

	EPR Compliance Assessment Report	Report ID: 06071			
This form will report compliance with your permit as determined by an NRW officer					
Site	Tata Steel Port Talbot steelworks		Permit Ref	BL7108IM (as amended)	
Operator/ Permit holder	Tata Steel UK Ltd				
Date	30 September 2015		Time in	N/A	Out N/A
What parts of the permit were assessed	Notification under permit condition 4.3.1b - see below Quarter 3 2015: S5N/15/08, S5N/15/09, S5N/15/10				
Assessment	Check Monitoring/sampling	EPR Activity:	Installation	X	Waste Op
					Water Discharge
Recipient's name/position	Jason Heatman and Jamie-Ross Landeg, Safety, Health & Environment (SHE) Department				
Officer's name	Douglas Cowie		Date issued	04 February 2016	

Section 1 - Compliance Assessment Summary

This is based on the requirements of the permit under the Environmental Permitting Regulations. A detailed explanation and any action you may need to take are given in the "Detailed Assessment of Compliance" (section 3). 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			Condition(s) breached
a) Permitted activities	1. Specified by permit	A	
b) Infrastructure	1. Engineering for prevention & control of pollution	N	
	2. Closure & decommissioning	N	
	3. Site drainage engineering (clean & foul)	N	
	4. Containment of stored materials	N	
	5. Plant and equipment	N	
c) General management	1. Staff competency/ training	N	
	2. Management system & operating procedures	A	
	3. Materials acceptance	N	
	4. Storage handling, labelling, segregation	N	
d) Incident management	1. Site security	N	
	2. Accident, emergency & incident planning	N	
e) Emissions	1. Air	N	
	2. Land & Groundwater	N	
	3. Surface water	C3	3.1.2 Emissions to water
	4. Sewer	N	
	5. Waste	N	
f) Amenity	1. Odour	N	
	2. Noise	N	
	3. Dust/fibres/particulates	N	
	4. Pests, birds & scavengers	N	
	5. Deposits on road	N	
g) Monitoring and records, maintenance and reporting	1. Monitoring of emissions & environment	A	
	2. Records of activity, site diary, journal & events	N	
	3. Maintenance records	N	
	4. Reporting & notification	A	
h) Resource efficiency	1. Efficient use of raw materials	N	
	2. Energy	N	

KEY: C1, C2, C3, C4 = CCS breach category (* suspended scores are marked with an asterisk),
A = Assessed or assessed in part (no evidence of non-compliance), N = Not assessed, NA = Not Applicable

Number of breaches recorded	1	Total compliance score (see section 5 for scoring scheme)	4
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If the Total No Breaches is greater than zero, then please see Section 3 for details of 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 inc. details of suspended or consolidated scores.
- details of advice given
- any other areas of concern
- all actions requested
- any examples of good practice.
- a reference to photos taken

Site description

Tata Steel UK Ltd (Tata) operates an integrated iron and steelworks 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. Two other companies, Cambrian Stone and Harsco, undertake separately-permitted slag handling and iron plating activities at the steelworks on Tata's behalf.

Purpose of visit/assessment

Condition 4.3.1(b) of permit BL7108IM requires the operator to inform Natural Resources Wales (NRW) in the event of a breach of any permit condition.

Condition 4.3.2 specifies that any information provided under condition 4.3.1 where the information relates to the breach of a limit specified in the permit, shall be confirmed by sending the information listed in Schedule 5 to this permit within the time period specified in that schedule.

Schedule 5 of the permit outlines the information that the operator must provide and is divided into Part A and Part B. The schedule provides a framework/template for informing and/or notifying NRW in accordance with the requirements of condition 4.3.1(a), (b) or (c).

Condition 3.1.2 requires that the limits given in schedule 3 of the permit (point source emissions) shall not be exceeded.

The following operator notifications have been received concerning breaches/exceedances, incidents or accidents which occurred or were notified to us during **Quarter 3 2015** (01 July – 30 September):

1. **S5N/15/08** received on 30/09/15 – W5 Cooling Water Discharge
2. **S5N/15/09** received on 30/09/15 – W5 Cooling Water Discharge
3. **S5N/15/10** received on 01/10/15 – W5 Cooling Water Discharge

Compliance assessment

1. **S5N/15/08A:** Schedule 5 Part A received 30 September 2015 (by email). **Condition 4.3.1(b)** Monthly maximum for suspended solids recorded at emission point W5:

Month	W5 (mg/litre)
September 2015	46.00 (Background – 14.00)

W5: Cooling Water Discharge

Permitted limit for discharge is no more than 20mg/litre above daily background concentration

The operator has specified that a measurement uncertainty factor of +/- 5.00mg/l should be applied to the reported result.

