

	EPR Compliance Assessment Report	Report ID: 05929			
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	31 March 2015		Time in	N/A	Out N/A
What parts of the permit were assessed	Notification under permit condition 5.1.1a / 5.1.1c / 5.1.1g - see below Quarter 1 2015: UR/15/01, UR/15/02, UR/15/03, UR/15/04, UR/15/05				
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	14/01/2016	

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	A	
	2. Land & Groundwater	N	
	3. Surface water	C4	6.3.2 Emissions to water (x 1)
	4. Sewer	N	
	5. Waste	N	
f) Amenity	1. Odour	N	
	2. Noise	N	
	3. Dust/fibres/particulates	A	
	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)	0.1
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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 5.1.1(c) requires the operator to notify the Environment Agency* without delay of the detection of any malfunction, breakdown or failure of plant or techniques which has caused or may have the potential to cause pollution.

Condition 5.1.1(g) requires the operator to notify the Environment Agency* following any unplanned unavailability of the Ministerstein coke side arrestment system.

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 5.1.3(g) requires the operator to give written notification as soon as practicable of any unplanned unavailability of the Ministerstein coke side arrestment system.

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 1 2015** (01 January – 31 March):

1. **UR/15/01** received on 26/01/15 – Iron plating pits
2. **UR/15/02** received on 30/01/15 – A15 BOS Plant secondary FEP
3. **UR/15/03** received on 02/02/15 – A54 coke oven batteries (Ministerstein coke side arrestment)
4. **UR/15/04** received on 13/02/15 – W1 Long Sea Outfall
5. **UR/15/05** received on 20/03/15 – A67 Coke Oven Gas (COG) flare stack

Compliance assessment

1. **UR/15/01A:** Schedule 1 Part A received 26 January 2015 (by email). **Condition 5.1.1(c)** Particulate and fume release following a reaction in iron plating pit no. 3.

Start time End Time
24/01/2015 09:24 24/01/2015 09:26 (approx.)

No emission limit values (ELVs) apply to fugitive emissions from the iron plating pits

Part A operator comment: *At approx 09:00hrs, a plating operation began by tipping a torpedo into pit number 3. There were no emissions, however towards the end of the pour at about 09:30hrs there was a reaction sending fume to atmosphere. Pouring was immediately halted. The incident is currently being investigated.*

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

On Saturday 24th January at approximately as a result of high standage at 3770t with 21 torpedoes in use following issues at the BOS plant the decision was made to plate two torpedoes. The pits had been dressed earlier in that morning and the first torpedo No.41 was plated into pit.5 in a controlled manner with several interruptions in the pouring to allow for pit activity.

Whilst in the process of plating the second torpedo 24, into pit.3 at approx. 09:24am there was a reaction at the back of the plating pit sending fume into the atmosphere that could be seen for several miles. Concerns were raised around the neighbourhood/residents and local media

General weather conditions that morning was dry / good clear blue skies. There was no injury to personnel. There was no damage to plant. Several environmental complaints received for the incident.

Natural Resources Wales (NRW) has reviewed this event during compliance inspections in March and June 2015. The conclusions from Tata Steel's management investigation and NRW's findings and compliance scores arising from this event have all been detailed separately in **CAR forms 5854 and 5915 (Tata Steel)** and **CAR form 5948 (Harsco Metals)**.

NRW continues to examine the arrangements for iron plating and pouring at Port Talbot steelworks to ensure each company's pouring and plating responsibilities in respect of permits BL7108IM (Tata Steel) and BP3635MR (Harsco Metals) are clearly identified.

2. **UR/15/02A:** Schedule 1 Part A received 30 January 2015 (by email). **Condition 5.1.1(a)**
1-hour average for particulates recorded at emission point A15:

Start time	End Time	A15 (mg/m ³)
25/01/2015 12:00	25/01/2014 13:00	52.00
25/01/2015 13:00	25/01/2015 14:00	51.00
27/01/2015 05:00	27/01/2015 06:00	51.00
27/01/2015 06:00	27/01/2015 07:00	51.00

Results reported as measured using a Continuous Emission Monitor (CEM)

A15: BOS Plant Secondary Fume Extraction Plant (FEP) Centre
Permitted limit is 50.00mg/m³ (1-hour average)

Part A operator comment: *Investigation under way to understand why the breach occurred.*

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

This issue occurred during the time that Tata was experiencing difficulties with extraction due to the unavailability of the hot metal bay extraction and on this occasion caused increased pressure on the secondary extraction system most likely to coincided with multiple activities occurring simultaneously in the BOS plant. Subsequently, the hot metal bay extraction has now been returned to service thus less pressure on the secondary extraction system. This incident is not considered to have caused environmental harm.

After applying the appropriate measurement uncertainty factor, these marginal exceedances remain within the permitted limit of 50.00mg/m³. No non-compliance score has been applied to this particular event and it has not been entered onto our Compliance Classification System (CCS)**.

NRW has reviewed the environmental performance of the BOS Plant secondary fume extraction systems and the problems affecting the Hot Metal Bay FEP during a compliance inspection in November 2015. Our findings have been detailed separately in **CAR form 6051**.

3. **UR/15/03A:** Schedule 1 Part A received 02 February 2015 (by email). **Condition 5.1.1(g)**
Particulates recorded at emission point A54. Coke pushing and associated emission took place while Ministerstein coke side arrestment system was offline.

