

Compliance Assessment Report

Report ID:
CAR_NRW0034062

This form will report compliance with your permit as determined by an NRW officer

Site	Port Talbot Steel Works	Permit Ref	BL7108IM		
Operator/Permit holder	Tata Steel UK Limited				
Regime	Installations				
Date of assessment	14/08/2018	Time in	09:00	Out	12:00
Assessment type	Audit				
Parts of the permit assessed	1 Management; 2 Operations; 3 Emissions and Monitoring; 4 Information				
Lead officer's name	Broom, Mark				
Accompanied by	Cowie, Douglas,Gibson, Paul				
Recipient's name/position	Claire Grainger/ Environment Manager	Date issued	30/10/2018		

Section 1 – Compliance Assessment Summary

This is based on the requirements of the permit under the Environmental Permitting Regulations or the licence under the Water Resources Act 1991 as amended by the Water Act 2003. A detailed explanation is captured in "Compliance Assessment Report Detail" (Section 2) and any actions you may need to take are given in the "Action(s)" (section 4). This summary details where we believe any non-compliance with the permit has occurred, the relevant condition and how the non-compliance has been categorised using our Compliance Classification Scheme (CCS). CCS Scores can be consolidated or suspended where appropriate, to reflect the impact of some non-compliances more accurately. For more details of our CCS scheme, contact your local office.

Permit conditions and compliance summary	CCS Category	Condition(s) breached
A1 - Specified by permit	A	
B1 - Infrastructure - Engineering for prevention and control of emissions	A	
B5 - Infrastructure - Plant and equipment	A	
C2 - General Management - Management system and operating procedures	A	
E1 - Emissions - Air	O	3.1.2 Emissions to air
	O	3.1.2 Emissions to air
G1 - Monitoring and Records, Maintenance and Reporting - Monitoring of emissions and environment	A	
G2 - Monitoring and Records, Maintenance and Reporting - Records of activity, site diary/journal/events	A	
G3 - Monitoring and Records, Maintenance and Reporting - Maintenance records	A	

KEY: See Section 5 for breach categories, suspended scores will be indicated as such.

A = Assessed or assessed in part (no evidence of non-compliance), **X** = Action only,

O = Ongoing non-compliance, not scored.

Number of breaches recorded	0	Total compliance score (see section 5 for scoring scheme)	0
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If the Number of breaches recorded is greater than zero, please see Section 3 for our proposed enforcement response

Section 2 – Compliance Assessment Report Detail

This section contains a report of our findings and will usually include information on:

- The part(s) of the permit that were assessed (eg. Maintenance, training, combustion plant, etc)
- Where the type of assessment was 'Data Review' details of the report/results triggering the assessment
- Any non-compliances identified
- Any non-compliances with directly applicable legislation
- Details of any multiple non-compliances
- Information on the compliance score accrued inc.
- Details of advice given
- Any other areas of concern
- Any actions requested
- Any examples of good practice
- A reference to photos taken

Site description

Tata Steel UK Ltd (Tata Steel) operates an integrated iron and steel works at Port Talbot, Neath Port Talbot. The site is permitted as an installation under the Environmental Permitting Regulations (EPR). Tata Steel has several defined industrial processes which are carried out sequentially across the installation to convert raw iron ores and coal to semi-finished (slab) and finished steel products (such as hot rolled, pickled and oiled, cold rolled and annealed steel). The permit also covers coke making and the reception, stockpiling and blending of raw iron making materials. Four other companies – Cambrian Stone, Harsco Metals, Runtech and ICL – are contracted to undertake their own permitted activities at the steelworks on Tata Steel's behalf.

Purpose of visit/assessment

This intervention focused on the Sinter Plant, Coke Ovens and fugitive dust management and control at Port Talbot steelworks.

Tata Steel continues to notify us about breaches of the permitted emission limit values (ELVs) for dust (particulates) at the Sinter Plant main stack (A1) and visible dust emissions from Coke Oven Doors, Tops and Charging (A54). On 18 July 2018 we issued two EPR Regulation 61 (Statutory) Information Notices to Tata Steel in response to these ongoing ELV breaches. During this intervention we discussed Tata Steel's developing response to both Notices.

NRW has responded to an increase in complaints regarding visible or 'nuisance' dust perceived to be coming from the steelworks. Tata Steel confirmed that a written response (to NRW) and an action plan in respect of complaints and fugitive dust would be forthcoming.

