



Llanishen Reservoir Update – 15 February 2011

Responsibility of reservoir owners

All reservoir owners (known as undertakers) are responsible for the management and safe operation of their reservoirs. The Reservoirs Act 1975 requires all reservoir undertakers to oversee the safe operation and maintenance of reservoirs and complete safety inspections every ten years. These inspections are called Section 10 reports.

Safety inspections

The Section 10 report for Llanishen reservoir, written in 2008, instructed the undertakers, Western Power Distribution (WPD), to complete actions known as 'measures to be taken in the interests of safety'.

Once submitted by the Inspecting Engineer, a Section 10 report is non negotiable. The Environment Agency does not have the authority to challenge this report because of the strict provisions contained in the Act.

Once recommendations have been submitted, there is a legal obligation on the undertaker to action these safety measures as soon as practicable. In the case of Llanishen Reservoir, the inspection report specified these must be done within 12 months.

The role of the Environment Agency

The Environment Agency is the enforcement authority responsible for ensuring compliance with the Reservoirs Act 1975. This means we must ensure all undertakers comply with the Act and deliver any safety measures within the timescales specified by the Section 10 report.

The Llanishen Section 10 report specified that all safety measures had to be completed by 9 May 2009. WPD did not complete these measures on time so the Environment Agency served an enforcement notice on the company. This notice required WPD to complete the outstanding safety measures within an agreed timescale.

The draw down of the reservoir

As part of its obligations under the Reservoirs Act 1975, WPD elected to draw down the reservoir to carry out a visual inspection of the pipework. This decision was made on the advice of their appointed Panel Engineer.

On the 26th February 2010, WPD began drawing down the water in Llanishen Reservoir by syphoning water over the reservoir embankment to the Nant Fawr

stream. The water level within the reservoir was lowered by approximately four metres.

On 19 July, the Environment Agency issued a permit to WPD which allowed them to drain down the remaining water via the reservoir's scour valve.

On 18 October, it was confirmed that the reservoir had been drained.

On the 15th December 2010, the Agency received a certificate dated the 29 November 2010 from WPD's appointed Panel Engineer, verifying that the safety measures had been completed.

All discharge activities and safety recommendations are therefore now complete.

Environment Agency powers

The Environment Agency had no relevant legal powers to prevent the draw down from happening.

WPD decided to draw down the reservoir in order to carry out the safety recommendations made by the specialist reservoir engineer. The method by which the recommendations were carried out was a matter for WPD and their appointed reservoir engineer to decide.

The reservoir currently remains under the safety supervision of an appointed specialist civil engineer. In the unlikely event that the reservoir becomes unsafe, the engineer has the power to require WPD to appoint an inspecting engineer under the Reservoirs Act. If the inspecting engineer has concerns that the reservoir has changed, or is being operated in such a way that compromises safety, he would be able to make enforceable recommendations in the interests of safety.

At the present time we have no reason to be concerned for the safety of Llanishen Reservoir and it is currently considered to be fully compliant with all aspects of the Reservoirs Act.

The Environment Agency has powers to take any action necessary to protect people and property from an escape of water.

Environmental permit*

The Environment Agency issued WPD with an environmental permit (discharge consent) on 19 July 2010 to drain down the remaining water in Llanishen reservoir.

As part of the application process, WPD were required to produce a risk assessment to demonstrate that their proposals would not have an adverse impact on the Nant Fawr stream, its wildlife or the local environment. As their proposals demonstrated that the release of water would be managed in a controlled manner, we were obliged to issue an environmental permit.

We produced a 'decision document' as part of our determination process. The decision document, risk assessment and environmental permit are available to view at www.environment-agency.gov.uk/llanishenreservoir.

The Environment Agency closely monitored the water being released into the Nant Fawr stream to ensure WPD complied with its environmental permit conditions. Our

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monitoring confirmed that the company fully complied with its permit and that there was no impact on the Nant Fawr stream throughout the draw down period.

Refill

The reservoir currently remains empty as the scour valve has been left open following the draw down. This position will continue unless WPD decide to refill.

There is no mechanism under the Reservoirs Act 1975 or any other environmental legislation that allows the Environment Agency to instruct WPD to refill the reservoir.

However, we have contacted WPD to inform them we would like to be consulted on any proposals they may have on refilling the reservoir. This is because they may require an abstraction licence from us if they want to abstract water from any water body within the area. As Llanishen reservoir is 'offline' and is currently supplied only by rainwater, any refill by this method could take between 8 and 10 years.

* An Environmental Permit is a legal document which gives permission to discharge water that may contain silts or sediments (such as in reservoir water), sewage or trade effluents directly into surface waters, rivers, streams, canals, groundwater or the sea. We determine Environmental Permit applications to regulate the water being discharged. This helps us to protect water quality, the environment and human health.

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