

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

This form will report compliance with your permit as determined by an HSE Officer.								
Site	Tata Steel Port Talbot steelworks				Permit Ref	BL7108IM (as amended)		
Operator/ Permit holder	Tata Steel UK Ltd							
Date	31 December 2014				Time in	N/A	Out	N/A
What parts of the permit were assessed	Notification under permit condition 5.1.1a - see below Quarter 4 2014: UR/14/13, UR/14/14, UR/14/15							
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	13/05/2015		

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	N	
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	C3	2.1.1 Management Techniques
	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	C3	6.1.2 Emissions into air
	2. Land & Groundwater	N	
	3. Surface water	C3	6.3.2 Emissions to water (x 3)
	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	5	Total compliance score (see section 5 for scoring scheme)	20
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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 5.1.1(a) of permit BL7108IM requires the operator to notify the Environment Agency* without delay of the detection of an emission of any substance which exceeds any limit or criteria specified in the permit in relation to the substance.

Condition 5.1.2 requires the operator to submit written confirmation to the Environment Agency* of any notification under condition 5.1.1 by sending the information listed in Part A of Schedule 1 of the permit within 24 hours of such notification, and the more detailed information listed in Part B as soon as practicable thereafter.

Condition 6.1.2 requires that emissions to air from the sources specified in Table 6.1.2A - 6.1.2G shall not be exceeded.

Condition 6.3.2 requires that emissions to water from the sources specified in Table 6.3.2A and B shall not be exceeded.

The following operator notifications have been received concerning exceedances of permitted limits which occurred or were notified to us during **Quarter 4 2014** (01 October – 31 December):

1. **UR/14/13** received on 12/11/14 – W3 Abbey Beach Outfall
2. **UR/14/14** received on 08/12/14 – A1 Sinter plant main stack
3. **UR/14/15** received on 13/01/15 – W5 Cooling water discharge

Compliance assessment

1. **UR/14/13A:** Schedule 1 Part A received 12 November 2014 (by email).
Oil recorded at emission point W3:

Start time	End Time	W3 (ppm)
11/11/2014 00:00	12/11/2014 00:00	35.00

W3: Abbey Beach Outfall

Permitted limit is 20.00ppm (24 hour average)

Part A operator comment: *As a result of excessive storm rainfall on the 11th December, the weir linked to the ABO was overwhelmed resulting in water and oil flowing into the ABO.*

- 1) *Section leader was informed and investigations were immediately carried out to try to find the likely source of oil contamination.*
- 2) *A full oil skimmer survey was carried.*

- 2) Samples were taken hourly and then half hourly to monitor the oil level in the ABO.
- 3) Sample was taken and brought to day engineer's office, no oil contamination visible.
- 4) Coke ovens deep sump - Energy requested that v/vs are closed until our samples are back in control. Sample taken of no.10 sump - suspended solids 186 / oil 5.3.
- 5) ABO Weir in overflow. Continued to carry out frequent sampling with the best intention to bring the 24hr average down. Good progress made however the 24hr average was over the consent limit. Emergency fire / rescue team (F&R) contacted to see if they can help set-up the emergency environmental equipment to help remove the oil from the deep drain.

The operator subsequently provided a Schedule 1 Part B notification containing the following additional information and representations in relation to this exceedance:

The nature of the breach is as a result of storm conditions forcing energy to pro actively react to avoid flooding by pumping excess water, only allowing for reactive measures to be looked at. As a result, energy will liaise with the Environment Department and Fire Department to discuss additions to the spill equipment to help minimise impacts. Energy will also prioritise and review skimmer maintenance and repair work to during morning meetings.

The operator has not specified if this result has been reported as measured or if any sampling uncertainty factor has been applied. We have therefore assessed the result on the basis that the uncertainty factor has been applied, although the magnitude of this exceedance indicates that any sampling uncertainty would have been irrelevant. This exceedance remains non-compliant with the permit limit and Condition 6.3.2. One **CCS Category 3** score has been recorded (**CCS reference 231001**) on our Compliance Classification System**.

We accept that the root cause of this exceedance appears to have been a storm rainfall event which caused a high volume of water to enter and overwhelm the site effluent system.

2. **UR/14/14A:** Schedule 1 Part A received 08 December 2014 (by email).
4-hourly average for particulates recorded at emission point A1:

Start time	End Time	A1 (mg/m3)
07/11/2014 20:00	08/11/2014 00:00	204.60

A1: Sinter plant main stack
Permitted limit is 200.00mg/m3 (4-hourly average)

Part A operator comment: *The sinter main stack PCME experienced a breach for the following four-hour average after start up. To try and avoid breach, the plant was stopped at 23:40. Plant on reduced suction.*

The operator subsequently provided a Schedule 1 Part B notification containing the following additional information and representations in relation to this exceedance:

As a result of the sinter plant being brought back online following a major planned maintenance stop there were a number of activities on going. As per procedure the strand was filled and partially sintered, this period of warming up via partially sintered strand allows for the precipitator temperatures and operations to be brought up to normal working parameters. As a result of an elevated level of particulate matter the plant was then brought back offline to halt continued emissions.

The above procedure will continue on start up, to ensure minimal impact. As well as this the reactive measure of a plant halt will still be considered if necessary. As well as this, control systems are being investigated to automatically shut down the plant if nearing a breach of control limits and will only restart if safe to do so.

