

Compliance Assessment Report for: CAR_NRW0038410

Permit number	BW2692IM	Operator name	Tata Steel (UK) Ltd.
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Site name	Morfa Hazardous Landfill
Site address	Morfa Landfill, Port Talbot Steelworks, Port Talbot, SA32 2NG
Type of assessment	Site inspection

Date of assessment	27 th April 2021
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Parts of permit assessed	Site inspection of landfill.
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NRW Lead officer	Neil Herbert	Accompanied by	N/A
Report sent to – Name and position	Nathan Ace SHE Manager	Date	17 th June 2021

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

Part of permitted activity assessed (use action criteria below)	Assessment result	Permit condition
A1 Specified by permit	Assessed or assessed in part (A)	
B1 Infrastructure – Engineering for prevention and control of emissions	Assessed or assessed in part (A)	
B3 Infrastructure – Site drainage engineering (clean and foul)	Assessed or assessed in part (A)	
C3 General management – Materials acceptance	Assessed or assessed in part (A)	
F1 Amenity – Odour	Assessed or assessed in part (A)	
F2 Amenity – Noise	Assessed or assessed in part (A)	
F3 Amenity – Dust/fibres/particulates and litter	Assessed or assessed in part (A)	
F4 Amenity – Pests/birds and scavengers	Assessed or assessed in part (A)	
F5 Amenity – Deposits on road	Assessed or assessed in part (A)	

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

Total number of non-compliances recorded

0

2. What action is required?

Criteria	Action needed	Complete by
B3	Ref: 38410.1 - Tata to provide confirmation when the new flow meters are installed in the leachate collection system. - Once installed the operator will also submit the details (Inc. manufacturers specifications) of the new units to NRW.	31 st Aug 2021*
A1	Ref: 38410.2 TATA to review and propose a plan for the temporary capping of the cell 1 area.	31 st Aug 2021*
A1	Ref: 38410.3 - Tata to submit an update version of drawing 245 Drawing 13 from their permit, which shows the approved final pre-settlement levels. - Specifically NRW have requested that the drawing is amended to show the pre-settlement plan on a single page (ideally A3 or above), with a new layer showing the as-built boundary of the two built cells (and the boundary of the one remaining un-built cell).	31 st Aug 2021*

*If the operator is unable to meet these timescales please contact your inspector to discuss possible extensions.

3. What will happen next?

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

No non-compliances were recorded during this assessment

4. Details of our assessment

- I was escorted around the permitted installation by Lee Williams (Tata), Rhys Lloyd and James Davies (Darlow Lloyd & Sons).
- The purpose of the visit was a routine, albeit limited, visual inspection of the Morfa Hazardous Landfill, principally to check progress with actions from last visit.

Site Observations – general

- No wastes were visible on any of the areas that I inspected, and the wastes appeared to be suitably covered with appropriate daily or intermediate cover.
- Leachate was not seen on any of the flanks inspected (i.e. no evidence of leachate weeping or breakouts were noted anywhere).
- Surface water ponding was not observed in any of the areas within the landfill, that I inspected.
- No issues relating to malodourous emissions, pests, visible dust or any other amenity related condition was observed during my inspection.

Action/s from previous visit

- Vegetation clearance has now been completed.
- TATA have reviewed the suitability of the flow meters used on the leachate collection system and these are being replaced. The operator will need to submit the specifications for the new units when available. **Action**
- Tata have dewatered the surface water low point and now placed fill to prevent the collection of rainwater.

Phased capping Cell 1.

- During the site visit we discussed the requirement for the phased capping of Cell 1. Tata have indicated that the final landform for cell 1 cannot be achieved until cell 3 is built and cell 2 reaches final levels. Until this landform is built the permanent capping of cell 1 cannot be completed. NRW concur with this assessment, however this does not prevent the temporary capping of cell 1 and the operator has been tasked to propose a temporary capping plan.

Action: TATA to review and propose a plan for the temporary capping of the cell 1 area.

NOTE: TATA were advised to carefully consider void capacity at the Hazardous Landfill and the timings of the construction of the next cell (cell 3). This may be particularly relevant as the potential for new waste streams is being considered by TATA. Given this and the significant lead in time for the design, approval and construction¹ of landfill cells (notwithstanding the CAPEX required), then NRW advise that TATA start this process to ensure adequate void is available.

¹ Including the seasonal restrictions on cell construction

Updated Pre-settlement drawings

- NRW have requested that TATA update- drawing 245 Drawing 13 from their permit which shows the approved final pre-settlement levels. Specifically NRW have requested that the drawing is amended to show the pre-settlement plan on a single page (ideally A3 or above), with a new layer showing the as-built boundary of the two built cells (and the boundary of the one remaining un-built cell). **Action**

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 in the aspects assessed.
Action only (X)	Action only relating to the activity assessment
Ongoing (O)	Ongoing non-compliance, not scored

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

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, formal caution or warnings. We may also take a protective response to a permit non-compliance and this can include 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.