Part A operator comment: *Re-sample to determine whether reading was erroneous unable to be taken in time. Investigation underway to determine root cause.*

2. **S5N/15/09A:** Schedule 5 Part A received 30 September 2015 (by email). **Condition 4.3.1(b)**
Monthly maximum for suspended solids recorded at emission point W5:

Month	W5 (mg/litre)
September 2015†	132.00 (Background – 30.00)

W5: Cooling Water Discharge

Permitted limit for discharge is no more than 20mg/litre above daily background concentration

†Second sample result for September 2015 submitted in response to suspected erroneous data and increased suspended solids monitoring. The decision to monitor more frequently than the monthly permit requirement was made by the operator. Within this period higher readings were obtained and the operator decided to submit a second Schedule 5 Part A notification for September 2015.

The operator has specified that a measurement uncertainty factor of +/- 5.00mg/l should be applied to the reported result.

Part A operator comment: *Re-sample to determine whether reading was erroneous unable to be taken in time. Investigation underway to determine root cause.*

3. **S5N/15/10A:** Schedule 5 Part A received 01 October 2015 (by email). **Condition 4.3.1(b)**
Monthly maximum for suspended solids recorded at emission point W5:

Month	W5 (mg/litre)
August 2015	84.00 (Background – 32.00)

W5: Cooling Water Discharge

Permitted limit for discharge is no more than 20mg/litre above daily background concentration

The operator has specified that a measurement uncertainty factor of +/- 5.00mg/l should be applied to the reported result.

Part A operator comment: *Re-sample to determine whether reading was erroneous unable to be taken in time. Investigation underway to determine root cause.*

The operator subsequently provided a Schedule 5 Part B notification containing the following additional information and representations in relation to all three notifications for W5 during Q3 2015:

Following a review of the procedure and the sampling of the emission points between the Energy Department and the Environmental team highlighted a management system failure. A series of meetings on the matter has allowed for a more robust procedure to be developed and rolled out to the shift managers of the Power Plant via the Fire and Environment Manager. This revised procedure will also be undertaken by the Power Plant Shift Engineer or Section Leader to ensure the correct sampling methodology is undertaken. It has also been agreed between NRW and the Environment team that a more comparative method of sampling will be undertaken going forward, where one sample of both the background and discharge water will be taken once a week for comparison.

After applying the appropriate measurement uncertainty factor, all three exceedances for W5 reported during Quarter 3 2015 remain non-compliant with the permit limit and Condition 3.1.2. One consolidated **CCS Category 3** score has been recorded on our Compliance Classification System* for these non-compliances during Quarter 3 (**CCS reference 246458**).

NRW has agreed in principle a more comparative and better aligned method of sampling the discharge at W5 and the background suspended solids. The final monitoring requirements for W5 will be confirmed during a compliance inspection in early 2016. Any potential failures of the operator's Environmental Management System (EMS) in relation to the breaches identified during Q3 2015 will be explored further as part of this visit.

[ENDS]

*Natural Resources Wales currently applies the same regulatory tools and systems as the Environment Agency.

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Section 3- Enforcement Response		Only one of the boxes below 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.			n/a
We will now consider what enforcement action is appropriate and notify you, referencing this form.			n/a

Section 4- Action(s)			
Where a non - compliance has been detected and an enforcement response has been selected above, this section summarises the steps you need to take to return to compliance and also provides timescales for this to be done.			
Criteria Ref.	CCS Category	Action Required/Advised	Due Date
See Section 1 above			
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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 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 which 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 Natural Resources Wales (NRW) to fulfill its regulatory and monitoring functions and to maintain the relevant public register(s). 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 and taking any resulting action
- preventing breaches of environmental law
- assessing customer service satisfaction and improving its service
- Freedom of Information Act/Environmental Information Regulations request.

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

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 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 the officer's line managers. 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) 601 0987**.