The operator has not specified if this result has been reported as measured or if the CEM (instrument) uncertainty factor has been applied. We have therefore assessed the result on the basis that the uncertainty factor has been applied. This exceedance remains non-compliant with the permit limit and Condition 6.1.2. One **CCS Category 3** score has been recorded (**CCS reference 231003**).

We accept that the root cause of this exceedance is associated with a planned sinter plant start-up during which elevated particulate emissions can occur. Sinter plant start-up and shut down situations will need to be better defined and agreed with NRW following issue of the operator's new consolidated permit (V014).

3. **UR/14/15A:** Schedule 1 Part A received 13 January 2015 (by email).

Monthly maximum (Sep - Dec 2014) for suspended solids recorded at emission point W5:

Month	W5 (mg/litre)
September 2014	122.00 (Background – 98.00)
October 2014	110.00 (Background – 52.00)
November 2014	84.00 (Background – 58.00)
December 2014	232.00 (Background – 102.00)

W5: Cooling Water Discharge

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

Part A operator comment: Met with energy generation to discuss monitoring of dock return water parameters. More investigations needed into understanding the relationship between the background levels and discharge and how this influences suspended solids. Monitoring is to be increased to ensure monitoring on a more regular basis to understand relationships. The late notification is as a result of a failure of our management system and corrective actions have been put in place to ensure this does not happen again.

The operator subsequently provided a Schedule 1 Part B notification containing the following additional information and representations in relation to these exceedances:

Initially a meeting was held between energy generation and environment to determine the reason behind the breaches. Within the meeting management systems were discussed and the management of the discharge location and the samples was also discussed. As a result a number of agreements were made to ensure that the location could be monitored more effectively. Below is an outline of the procedure if a high reading is detected at the labs:

HISTORY/BACKGROUND – HIGH READINGS

In the past there have been two possible reasons for the high readings:

- 1. Error in reading.*
- 2. Changes in Power Plant operations. This refers to temporary condenser tube leak repairs, which result in materials used for temporary stoppage of leak, falling into the water stream. Thereby increasing the amount of suspended solids in the dock water return.*

CORRECTIVE ACTIONS

Error in reading: Where high reading was reported to the Power Plant within 24 hours, Power Plant arranged a retest by BOS team and another test by third party (Nalco) within 24 hours of initial reading to confirm or eliminate error in reading as reason for the result. Where reading was confirmed to be false, no further action was required.

Changes in Power Plant operations: Where reading was confirmed high, outage on relevant condenser was brought forward so that asset was taken offline to carry out a more permanent repair, which would not increase amount of suspended solids in the Dock Water System.

As a result of the timing of the breach it was not possible to undertake re tests to determine the cause of the breach, however the following updates have been made to ensure a more robust and effective response to potential breaches. As stated above the initial response is to use a third party to re-test (Nalco) and the BOS Labs to determine whether the reading is representative. If the sample is also high then an investigation will be underway to determine the cause of the increased suspended solids.

As a result of the levels not being recognised for a period of time, energy have now developed a more robust system for monitoring the information more closely and as a result any issues should be picked up immediately. Energy are also in the process of developing procedures to ensure samples are taken correctly to provide a representative and accurate sample. If readings are confirmed to be high, energy generation will take alternator offline at the earliest if issue of tube leak arises to reduce need for prolonged temporary repair.

The operator has not specified if these results have been reported as measured or if any sampling uncertainty factor has been applied. We have therefore assessed the result on the basis that the uncertainty factor has been applied. These four exceedances remain non-compliant with the permit limit and Condition 6.3.2. We have consolidated these non-compliances into two CCS breaches for Q3 2014 and Q4 2014. Two **CCS Category 3** scores have been recorded (**CCS references 231004 and 231005**).

We have also noted a failure of the operator's Environmental Management System (EMS) which has led to a delay in recognising and reporting the elevated suspended solids results at emission point W5. An additional **CCS Category 3** score has been recorded under **CCS reference 231005** for non-compliance with condition 2.1.1. We have also issued the operator with a **Warning**. We are however satisfied with the operator's response and corrective actions following identification of these exceedances.

The monitoring arrangements for the Cooling Water Discharge at W5 will be reviewed during NRW's next compliance visit to the Power Plant/Energy Department.

[ENDS]

**In this document 'Natural Resources Wales' means the Natural Resources Body for Wales established by Article 3 of the Natural Resources Body for Wales (Establishment) Order 2012.*

You should note that the Natural Resources Body for Wales has been formed by bringing together the Countryside Council for Wales, Forestry Commission Wales and Environment Agency Wales. The Natural Resources Body for Wales has been empowered to exercise Welsh devolved functions since 1st April 2013 and has, generally, taken over the responsibilities of the Countryside Council for Wales, the Forestry Commissioners and the Environment Agency in Wales.

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

	EPR Compliance Assessment Report	Report ID: 05776
This form will report non-compliance with your permit as determined by an NRW officer		
Site	Tata Steel Port Talbot steelworks	Permit EPR/BL7108IM
Operator/ Permit	Tata Steel UK Ltd	Date 13 May 2015

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.	n/a
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.	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			
n/a	n/a	n/a	n/a

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**.