Finally, we discussed the UK's national clean air and pollution control strategies, their implications for Tata Steel's operations and the potential environmental standards that could apply in the medium-to-long term.

The relevant permit conditions are listed under Sections 1.1, 1.2, 1.3, 1.4, 2.1, 2.3, 3.1, 3.2, 3.5, 4.1, 4.2, 4.3 and 4.4 of Tata's permit.

Person(s) present

Tata Steel	
Martyn Duggan	Manufacturing Director (Heavy End)
Ian Vaughan	Works Manager (Ironmaking)
Dean Vincent	Works Manager (Coke Production & Gas Plant)
Tom Watson	Plant Area Manager (Sinter)

Gareth Symons	Head of Health, Safety and Environment
Claire Grainger	Environment Manager
David Anderson	Manager, Environmental Science & Technology (Tata Group Health, Safety & Environment)
Neil Haines	Principal Consultant (Tata Group Health, Safety & Environment)
NRW	
Mark Broom	Technical Specialist
Doug Cowie	PPC/RSR Officer

Sinter plant

Tata Steel has notified NRW about ongoing non-compliance with the ELV for dust (particulates) at emission point A1 – the sinter plant main stack. Our Regulation 61 Information Notice requires the following:

**Environmental Permitting (England and Wales) Regulations 2016
Regulation 61(1)**

SCHEDULE I INFORMATION REQUIRED		
Description of information required	Form the information must take	Date required
A plan outlining the actions Tata Steel UK Ltd will take in respect of ongoing non-compliant particulate matter emissions from emission point A1 (sinter plant main stack), Port Talbot steelworks, Port Talbot, which are currently in breach of the emission limit value of 40.00mg/Nm ³ outlined in Schedule 3(a) Table S3.1 of permit EPR/BL7108IM.	A written action plan which specifies: (a) Steps to be taken to bring particulate matter emissions from emission point A1 (sinter plant main stack) within 40.00mg/Nm³ as a daily mean; (b) A start date for each step; (c) A completion date for each step; (d) A projected compliance date following completion of all steps outlined in the plan. The steps outlined in the written action plan should be prioritised and laid out in a sequential manner.	18 August 2018

Tata Steel presented information outlining the key factors which affect particulate releases from the sinter plant main stack. These factors include (but are not limited to) raw material chemistry and homogeneity, and electrostatic precipitator (ESP) performance. Some factors are difficult to measure e.g. dust resistivity and must be inferred from other data. A series of interventions and maintenance stops are necessary before these factors can be fully addressed and sinter plant main stack emissions brought into sustainable compliance with the 40.00mg/Nm³ ELV.

To demonstrate that acceptable progress is being made towards permit compliance, Tata Steel

needs to develop a suite of appropriate metrics or numeric standards specific to the sinter main waste gas system which can be used to measure its environmental performance. Only then can progress be accurately measured against the milestones Tata Steel has imposed on itself. The sinter plant engineers, with Group Environment support, are increasing the available instrumentation to assist the development of such metrics.

The technology and available resources needed to begin washing of high-chloride sinter blend ingredients (using a hydrocyclone) was discussed. A number of trials are under way to inform the final design of Port Talbot's hydrocyclone plant. Tata Steel is also considering ways in which its process water can be recycled and re-used for chloride washing. NRW is happy to engage further with the operator on this subject, and we may be able to facilitate discussion with other entities e.g. water companies regarding alternative water sources and shared environmental benefits.

Towards the end of our discussion Tata Steel confirmed that a response to the sinter plant R61 Notice would be forthcoming within the required timescale, and no problems meeting that timescale were anticipated. NRW looks forward to receiving this written response*.

*subsequently received from Tata Steel on 18 August 2018 and discussed in a separate Compliance Assessment Report.

