

Compliance Assessment Report CAR_NRW0041899

Permit being assessed: BP3635MR.

For: Port Talbot Steel Works , held by Harsco Metals Group Ltd

At: Port Talbot Work , Port Talbot, PORT TALBOT, Neath Port Talbot, SA13 2NG.

Type of assessment carried out: Check Monitoring/Sampling, Reason: Routine.
On 01/06/2023.

Parts of permit assessed: Q1 2023 Monitoring Returns

NRW Lead Officer: Rhodri Morgan.

Report sent to: Paul Roberts, Environment Health and Safety Manager on 01/06/2023.

1. Summary of our findings (full details in section 4)

Part of permitted activity assessed (criteria)	Assessment result	Permit condition
E1 - Emissions - Air	Action only (X)	
E1 - Emissions - Air	C3 Minor	3.1.2
C1 - General Management - Staff competency/training	C3 Minor	3.1.2
G1 - Monitoring and Records, Maintenance and Reporting - Monitoring of emissions and environment	Assessed (A)	
G4 - Monitoring and Records, Maintenance and Reporting - Reporting and notification to Natural Resources Wales	Assessed (A)	

Result types are explained in more detail in the 'Important Information' section below.

Total number of non-compliances recorded	Total non-compliance score
2	8

How we use the non-compliance score to calculate your annual fee is explained in the 'Important Information' section below.

2. What action is required?

Criteria	Action needed	Complete by
E1	Harsco to investigate the perceived increase in releases to air from tipping operations throughout Q1 2023.	28/07/2023
E1	Ensure emissions at AS3 (Lancing Booth) are compliant with the emission limit listed within the permit.	Already completed
C1	Ensure Lancing Booth users are aware of the sites environmental obligations and the actions required when PM emissions are elevated.	Already completed

Action criteria codes are listed in the 'Important information' section below.

3. What will happen next?

Any non-compliance we have identified and recorded on this form is an offence. It can result in criminal prosecution and/or suspension or revocation of your permit.

At this time, we do not intend to take any further action.

This statement does not stop us from taking additional enforcement action if further relevant information comes to light or offences continue.

4. Details of our assessment

The main purpose of the Harsco Metals Group (Harsco) activities at the Port Talbot installation are to serve the Tata Steel UK Limited (TSUK) steelworks processes (EPR/BL7108IM).

These activities are directly associated with iron and steel production and include slag handling, metal recovery, iron plating, scrap metal management, metal cutting and lancing and waste oxide briquetting. Most of these activities are undertaken within Harsco's ring-fenced permitted area, but some take place within shared areas of responsibility.

Purpose of Compliance Assessment

The following monitoring returns and reports have been assessed within this Compliance Assessment Report (CAR):

1. Q1 2023 Monitoring Returns

Compliance Assessment

Q1 2023 Monitoring Returns

Harsco submitted the Q1 2023 monitoring returns on the 24th April 2023, which is within the specified reporting window, representing compliance with the permit condition (4.2.2).

AS3 – Lancing Booth

The continuous PM results for the monitoring period have been submitted with two exceedances of the 20 mg/m³ emission limit recorded.

A Schedule 5 notification submitted on the 16th February 2023 has attributed the exceedances with the failure of the Wi-Fi network at the Lancing Booth. The Wi-Fi network allows emissions within the Lancing Booth to be remotely monitored by the Harsco Management team.

The breach of the PM emission limit is in contrary to condition 3.1.2 of the permit. As a result of this, a non-compliance score of C3 has been allocated to the breach.

Discussions during a recent site inspection revealed that Lancing Booth operatives would

have been alerted to the elevated PM emissions by a local warning system. This should have triggered a pause in operations to allow for the PM emissions to stabilise.

NRW is of the opinion that this is in contrary of permit condition 1.1.1, as the operator is failing to operate the activities in accordance with the management system. As a result of this, a non-compliance score of C3 has been allocated.

A training programme has since been developed to ensure Lancing Booth operatives are aware of the sites environmental obligations and the actions required when PM emissions are elevated.

AS4 – Slag Tipping Area

Visual observations of Desulphurisation Slag pot tipping have been provided in table form, with tipping assessment numbers based on the Ringlemann chart.

