

Compliance Assessment Report

Report ID:
CAR_NRW0035434

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

Site	Tremorfa Melt Shop		Permit Ref	TP3639BH	
Operator/Permit holder	Celsa Manufacturing UK Ltd				
Regime	Installations				
Date of assessment	11/07/2019	Time in	14:30	Out	17:00
Assessment type	Audit				
Parts of the permit assessed	1.1.1				
Lead officer's name	Richards, Gareth (Rivers House)				
Accompanied by					
Recipient's name/position	Richard Lewis/Gabriella Nizam/ Environment Team	Date issued	17/07/2019		

Section 1 – Compliance Assessment Summary

This is based on the requirements of the permit under the Environmental Permitting Regulations or the licence under the Water Resources Act 1991 as amended by the Water Act 2003. A detailed explanation is captured in "Compliance Assessment Report Detail" (Section 2) and any actions you may need to take are given in the "Action(s)" (section 4). 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	CCS Category	Condition(s) breached
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KEY: See Section 5 for breach categories, suspended scores will be indicated as such.

A = Assessed or assessed in part (no evidence of non-compliance), **X** = Action only,

O = Ongoing non-compliance, not scored.

Number of breaches recorded	0	Total compliance score (see section 5 for scoring scheme)	0
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If the Number of breaches recorded is greater than zero, please see Section 3 for 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 (eg. 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 advice given
- Any other areas of concern
- Any actions requested
- Any examples of good practice
- A reference to photos taken

NRW had been contacted by Cardiff City Council (Friday 5th July 2019) due to a number of complaints about flies that had been received from residential areas that are in close proximity to the Celsa Meltshop installation. As a direct consequence of this Celsa had been visited by CCC and the Security staff had provided a tour of the scrap storage area and the existing measures in place to trap flies. This had occurred without the knowledge of Celsa Environment Team staff. The visit indicated that the scrap storage area, particularly the storage of food cans, was likely to be the source of the issue. Other local potential sources of flies from adjacent industrial facilities had already been excluded.

Celsa were subsequently contacted by NRW. Celsa provided details of the current arrangements in place to trap flies and a site visit by NRW and CCC staff was arranged for Thursday 11th July 2019.

The following persons were present for the site discussions. Richard Lewis and Gabriella Nizam - Celsa; Sophie Koprowski and Kevin Bown -CCC, Gareth Richards - NRW. The available information was reviewed, this included the complaints received by CCC, the outcome of the previous visit to the site by CCC and the measures that Celsa had put in place to trap flies. Celsa confirmed verbally that the current inventory of scrap cans was 12 500t. They had the opinion that the scrap was probably being received already contaminated with flies, however, NRW's view was that if this was the case then Celsa had taken on the liability for the scrap and it was now their problem to solve. It was noted that prior to being contacted by CCC, neither NRW or Celsa had received any complaints concerning flies.

An inspection of the scrap storage area was carried out. The weather conditions were dry and sunny.

The scrap cans were being stored at the eastern end of the old meltshop building. This area borders Seawall Road. There were two stockpiles stored externally and one in the old Meltshop. There were a large number of flies in the close vicinity of the external stockpiles, these were repeatedly landing on the cans and then flying off. There was no evidence of any maggots even after removing the surface layer of cans. However, it would be possible for flies to move deeper into the stockpiles as most of the material was loosely packed. Some cans were in bales but this was a minority. No means were available to open any of the bales for examination. There was no ongoing movement of scrap for melting as it was the maintenance day. There was a lot of non-ferrous material associated with the cans, some of this was plastic food containers, particularly bottles. Residual contamination in these was likely to be contributing to the issue.

The fly trap bags that had been positioned on the boundary fence line (Seawall Road) were examined. These were being managed by a sub contractor, there were currently 40 in place that were being replaced on a two week cycle. Whilst the bags were clearly effective, all contained a significant quantity of flies to such an extent that their ongoing effectiveness was questioned. It was also noted that while this was a necessary measure it was not addressing the root cause of the issue.

The priority actions that Celsa could take to solve the off site impacts were discussed by all parties. Further information was also requested from Celsa as detailed below;

- 1) Provide a Schedule 5 to NRW. Received 12th July 2019. NRW enforcement response is under consideration.
- 2) Written confirmation of the scrap can inventory on site. Confirmed as 12 500t.
- 3) The maximum rate at which scrap cans could be used in the arc furnace. Confirmed as 15 tonnes per melt which would enable the existing stockpile to be fully used within approx. 30 days. Celsa stated that "increasing the consumption of tin cans leads to undesirable melting conditions in the furnace".
- 4) Confirmation that further receipt of scrap cans is ceased. Scrap Purchasing confirmed on 12th July 2019 that no further tin cans will be purchased.
- 5) Review the management of fly traps. Celsa advised that the number of bags in use will be increased to 60 and these will be changed weekly.

Celsa must adopt all measures possible to avoid off site impact from flies with immediate effect in accordance with the Permit Conditions.

Actions

- 1) Report the scrap can inventory to NRW each Monday together with the number of Melts during the previous week so confirmation is provided that the inventory is being reduced at the **maximum rate** possible and at least at the rate already advised.

Reporting to continue until further notice.

- 2) The management of the fly traps to remain under review so their ongoing effectiveness is maximised.
- 3) Adopt appropriate practices to ensure movement of scrap cans to the scrap bay for use in the furnace does not inadvertently lead to increased disturbance of flies.
- 4) Identify additional options for in situ fly control through liaison with specialist advisors. CCC may be able to advise on the appropriateness of 'fogging' based techniques. Advise NRW of newly/additional adopted techniques.
- 5) In association with CCC (who have detailed information on the residential properties affected) consider providing fly traps to affected residential properties.
- 6) Adopt an effective long term management strategy for the storage of scrap cans so off site impacts are avoided.

EPR Compliance Assessment Report

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Operator/Permit holder	Celsa Manufacturing UK Ltd	Date	11/07/2019

Section 3 – Enforcement Response

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.

Section 4 – Action(s)

This section summarises the actions identified during the assessment along with the timescales for when they will need to be completed.

Criteria Ref.	CCS Category	Action required/advised	Due Date
See Section 1 above			

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 verbally or 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 that 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 the Natural Resources Wales (NRW) to fulfil its regulatory and monitoring functions and to maintain the relevant public register(s). The 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 (eg. 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 its service
- Freedom of Information Act/Environmental Regulations request

The 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

The 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 fifteen 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 officer's line managers using the informal appeals procedure. 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 607 0987.

Welsh Language

If you would like this form in Welsh please contact your Regulatory Officer.