Coke Ovens

Tata Steel has notified NRW about ongoing non-compliance with the ELVs for visible emissions from coke oven doors, tops and charging activities at emission point A54 – Morfa Coke Oven batteries. Our Regulation 61 Information Notice requires the following:

Environmental Permitting (England and Wales) Regulations 2016 Regulation 61(1)

SCHEDULE I INFORMATION REQUIRED		
Description of information required	Form the information must take	Date required
A plan outlining the actions Tata Steel UK Ltd will take in respect of ongoing non-compliant emissions from emission point A54 (Morfa coke Oven Batteries), Port Talbot steelworks, Port Talbot, which are currently in breach of the emission limit value of a) DLCF - (Door Leakage Control Factor) – 10% leakage rate b) TLCF (Top Leakage Control Factor) – 1% leakage rate c) Visible emissions from charging – 30 seconds outlined in Schedule 3(a) Table S3.1 of permit EPR/BL7108IM.	A written action plan which specifies: 1. Steps to be taken to bring emissions from emission point A54 (Morfa coke Oven Batteries) within a. 10 % DLCF leakage rate; b. the 1% TLCF leakage rate and c. the visible releases from charging coal into the coke ovens to within 30 seconds as monthly means; 2. A start date for each step; 3. A completion date for each step; 4. A projected compliance date following completion of all steps outlined in the plan. The steps outlined in the written action plan should be prioritised and laid out in a sequential manner.	18 August 2018

For the coke ovens there are four main issues: leaks from coke oven doors, leaks from coke oven tops, (coal) charging emissions and elevated numbers of 'black pushes' when poorly carbonised coke is pushed.

For the Coke Ovens, Tata Steel was able to show evidence of a more progressive, continuous pattern of improvement towards compliance with the doors, tops and charging ELVs. The information presented to the inspecting officers showed clear evidence of progress being made; this has also been reflected by the data included in the Schedule 5 notifications submitted to NRW during 2018. The sinter plant appears to require a 'step change' to achieve sustainable permit compliance; by contrast the coke ovens engineers need to repair and refurbish numerous (100s) of plant components to incrementally improve the asset's environmental performance.

An example of the sustainable compliance being sought by NRW and Tata Steel was provided by Battery 1's door leak figures. These had achieved the performance level associated with Best Available Techniques (BAT) – also known as the BAT-AEPL – for the past eight weeks consecutively. The BAT-AEPL for coke oven doors is reflected as an ELV in Tata Steel's permit.

The ongoing work to repair the oven gas flue distribution systems continues. Tata are adopting extended coking times as necessary to reduce pressure on vulnerable ovens. These measures aim to improve the oven heating profiles, improve carbonisation and minimise the occurrence of black pushes.

The feasibility study for a single COG collection main at Morfa Coke Ovens is ongoing and the outcomes should be available in around 12 months' time. Most coke ovens use a single gas main, whereas Morfa has dual mains with gas extracted at each end of the batteries. NRW and the HSE will be consulted as required while this work is ongoing.

Tata Steel confirmed that a response to the coke ovens R61 Notice would be forthcoming within the required timescale, and no problems meeting that timescale were anticipated. NRW looks forward to receiving this written response*.

*subsequently received from Tata Steel on 18 August 2018 and discussed in a separate Compliance Assessment Report.

Summary

For both works areas, there may still be some time to go before Tata Steel achieves sustainable compliance. However, a pathway towards sustainable compliance was evident from the information presented to the inspecting officers. Tata Steel will be able to respond to our Information Notices within the required timescales.

Visible (nuisance) dust complaints

Since May 2018, NRW has responded to an increase in complaints regarding visible or 'nuisance' dust perceived to be coming from the steelworks. We have audited Tata Steel's environmental complaint handling arrangements and management systems during this period, and we have increased our regulatory scrutiny of steelworks activities which have the potential to generate dust.

Tata Steel personnel confirmed that a written response (to NRW) and an action plan in respect of complaints and dust suppression measures would be forthcoming. This response would likely come from the Port Talbot Hub Director to reflect the seriousness with which Tata Steel is treating these issues. NRW looks forward to receiving this written response*.

*subsequently received from Tata Steel on 20 August 2018 and discussed in a separate Compliance Assessment Report.

UK clean air & air pollution control strategies

We discussed the UK Government's Clean Air Strategy for England and how the UK National Air

Pollution Control Plan (NAPCP) is needed by April 2019 for submission to Europe and to help the UK meet its 2030 environmental commitments. Feedback from the recent UK Steel – Defra meeting about this issue is being prepared. There are five pollutants in NAPCP: Sulphur Dioxide (SO₂), Oxides of Nitrogen (NO_x), Fine Particulate Matter (PM_{2.5}), Non-Methane Volatile Organic Compounds (NMVOCs) and Ammonia.

Tata Steel UK can play its part in reducing these pollutants by making changes to its process operations and investing in its strategic assets e.g. coke oven gas desulphurisation. Where future investments are considered, such as a new coke oven battery, NRW will expect to see use of technologies such as low-NO_x burners which can reduce overall pollutant releases and contribute towards the UK 2030 emission reduction plans.