A deviation from previous monitoring periods has been noted with 31 (7.2%) of the tipping assessments being classed as a shade 4. The deviation is noticeable when compared to previous monitoring submissions (Figure 1) and does not appear to be related to the standing times of the pots which is consistent with previous monitoring returns.

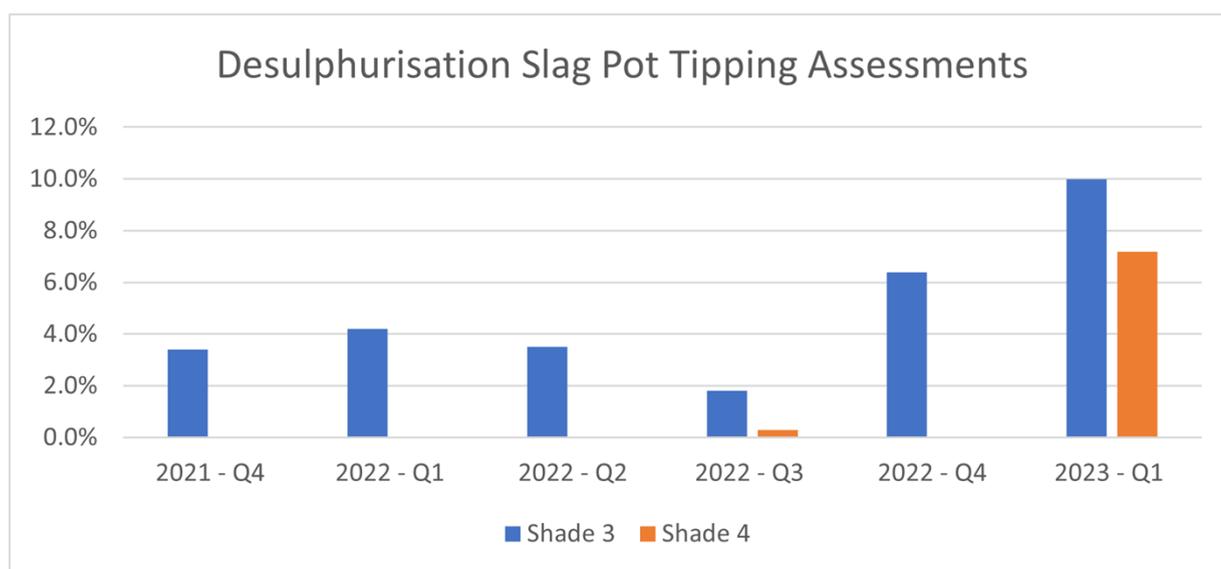


Figure 1 - Desulphurisation Slag Pot Tipping Assessments

Action 041899/01 – Harsco to investigate the perceived increase in releases to air from tipping operations throughout Q1 2023.

Operational parameters for both emission points and metal recovery have also been provided for the quarter, in compliance with permit condition 4.2.2.

If you have any queries about this report, or to discuss completion of any actions, please contact the NRW Officer named above.

Important information

Legal status of this report

Your permit is issued to you under the Environmental Permitting Regulations. You have a responsibility to comply with the conditions of your permit and prevent pollution/harm of the environment. You must also ensure that you comply with any other relevant legislation that may apply to your site's operations.

This report explains the findings of our assessment and any action you are required to take. We categorise non-compliance using our guidance for assessing non-compliance at regulated sites.

When we find potential non-compliance/s we will normally give you advice on how to maintain compliance.

To correct non-compliance, we may:

- require you to take specific actions
- issue a notice
- review the conditions of your permit.

Any advice and guidance we give will be without prejudice to any other enforcement response that we consider may be required.

