

Compliance Assessment Report

Report ID:
CAR_NRW0031418

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

Site	Port Talbot Steel Works EPR/BL7108IM	Permit Ref	BL7108IM		
Operator/Permit holder	Tata Steel UK Limited				
Regime	Installations				
Date of assessment	31/03/2017	Time in	N/A	Out	N/A
Assessment type	Report/Data Review				
Parts of the permit assessed	1 Management; 2 Operations; 3 Emissions and Monitoring; 4 Information				
Lead officer's name	Cowie, Douglas				
Accompanied by	Broom, Mark,Baskerville, Guy,Gibson, Paul				
Recipient's name/position	Claire Grainger/ Lead Environmental Engineer	Date issued	15/05/2017		

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	
C2 - General Management - Management system and operating procedures	C4	3.7.3 Air Quality Management Plan (AQMP)
E1 - Emissions - Air	A	
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	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	1	Total compliance score (see section 5 for scoring scheme)	0.1
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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) 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). The steelworks has several identifiable permitted 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). The permit also covers coke making and the reception, stockpiling and blending of raw iron making materials. Three other companies, Cambrian Stone, Harsco Metals and ICL, undertake separately-permitted slag handling, iron plating and cold mill effluent treatment activities at the steelworks on Tata's behalf.

Purpose of visit/assessment

Section 3.7 of permit BL7108IM contains a number of conditions requiring Tata Steel to operate the permitted activities at Port Talbot steelworks in accordance with an agreed Air Quality Management Plan (AQMP). The current version of this AQMP is Revision 8 dated 15 February 2016.

Under Section 9 of the agreed AQMP, Tata has committed to submitting on-site ambient PM₁₀ monitoring reports to NRW on a quarterly and an annual basis. Quarterly reports are submitted individually for January to March, April to June and July to September. The Annual Report includes the final quarter October to December and is due by the last working day of January the following year.

This CAR contains NRW's compliance assessment for the following AQMP reporting period(s):

- 2016 calendar year (3 x quarterly reports; 1 x annual report)

The relevant permit conditions are listed under Sections 1.1, 2.3, 3.2, 3.7, 4.1, 4.2 and 4.4 of Tata's permit.

On-site ambient PM₁₀ monitoring: 2016

Overview

Three quarterly PM₁₀ reports were submitted to NRW in 2016 within the agreed timescales. The Annual Report was received on 27 February 2017, which is outside the agreed timescale for submission as outlined in Section 9 of AQMP Revision 8.

Tata's reports confirm the layout and operation of the company's on-site ambient PM₁₀ monitoring network as deployed over the calendar year. This includes details of any withdrawn monitors e.g. due to repair, maintenance/calibration or failure. The reports present an analysis of PM₁₀ data obtained from Tata's on-site monitors and discuss data variations and trends detected over the

course of the year. Data from any PM₁₀ exceedance days recorded at the Automatic Urban and Rural Network (AURN) air quality monitor at Margam Fire Station is discussed. The influence of any monitored transboundary air pollution is also taken into account.

The Annual Report also summarises any investigations undertaken by Tata in response to PM₁₀ exceedance days recorded at the AURN monitor, including any steps to reduce the risk of Port Talbot steelworks making a significant local contribution to any daily mean concentration of PM₁₀ that exceeds 50µg/m³.

Tata's environmental permit does not stipulate that ambient on-site PM₁₀ monitoring *must* be undertaken. Due to air quality concerns in and around Port Talbot and the resulting designation of an Air Quality Management Area (AQMA), Tata previously invested in a number of air quality monitors within the steelworks to help investigate and build a better understanding of this problem. These on-site monitors do not meet the standards for regulatory purposes, but they do provide useful information to help investigate the wider air quality issue in Port Talbot.

Because Tata's on-site air quality monitors are not a regulatory requirement, any changes to the company's on-site network e.g. due to monitor faults or extended calibration intervals do not detract from the use of the resulting data for trend analysis and exceedance day investigation work.

NRW observations and comments

We note that out of 8 verified PM₁₀ exceedance days recorded at the AURN monitor in 2016, 2 were attributed to transboundary air pollution events on 18/03/16 and 05/06/16.

It is evident that Tata's on-site monitoring network has experienced data capture problems in 2016. The average data capture figure is lower than in previous years (66%), which lowers the confidence that can be applied to any analytical conclusions drawn using data collected by these monitors. NRW recognises that some of the monitoring problems encountered in 2016 have been outside Tata's control.

