

Compliance Assessment Report

Report ID:
CAR_NRW0033622

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	18/06/2018	Time in	09:30	Out	13:30
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				
Recipient's name/position	Claire Grainger/ Environment Manager	Date issued	16/07/2018		

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	
D2 - Incident Management - Accidents, emergency and incident planning	X	
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	
G4 - Monitoring and Records, Maintenance and Reporting - Reporting and notification to Natural Resources Wales	X	

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

Both the EC Industrial Emissions Directive (IED) and Seveso III Directive require regulators such as Natural Resources Wales (NRW) and the Health & Safety Executive (HSE) to work together. NRW's Regulator's Code also requires this approach to be taken to avoid duplication of regulation.

Tata Steel invited representatives from the HSE and NRW to Port Talbot steelworks to discuss safety and environmental issues related to blast furnace operations.

NRW also discussed permit (Schedule 5) notification requirements and out-of-hours contact arrangements with members of Tata Steel's Safety, Health & Environment (SHE) Team.

Person(s) present

Tata Steel	
Martyn Duggan	Manufacturing Director (Heavy End)
Andrew McGregor	Works Production Manager (Iron & Burdening)
Neil Williams	No.5 Blast Furnace Project Manager
Gareth Lloyd	Process Engineering Manager
Gareth Symons	Head of Health, Safety and Environment
COMAH Competent Authority (CA)	
Janet Viney (HSE)	HM Inspector of Health and Safety
Alan Strawbridge (HSE)	HM Inspector of Health and Safety
Gareth Williams (HSE)	HM Inspector of Health and Safety

Mark Broom (NRW)	Technical Specialist
Doug Cowie (NRW)	PPC/RSR Officer

Blast furnace operations

Tata Steel presented information about the blast furnaces at Port Talbot steelworks which informed a discussion with the COMAH CA relating to safety and environmental aspects of furnace operation.

The performance and condition of No.5 Blast Furnace (BF5) is being assessed by Tata Steel engineers to determine the scope of future planned maintenance programmes. BF5 started its current campaign in 2003. Furnace stops are undertaken periodically to undertake critical repairs and prolong furnace campaign life.

EPR permit reporting and notifications

Persons present – Tata Steel: Jason Massey, Yeliz Marshall

Persons present – NRW: Mark Broom, Douglas Cowie

Permit notification requirements were discussed with Tata Steel's SHE Team.

NRW currently receives weekly Schedule 5 notifications for exceedances of the daily mean permitted Emission Limit Value (ELV) for particulate matter from the Sinter Plant main stack (A1). This ongoing non-compliance has been discussed in detail in other CAR forms e.g.

CAR_NRW0032996.

We have agreed weekly notifications with Tata Steel for this parameter (particulates expressed as a daily mean) and emission point (A1). While more manageable than daily notifications, this approach still generates numerous Schedule 5 notifications to the regulator for the same known, ongoing issue.

Taking a proportionate and risk-based approach, NRW agrees that from July 2018 onwards a **monthly** Schedule 5 notification is acceptable for continued exceedances of the 40.00mg/Nm³ particulates daily mean ELV at emission point A1.

NRW requests a summary table of measured particulates exceedances at A1 accompanies the relevant monthly Schedule 5 notification from July 2018 onwards. The table should be provided in MS Excel (.xls) format.

If the measured and verified level of particulates exceeds 120.00mg/Nm³ as a daily mean at A1, this will need to be notified to NRW within 24 hours of detection in line with the basic permit requirements.

For all other steelworks emission points, verified exceedances of the permitted ELVs should be reported according to the basic permit requirements i.e. within 24 hours of detection.

NRW has now determined and issued permit variation EPR/BL7108IM/V016. As part of this variation we have consolidated the permit and agreed the following derogations:

1. Sinter plant secondary de-dust particulate emissions (A2) – derogated to 50.00mg/Nm³ as a daily mean until 31 October 2020 as outlined in the permit Annex.
2. Suspended solids at the Long Sea Outfall (LSO) (W1) – derogated to 150.00mg/l until the next formal review of the published Iron and Steel Best Available Techniques (BAT).