Assessment results and non-compliance categories (used in section 1):

Assessment result	Description
Assessed (A)	Assessed or assessed in part, no evidence of non-compliance found
Action only (X)	Action only relating to the activity assessment
Ongoing (O)	Ongoing non-compliance, not scored

Non-compliance category	Description	Score
C1 Major	Potential to have a major, serious, persistent and/or extensive impact or effect on the environment, people and/or property	60
C2 Significant	Potential to have a significant impact or effect on the environment, people and/or property	31
C3 Minor	Potential to have a minor or minimal impact or effect on the environment, people and/or property	4
C4 No environmental impact	Non-compliance at a regulated site that cannot foreseeably have any impact on the environment, people and/or property	0.1

How we use assessment scores

The number and severity of non-compliances recorded in a year will affect your annual subsistence fee the following year. A non-compliance factor is added to your site's Operator

Performance Risk Appraisal (OPRA) score when we calculate your fee to reflect the additional resource we use to assess permit compliance.

What are suspended scores?

In line with our guidance, we may suspend scores for up to six months to allow time for remedial action to be taken. Suspended scores will be re-instated if the action is not completed.

Full list of Industry and Waste action criteria (used in section 1 and 2):

A: Permitted activities

- A1 Specified by permit

B: Infrastructure

- B1 Infrastructure – Engineering for prevention and control of emissions
- B2 Infrastructure – Closure and decommissioning
- B3 Infrastructure – Site drainage engineering (clean and foul)
- B4 Infrastructure – Containment of stored materials
- B5 Infrastructure – Plant and equipment

C: General management

- C1 General management – Staff competency/training
- C2 General management – Management system and operating procedures
- C3 General management – Materials acceptance
- C4 General management – Storage, handling, labelling and segregation

D: Incident management

- D1 Incident management – Site security
- D2 Incident management – Accidents, emergency and incident planning

E: Emissions

- E1 Emissions – Air
- E2 Emissions – Land and groundwater
- E3 Emissions – Surface water
- E4 Emissions – Sewer
- E5 Emissions – Waste

F: Amenity

- F1 Amenity – Odour
- F2 Amenity – Noise
- F3 Amenity – Dust/fibres/particulates and litter
- F4 Amenity – Pests/birds and scavengers
- F5 Amenity – Deposits on road

G: Monitoring and records, maintenance and reporting

- G1 Monitoring and records, maintenance and reporting – Monitoring of emissions and environment
- G2 Monitoring and records, maintenance and reporting – Records of activity, site diary/journal/events
- G3 Monitoring and records, maintenance and reporting – Maintenance records
- G4 Monitoring and records, maintenance and reporting – Reporting and notification to Natural Resources Wales

H: Resources efficiency

- H1 Resource efficiency – Efficient use of raw materials
- H2 Resource efficiency – Energy efficiency

Enforcement response

Any permit condition non-compliance is an offence and we may take legal action against you. Action we take can include prosecution, serving a notice on you and/or suspension or revocation of your permit. See our Enforcement and Sanctions Guidance for further information.

Data protection notice

You should make sure that anyone named in this report knows that the information it contains will be processed by Natural Resources Wales to fulfil its regulatory and monitoring functions and to maintain the relevant public register(s).

We may also use and/or disclose the report in connection with:

- offering or providing you with our literature or 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
- assessing customer service satisfaction and improving our service
- Freedom of Information Act or Environmental Information Regulations requests.

We may also pass it on to our agents or representatives to do these things on our behalf.

Disclosure of information – this report will be available to view on-line

If you think this report contains commercially confidential information that should not be placed on our public register, you must contact your local Natural Resources Wales office within **fifteen working days** of receiving this report, using the contact details in the accompanying email or letter. You must give a full explanation of why it should not be added to our public register, including specifying which information is commercially confidential. We will assess your request and respond to you within 20 working days to let you know if we agree to your request.

What do I do if I disagree with the report or have a complaint?

If you disagree with this compliance assessment report, you should contact the lead officer without delay to discuss your concerns.

If you are unable to resolve the issue with the lead officer or their line manager you should contact our Customer Contact team on 0300 065 3000 (Monday to Friday 08:00 – 18:00), or email enquiries@naturalresourceswales.gov.uk for details of how to raise your dispute further through our Complaints and Commendations procedure.

If you are dissatisfied with our response, you can contact the Public Services Ombudsman for Wales by phone on 0300 7900203 or by email at ask@ombudsman.wales

Welsh Language Standards

We are committed to establishing Natural Resources Wales as a naturally bilingual organisation. We will provide compliance reports in your preferred language.