Compliance Assessment Report

Report ID: CAR_NRW0033506

This form will report compliance with your permit as determined by an NRW officer			
Site	Trostre Works	Permit Ref	BX9471IU
Operator/Permit holder	Tata Steel UK limited		
Regime	Installation		
Date of assessment	5th June 2018		
Assessment type	Audit		
Parts of the permit assessed	See section 2		
Lead officer's name	Neil Herbert	Accompanied by	N/A
Recipient's name/position	Darryl Lewis – Environment & Energy Manager	Date issued	19th June 2018

Section 1 – Compliance Assessment Summary

This is based on the requirements of the permit under the Environmental Permitting Regulations. 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	N	
B1 - Infrastructure - Engineering for prevention and control of emissions	A	
B2 - Infrastructure - Closure and decommissioning	N	
B3 - Infrastructure - Site drainage engineering (clean and foul)	A	
B4 - Infrastructure - Containment of stored materials	A	
B4 - Infrastructure – Plant and equipment	N	
C1 - General Management - Staff competency/training	N	
C2 - General Management - Management system and operating procedures	N	
C3 - General Management - Materials acceptance	N	
C4 - General Management - Storage, handling labelling, labelling and Segregation	N	
D1 - Incident Management - Site security	N	
D2 - Incident Management - accidents, emergency and incident planning	N	
E1 - Emissions - Air	N	
E2 - Emissions - Land and groundwater	A	
E3 - Emissions - Surface water	N	
E4 - Emissions - Sewer	N	
E5 - Emissions - Waste	N	
F1 - Amenity - Odour	N	
F2 - Amenity - Noise	N	
F3 - Amenity - Dust/ fibres/ particulates/ litter	N	
F4 - Amenity - Pests/birds/scavengers	N	
F5 - Amenity - Deposits on road	N	
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	
G4 - Monitoring and Records, Maintenance and Reporting - Reporting and notification to Natural Resources Wales	N	
H1 - Resource Efficiency - Efficient use of raw materials	A	
H2 - Resource Efficiency - Energy efficiency	A	

KEY: See Section 4 for breach categories, suspended scores will be indicated as such.
A = Assessed or assessed in part (no evidence of non-compliance), **N** = Not Assessed, **X**= Action only

Number of breaches recorded	0	**Total compliance score** (see section 5 for scoring scheme)	

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 (e.g. 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 including:
  - details of advice given;
  - any other areas of concern;
  - any actions requested;
  - any examples of good practice;
  - a reference to photos taken.

Visit was pre-arranged primarily to discuss progress with actions[1] from previous visit and inspection of the new groundwater monitoring points, recently installed. We also discussed the permit consolidation application presently being determined.

1. **Review containment provision in basement floor & sumps with emphasis on vulnerable areas (i.e. under tanks, pipes, sumps troughs etc.).**
   The operator has attempted to address this (see ref 1) however the submission needs further work. The operator needs to inspect these areas to identify where containment needs to be enhanced (or in some case the integrity of the existing system verified). For example: some of the C.A.P.L tanks have periodically leaked in the past (e.g. extensive staining) and the floor surrounding these tanks are brick lined (and in some places these have been damaged and patched). This is a vulnerable location and because of the nature of the structure difficult to verify its integrity (i.e. integrity of the jointing). Consequently, the operator may need to consider improving provision at this location. Similarly, the transmission troughs are of unknown construction and need to be checked and if necessary mitigated. The review needs to identify all of these vulnerabilities and identify an action plan, where necessary. We expect that this work is undertaken by the operator as soon as possible, followed by a short report detailing findings to be submitted to NRW (please include timescales for any proposed repairs mitigation etc). **Ongoing action**
2. **Leaks spillages are isolated, contained and repaired immediately (or as soon as possible if repair cannot be affected).**
   The operator's response appears to have address this action – completed
3. **Develop periodic integrity inspection regime for key transmission and containment systems eg basement sumps, troughs.**
   The operator's response appears to have addressed this action - completed
4. **Explore whether internal visual tank integrity inspection can be undertaken on a periodic basis to check condition of the tanks (if so these should be added to procedures & records on inspections).**
   The operator has confirmed annual inspections will be undertaken. Action completed.
5. **Decommission temporary [road tanker] tank**
   Action completed, permanent caustic tank is now fully commissioned.
6. **Clarify scrubber construction (packed bed or spray tower) (by next visit) Response ref Appendix 5 design & layout.**
   The operator has attempted to clarify however some confusion arose in the previous visit over comments made by an operative. DL will double check with the responsible team to ascertain the precise layout of the system. This can be clarified at our next visit to site.
7. **Operator to develop a procedure to monitor the abatement efficiency of the scrubber system.**
   The operator's response appears to have addressed this action - completed
8. **Update procedures for the new C.A.P.L. caustic tank delivery point.**
   The operator has stated that new procedures have been incorporated into the site's EMS. Completed
9. **Install appropriate bund for the new C.A.P.L. caustic tank delivery point (prior to commissioning)**
   Completed
10. **Review and make alternative arrangements for the disposal of wastes at the site in accordance with the requirements of condition 1.4.1c (unless otherwise agreed with NRW)**
    Whilst in the medium term the operator's intention is to recover this waste, in the interim the waste is being landfilled. Presently this is being sent to landfill in England. DL explained that their contractor claims that only their site in England can accept this waste. However, we need a detailed explanation why this is the case. Can they also provide a list of the landfill sites in the South Wales area that they have approached and confirmed that they are unable to receive the waste. **Action outstanding**

