risk, flow regulation structures to create reservoirs, dams and weirs, or short-term management activities like dredging or vegetation removal.
 - b) **Diffuse pollution from rural areas causes failures in 129 water bodies - of these 113 are from farming and 16 are from forestry.** Agriculture and commercial forestry cover 79% and 14% respectively of the area of Wales. Inappropriate or outdated practices associated with agriculture and forestry can result in increased levels of sediment, acidity, metals, nutrients, herbicides and pesticides entering ground and surface water. These pollutants harm in-stream insects, fish and plants. Sheep and cattle produce significant amounts of waste that can directly impact upon the environment and pollute watercourses.
 - c) **Urban pollution causes failures in 101 water bodies** - Urban areas can pollute water in many ways, from surface water drainage to private sewage discharges and pipe misconnections. A combination of misconnections of sewerage from domestic and business premises and homes and privately owned septic tanks and treatment plants together with rainwater collected from artificial surfaces such as building roofs, roads and pavements collectively contribute to a mixture of water pollution within our towns and cities. This includes dust/grit, oils, detergents, metals, road salt, bacteria from animal faeces and other particulates which becomes collected through surface water drainage systems or directly into local streams and lake from localised drains. This has impacts on rivers, lakes, groundwater, estuaries and coastal waters.

- d) **Sewage and Waste Water causes failure in 74 water bodies** - Large amounts of nutrients (such as phosphorus and nitrates), ammonia, metals and other damaging substances including viruses and bacteria enter the sewerage system. These have a detrimental effect on habitats and a significant impact on our use of water. Unregulated discharges and leaking subsurface sewers cause pollution of groundwater resources. Pollutants enter the water environment through discharges from sewage treatment works and sewage overflows (either treated or untreated). During periods of wet weather, storm overflows also contribute to the impact. Public misuse of the sewerage system includes disposing harmful chemicals, fats, oils, grease and materials like wet wipes in the sewer network.
- e) **Abandoned metal mines cause failure in 60 water bodies** - Wales has around 1,300 abandoned metal mines. Rainfall, surface and ground water flow through the abandoned workings, leaching out metals and making many of the discharges acidic. This has severe environmental impacts - the toxicity of the mixture of metals kills in-stream life. It is estimated to impact over 600km of river reaches and nine of the ten worst metal mine polluted catchments in the UK are in Wales. They are one of the principal causes of failures of Water Framework Directive (WFD) standards in Wales