Date	No. of ovens pushed off-hood
26/01/2015	7
28/01/2015	36
29/01/2015	30
30/01/2015	1
31/01/2015	5
01/02/2015	7

A54: Morfa Coke Oven batteries

Multiple permitted limits for visible emissions (DLCF, TLCF, PEF, MEF)

Part A operator comment: *Due to issues with number 3 guide, there were a number of ovens pushed off hood (688 ovens pushed with 86 pushed off-hood). The matter is receiving urgent attention to rectify the situation.*

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

The cause of the issues was immediately known and identified as problems with the hood canopy linking the hood to the guide machine. As a result the plant which needed repair was and has been confirmed that the faulty canopies and supports have been renewed. Following this, all canopies and supports have now been renewed as well as the initial faulty parts to prevent recurrence of the issue.

We have examined the operator's quarterly monitoring returns (Q1 2015, Form Coke DCM CF) and note that the results for DLCF, TLCF, PEF and MEF at Morfa Coke Ovens during Quarter 1 were within the permitted limits. NRW has also reviewed the environmental performance of the coke oven batteries with the operator during a number of compliance inspections in 2015. The performance of the guide machines in particular have been assessed in **CAR form 5937**. No non-compliance score has been applied to this particular event and it has not been entered onto our Compliance Classification System (CCS)**.

4. **UR/15/04A:** Schedule 1 Part A received 13 February 2015 (by email). **Condition 5.1.1(a)**
Hourly effluent flow rate recorded at emission point W1:

Start time	End Time	W1 (m ³ /hour)
29/01/2015 22:00	29/01/2015 23:00	6698.718
30/01/2015 12:00	30/01/2015 13:00	7507.043
31/01/2015 05:00	31/01/2015 06:00	6801.699
01/02/2015 17:00	01/02/2015 18:00	6220.658
02/02/2015 23:00	03/02/2015 00:00	6825.788
03/02/2015 00:00	03/02/2015 01:00	7303.354
04/02/2015 14:00	04/02/2015 15:00	6726.380
05/02/2015 20:00	05/02/2015 21:00	7584.722
06/02/2015 13:00	06/02/2015 14:00	7245.114

W1: Long Sea Outfall

Permitted limit is 6000m³/hour (flow)

Note: the operator has confirmed multiple hourly flow exceedances for the specified dates. We have assessed the highest hourly flow measurement value for each date. These values are confirmed above.

Part A operator comment: *Flow meter calibration checks have been brought forward three months to verify flow meter readings.*

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

We were also experiencing high flows into EN reservoir at the time, coupled with the need to balance the flows in/out of Castle stream and in/out of the reservoir this resulted in sending good quality water out to sea. This situation is far from desirable, but we could not allow the flooding of castle stream and overtopping at the reservoir (operational limit set at 26').

These are the first events where flow has breached on hourly flow-rate and on this occasion the hourly limit on flow was initially missed on our monitoring system. However during our investigation it was highlighted that the high alarm limit for flow to sea was not correctly set (Old limit set at 9000m³/hr - New alarm high level limit set at 5500m³/hr - Permit limit 6000m³/hr). This will allow us time to respond before breaching permit consent levels.

After applying the appropriate measurement uncertainty factor for MCERTS-certified flow meters, the flow exceedance on 01/02/2015 remains within the permitted limit of 6000m³/hour. No non-compliance score has been applied to this particular event.

All of the other eight flow exceedances during Q1 remain non-compliant with the permit limit and Condition 6.3.2. One **CCS Category 4** score has been recorded on our Compliance Classification System** for these non-compliances during Quarter 1 2015 (**CCS reference 246195**).

NRW accepts that the environmental impact of increased effluent flow from W1 into Swansea Bay on the specified dates would have been negligible. No other Schedule 1 notifications have been received for ELV exceedances at W1 during Q1 2015. The operator's monitoring returns do not show any ELV breaches for other monitored substances during the same time period.

We note that the operator has already undertaken corrective action to reduce the likelihood of further hourly flow rate breaches at W1. The operator should ensure that the flow meter is correctly calibrated in accordance with the guidance contained in the Environment Agency's [Technical Guidance Note M18](#) (Monitoring of discharges to water and sewer; version 4 Nov 2014).

The monitoring arrangements at W1 will be inspected by NRW as part of the next Operator Monitoring Assessment (OMA) at Port Talbot steelworks.

5. **UR/15/05A:** Schedule 1 Part A received 20 March 2015 (by email). **Condition 5.1.1(c)**
Release of approx. 40,000m³ of Coke Oven Gas (COG) from emission point A67:

Start time	End Time
26/02/2015 02:50	26/02/2015 05:21

A67: COG flare stack

No emission limit values (ELVs) apply to A67

Part A operator comment: *There was a failure to ignite the flare resulting in the emission of coke oven gas during the times specified above. Currently under management investigation.*

NRW has not received any Schedule 1 Part B information from the operator for this exceedance. We have however taken part in a joint investigation into this incident with inspectors from the Health and Safety Executive (HSE) during May 2015. This event has qualified as a RIDDOR-reportable and COMAH-notifiable incident. The HSE are leading this ongoing investigation under COMAH*** legislation. NRW's findings so far have been detailed in **CAR form 5881**.

The operator has confirmed that a completed Process Safety report for the incident is necessary before the Part B information can be compiled. Taking this into account we have decided not to score the failure to submit a Part B notification in this instance.

[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.*

****The Control of Major Accident Hazards (COMAH) Regulations. The current incarnation is The Control of Major Accident Hazards (COMAH) Regulations 2015 which came into effect in England, Scotland and Wales on 1 June 2015.*

	EPR Compliance Assessment Report	Report ID: 05929
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 14 January 2016

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			
E3	C4	Recommendation: The operator should ensure that the flow meter at W1 is correctly calibrated in accordance with the guidance contained in the Environment Agency's Technical Guidance Note M18 (Monitoring of discharges to water and sewer; version 4 Nov 2014).	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**.