[1] Operator Response for previous report was submitted 23 March 2018 by email from D Lewis.

11. **Submit annual monitoring report for 2018 for Energy Efficiency Review & Raw Materials Review.**
    See later section
12. **Recommendation that scrubber drainage points from the scrubbers are extended – additional connection to be installed whilst allowing visual checking.**
    Completed
13. **Report to detail the plan on how & when the flume will be repaired**
    See later section
14. **Submit final locations of the proposed groundwater monitoring wells**
    See later section

Flume investigation and repair

- The operator has submitted the following planned programme:

Actions	Trostre Groundwater Assessment Programme						
	March	**April**	**May**	**Jun**	**July**	**Aug**	**Sep**
Initial Assessment - Internal reviews / tender evaluations	**Complete**						
Procurement (vendor agreement & contracts)	**Complete**						
Borehole construction (Dragon Drilling Ltd)							
Borehole water & soil sampling /analysis							
Storm water drain mapping (Drain-Force Ltd)							
Preliminary costings - Flume repair / replacement options							
Preliminary costings - Drain repair / replacement options							
Report compilation & submission to NRW							
Discussions with NRW to formalise plans							

- Borehole construction was delayed but has since been completed, the subsequent sampling was delayed but will be undertaken shortly. However, the operator believe that a report will be submitted to NRW by July as per plan and discussions to be held thereafter. NRW are also considering including an improvement condition to capture elements of this work.

Raw Materials Review

- We discussed the last submission[1] and the operator has sought some further guidance of the requirements. **Action**: NH to send guidance, where available. Note: further advice was sent to the operator by email on the 15^{th} June 2018
- **Action**. Re-submission by the operator to be made by the end of Dec 2018.

Annual Monitoring Report

- The information provided in the operator's email dated 31^{st} of January 2018 will suffice for this year however we would request that for next year's submission: The report has a clear introduction (i.e. explaining that it is submitted in order to discharge condition 4.2.2a; it includes an assessment of the boiler plant's emissions; include interpretation of any groundwater and soil results (if applicable); provide updated monitoring location plan as an addendum

Energy Efficiency Review

- The submission[1] did not properly address the requirement of this condition. The four-year review should be a summary of whether there are suitable opportunities to improve the energy efficiency at the site (or whether measures that could be taken. If so these should be set out with appropriate timelines. It should also provide a summary of the measures undertaken over the preceding four years.
- **Action**. Re-submission by the operator to be made by the end of Dec 2018.

Site Visit

- We undertook a short visit to see the location of some of the new monitoring boreholes. Four new wells were installed, three old wells have been recommissioned and a search for an existing fourth well will be undertaken shortly.
- The sub-surface surface water interceptor should be subject to an integrity inspection on a periodic basis and this needs to built into your scheduled maintenance programme. The findings of the inspections should be documented with photographs of the structure's condition. The operator was tasked to find out when the structure was last de-silted to ascertain when this inspection could be scheduled. **Action**

End of section 2

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Operator/Permit holder	Tata Steel UK limited	Date	5th June 2018

Section 3 – Enforcement Response	Only one box should be ticked
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.	
Other than the provision of advice and guidance, at present we do not intend to take further enforcement action in respect of the non-compliance identified above. This does not preclude us from taking enforcement action if further relevant information comes to light or advice isn't followed.	
In respect of the above non-compliance you have been issued with a warning. At present we do not intend to take further enforcement action. This does not preclude us from taking additional enforcement action if further relevant information comes to light or offences continue.	
We will now consider what enforcement action is appropriate and notify you, referencing this form.	

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			
		See section 2	

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 (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 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 reports should not be released to the public register(s) on the grounds of commercial confidentiality, you must write to your local area office within twenty 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.