

Compliance Assessment Report CAR_NRW0042391

Permit being assessed: AP3292LT.

For: Morfa Tip Closed Landfill Site, held by Tata Steel UK Limited

At: Port Talbot Works, Margam, Port Talbot, N P T, SA13 2NG.

Type of assessment carried out: Site Inspection, Reason: Routine.

On 24/08/2023 between 09:00 and 13:00.

Parts of permit assessed: Site Inspection

NRW Lead Officer: Rhodri Morgan, accompanied by Neil Herbert.

Report sent to: Nathan Ace , Head of Environment TSUK Operations on 13/09/2023.

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

Part of permitted activity assessed (criteria)	Assessment result	Permit condition
A1 - Specified by permit	Assessed (A)	
B2 - Infrastructure - Closure and decommissioning	Assessed (A)	
B3 - Infrastructure - Site drainage engineering (clean and foul)	Assessed (A)	
C2 - General Management - Management system and operating procedures	Assessed (A)	
D1 - Incident Management - Site security	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
0	0

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?

No action required.

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

Morfa Closed Landfill

Tata Steel UK Limited (Tata) maintains the unlined Morfa Closed Landfill (MCL) under the provision of Permit AP3292LT. The larger waste management site at Port Talbot includes the Hazardous Landfill (MHL) and the Non-Hazardous Landfill (MNHL).

The landfill entered aftercare period in April 2014, following the completion of capping works at the site. Subsequent works include the installation of a surface water system aimed at protecting groundwater levels within the surrounding area.

A routine inspection of the landfill was undertaken on the 24th August 2023. NRW were escorted around the permitted installation by Owain Davies and Justyn Hodge (Darlow Lloyd & Sons) and Chris Richards (Tata).

Site Observations

Restoration Layer

The landfill has been progressively restored with an engineered capping system which has been finished with a restoration layer of site won sand to create a dune morphology like the surrounding land.

The restoration layer has historically suffered from a loss of sand cover; resulting in the underlying geomembranes becoming exposed. The operator has a programme in place to mitigate and restore the restoration layer as part of their routine maintenance programme. Throughout the visit no sections of exposed geomembranes were observed; indicating that the operator's maintenance programme appears to be effective.

A sand stabilisation project has been undertaken on the western flank of the landfill; an area where the prevailing wind has regularly disturbed the sand layer and prevented the establishment of vegetation. The project has utilised deposits of weathered slag to act as natural wind breaks and prevent the mobilisation of the sand layer. Observations made throughout the site inspection suggest the project has been successful, with vegetation beginning to establish on the western flank (Figure 1).



Figure 1 - Sand Stabilisation Trial

Sections of the restoration layer have previously been impacted by Sea Buckthorn; a dense invasive alien species. Efforts to control the spread of the invasive species were visible, with a reduction in the impacted area compared to a previous site visit in 2021. It is important the operator continues with the management programme (in line with the requirements of the EPR permit), to prevent the spread of the Sea Buckthorn throughout the landfill cap.

Restoration Ponds

Six ponds have been installed upon the restoration surface to collect and channel surface water to designated discharge points. Some of the ponds connect to a series of recharge trenches which have been designed to maintain groundwater levels within the neighbouring Margam Moors.

The ponds were briefly inspected and appeared to be in a satisfactory condition. The ponds are regularly inspected as part of the sites routine maintenance programme to ensure the outlet pipework is clear from debris/ vegetation.



Figure 2 - Recharge Pond

Recharge Trench System

The recharge trench system directs water collected within several of the restoration ponds into a network of trenches to sustain shallow groundwater levels within the neighbouring Margam Moors. The recharge trench system will ultimately comprise a series of 6 trenches that are to be constructed progressively from south to north. To date, three of the trenches (A – C) have been constructed.

Following repeated vandalism to the supporting infrastructure, the recharge system was redesigned to function as a passive system. This was formally approved in a permit variation in 2020 before the required work was undertaken in 2022.

The new passive system appeared to be functioning correctly with water observed entering the trench access chambers.

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.