The UK is consulting on how to implement the 2030 targets and one question posed was: should the UK require operators and regulators to go beyond BAT to meet these targets, or retain existing BAT to drive compliance with these targets?

Between now and 2030 the European Commission (EC) will review BAT for many industrial sectors, including iron and steel, so questions of: BAT; beyond BAT; and how the United Kingdom derives BAT post-Brexit will all need to be considered by governments, regulators and operators alike.

[ENDS]

EPR Compliance Assessment Report

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Site	Port Talbot Steel Works	Permit Ref	BL7108IM
Operator/Permit holder	Tata Steel UK Limited	Date	14/08/2018

Section 3 – Enforcement Response

You must take immediate action to rectify any non-compliance and prevent repetition. Non-compliance with your permit conditions constitutes an offence and can result in criminal prosecutions and/or suspension or revocation of a permit. Please read the detailed assessment in Section 2 and the steps you need to take in Section 4 below.

Section 4 – Action(s)

This section summarises the actions identified during the assessment along with the timescales for when they will need to be completed.

Criteria Ref.	CCS Category	Action required/advised	Due Date
See Section 1 above			
E1	O	Respond to EPR Regulation 61 Information Notice by 18 August 2018	18/08/2018
E1	O	Respond to EPR Regulation 61 Information Notice by 18 August 2018	18/08/2018

Section 5 – Compliance notes for the Operator

To ensure you correct actual or potential non-compliance we may

- Advise on corrective actions verbally or in writing
- Require you to take specific actions verbally or in writing
- Issue a notice
- Require you to review your procedures or management system
- Change some of the conditions of your permit
- Decide to undertake a full review of your permit

Any breach of a permit condition is an offence and we may take legal action against you

- We will normally provide advice and guidance to assist you to come back into compliance either after an offence is committed or where we consider that an offence is likely to be committed. This is without prejudice to any other enforcement response that we consider may be required.
- Enforcement action can include the issue of a formal caution, prosecution, the service of a notice and/or suspension or revocation of the permit.

See our Enforcement and Civil Sanctions guidance for further information

This report does not relieve the site operator of the responsibility to

- Ensure you comply with the conditions of the permit at all times and prevent pollution of the environment
- Ensure you comply with other legislative provisions which may apply

Non-compliance scores and categories

CCS category	Description	Score
C1	A non-compliance that could have a major environmental effect	60
C2	A non-compliance which could have a significant environmental effect	31
C3	A non-compliance which could have a minor environmental effect	4
C4	A non-compliance which has no potential environmental effect	0.1

Operational Risk Appraisal (Opra) - Compliance assessment findings may affect your Opra score and/or your charges. This score influences the resource we use to assess permit compliance.

Section 6 – General information

Data protection notice

The information on this form will be processed by the Natural Resources Wales (NRW) to fulfil its regulatory and monitoring functions and to maintain the relevant public register(s). The NRW may also use and/or disclose it in connection with:

- Offering/providing you with its literature/services relating to environmental matters
- Consulting with the public, public bodies and other organisations (eg. 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 its service
- Freedom of Information Act/Environmental Regulations request

The NRW may pass it on to its agents/representatives to do these things on its behalf. You should ensure that any persons named on this form are informed of the contents of this data protection notice.

Disclosure of information

The NRW will provide a copy of this report to the public register(s). However, if you consider that any information contained in this report should not be released to the public register(s) on the grounds of commercial confidentiality, you must write to your local area office within fifteen working days of receipt of this form indicating which information it concerns and why it should not be released, giving your reasons in full.

Customer charter

What can I do if I disagree with this compliance assessment report?

If you are unable to resolve the issue with your site officer, you should firstly discuss the matter with officer's line managers using the informal appeals procedure. If you wish to raise your dispute further through our official Complaints and Commendations procedure, phone our general enquiry number 0300 065 3000 (Mon to Fri 08.00 – 18.00) and ask for the Customer Contact team or send an email to enquiries@naturalresourceswales.gov.uk. If you are still dissatisfied you can make a complaint to the Public Services Ombudsman for Wales. For advice on how to complain to the Ombudsman phone their helpline on 0845 607 0987.

Welsh Language

If you would like this form in Welsh please contact your Regulatory Officer.