A revised monitor network has been proposed in Appendix A of the Annual Report and Tata is looking at using devices that have the capacity to monitor ambient levels of other pollutants such as Sulphur Dioxide (SO₂), Carbon Monoxide (CO) as well as particulates. It is expected that a revised strategy and monitor network will be presented in Tata's 2017 Quarter 1 report.

Tata contend that reduced site activity does not guarantee a reduction in air quality (PM₁₀) breaches recorded at the official AURN monitor. Increased production patterns recorded during 2016 do not appear to correlate with increased PM₁₀ concentrations at the AURN over the same period. In some instances e.g. Feb-Apr 2016, a decrease in PM₁₀ was recorded at the AURN despite a concurrent increase in steelworks production tonnages. When comparing 2016 with 2012 (which saw one-furnace operation at the steelworks for the majority of the year), more annual PM₁₀ exceedance days were recorded in 2012 than in 2016. BOS Plant operation was also reduced in 2012. These observations are of particular interest to NRW and will be explored further through a wind data analysis exercise (see below).

The Ironmaking areas of the steelworks have been identified as potential contributors to elevated levels of PM₁₀ at the CS&I, Penrhyn, West End and Harsco monitors. The Ironmaking areas include: blast furnaces, granulated coal injection (GCI), raw materials handling (RMH) operated by Tata and slag granulation plant and slag pools operated by Cambrian Stone. NRW has consistently targeted regulatory effort in these areas which we recognise are potential sources of fugitive dust and PM₁₀. We do not envisage this situation changing in 2017/18.

Tata's analysis has identified a possible off-site source of PM₁₀ near Port Talbot Docks to the

north-west of the steelworks. This will be investigated further by NRW in 2017/18.

NRW feels further work is necessary to analyse local wind patterns to determine if these may have had a significant influence on monitored PM₁₀ in 2016. According to Tata's data, the overall frequency of wind blowing from between 200 - 210° (Ironmaking > Port Talbot town) reduced in 2016. The inspecting officers will conduct an analytical review of wind data based on the results from the AURN and other off-site monitors which also record basic meteorological data. The findings from this exercise will be shared with Tata.

Conclusions and compliance assessment: 2016

The operator has not complied with Condition 3.7.3 of the permit due to late submission of the 2016 Annual Report. We have recorded one **Category 4** score in response to this permit non-compliance. Although we consider this to be a technical breach with no environmental impact, the operator is reminded that PM₁₀ reports should be submitted within the agreed timescales to avoid future non-compliance scores.

Other than the above identified non-compliance, Tata has met all other associated permit requirements relating to these submissions. 2016's suite of monitoring reports provides a useful overview and analysis of local air quality and monitored PM₁₀ patterns from the operator's perspective.

Tata's on-site monitors are approaching the end of their useful life and reliability/data capture problems have become increasingly frequent in 2016. The company is investigating alternative solutions including devices that have the capacity to monitor ambient levels of other pollutants such as Sulphur Dioxide (SO₂), Carbon Monoxide (CO) as well as particulates. This would be useful to help investigate the apparent relationship between high PM₁₀ and other pollutants that does happen from time to time.

It is clear that the on-site monitoring network needs to be reviewed and it is expected that a revised strategy and monitor network will be presented in Tata's 2017 Quarter 1 report.

Tata contend that reduced site activity does not guarantee a reduction in air quality (PM₁₀) breaches recorded at the official AURN monitor, especially when comparing 2016 with previous years e.g. 2012 which recorded lower production levels but a higher number of PM₁₀ exceedances.

The Ironmaking areas of the steelworks have been identified as potential contributors to elevated levels of PM₁₀ at some on-site monitors. NRW has consistently targeted regulatory effort in these areas which we recognise are potential sources of fugitive dust and PM₁₀. We do not envisage this situation changing in 2017/18.

NRW will investigate the possible source of PM₁₀ to the north-west of the steelworks near Port Talbot Docks.

NRW will conduct an analysis of local wind patterns and monitored PM₁₀ in 2016 to determine if wind direction and speed has had a significant influence on the number of exceedances. The findings from this exercise will be shared with Tata.

[ENDS]

EPR Compliance Assessment Report

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Operator/Permit holder	Tata Steel UK Limited	Date	31/03/2017

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.

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.

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			
C2	C4	PM10 reports should be submitted within the timescales agreed in AQMP Rev8 to avoid future non-compliance scores.	31/07/2017

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.