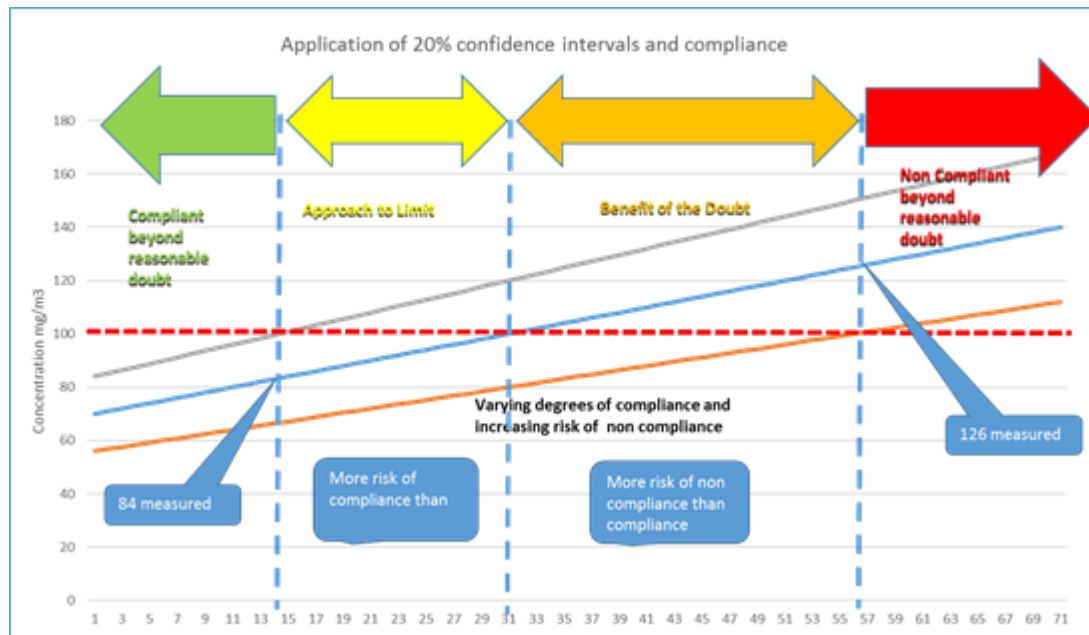
These limits at emission points A2 and W1 apply from 26 June 2018 and should now be used for

compliance reporting, monitoring and notification purposes.

For the Coke Ovens, we agreed that monthly 'black push' data should be included from July 2018 onwards as part of ongoing monthly Schedule 5 notifications for exceedances at emission point A54. These notifications already include monthly mean Door Leakage Control Factor (DLCF), Tops Leakage Control Factor (TLCF) and coke oven charging time results.

Confidence intervals

Tata report their releases based on Continuous Emission Monitoring Systems (CEMS) measured values and not validated values i.e. measured values after the removal of confidence intervals. The graph below shows the application of confidence intervals to parametric (ratio scale) data:



Out-of-hours contact arrangements

NRW has reviewed its incident response plans and procedures for the steelworks following a recent increase in steelworks related (pollution) complaints. Our duty officers have encountered problems contacting and obtaining information from Tata Steel Port Talbot outside normal working hours (Mon – Fri, 0900 – 1700hrs).

If an event or incident takes place which has the potential for off-site health or environmental impacts, or may trigger significant public interest, we expect that robust and reliable contact arrangements are in place on a 24/7 basis to ensure the regulator (NRW) and partner agencies can obtain key information from the site operator in a timely manner.

Effective incident management and lines of communication are key elements of the environmental management system required under EPR permit condition 1.1.1.

Tata Steel must confirm the out-of-hours contact arrangements for Port Talbot steelworks should NRW duty staff need to speak to Tata personnel about an incident or event. A Tata Steel duty manager who is available 24/7 could be an appropriate contact. The inspecting officers ask that this issue is given priority attention and the contact arrangements are formally communicated to us in writing.

Conclusions and further actions required

The opportunity to review Blast Furnace operations was very useful and timely.

The second part of our visit allowed us to clarify issues associated with EPR permit reporting, derogations (and associated permit changes) and the consequential notification requirements.

Tata Steel must confirm the out-of-hours contact arrangements for Port Talbot steelworks to allow NRW duty staff to contact the appropriate Tata personnel about an incident or event. These arrangements need to be communicated in writing to the inspecting officers.

[ENDS]

EPR Compliance Assessment Report

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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			
G4	X	NRW requests a summary table of measured particulates exceedances at A1 accompanies the relevant monthly Schedule 5 notification we have agreed from July 2018 onwards. The table should be provided in MS Excel (.xls) format.	10/08/2018
D2	X	Tata Steel must confirm the out-of-hours contact arrangements for Port Talbot steelworks to allow NRW duty staff to contact the appropriate Tata personnel about an incident or event.	01/08/2018

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.