Cyfoeth Naturiol Cymru
Natural Resources Wales

Compliance Assessment Report CAR_NRW0043110

Permit being assessed: TP3639BH.

For: Tremorfa Melt Shop , **held by:** Celsa Manufacturing UK Ltd

At: Tremorfa Works New Melt Shop Seawall Road , Tremorfa, Cardiff, South Wales, CF24 5TH.

Type of assessment: Site Inspection,

Reason: Routine.

On: 24/11/2023 between 10:00 and 14:00.

Parts of permit assessed: Quarterly returns, reporting, waste activities.

NRW Lead Officer: Dale Padfield, accompanied by Andi Kemp, Brigid Armstead.

Report sent to: Hannah Powell, Environmental Manager, on 20/02/2024.

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

Part of permitted activity assessed (compliance criteria)	Assessment result	Permit condition
IR3E - Emissions and monitoring - Monitoring	C3 Minor	3.7.1(b)
IR1A - Management - General management	C3 Minor	1.1.1
IR3E - Emissions and monitoring - Monitoring	C3 Minor	3.7.1(a)
IR4B - Information - Reporting	C3 Minor	4.2.5 & 4.2.6
IR1A - Management - General management	C3 Minor	1.1.1
IR3B - Emissions and monitoring - Emissions of substances not controlled by emission limits	C3 Minor	3.2.1
IR1A - Management - General management	C3 Minor	1.1.1
IR4C - Information - Notification	C4 No impact	4.3.1(b)
IR2B - Operations - The site	Assessed (A)	
IR3A - Emissions and monitoring - Emissions to water, air or land	Assessed (A)	

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

Total non-compliances recorded	Total non-compliance score
8	28.1

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
IR3E	Ensure continued functioning of TOPAS monitor.	Already completed
IR1A	Ensure faults with TOPAS monitor are promptly identified.	Already completed
IR3E	Ensure continued functioning of the A1 stack CEM and data handling system.	Already completed
IR4B	Ensure waste returns reporting accurately reflects site operations.	Already completed
IR1A	Ensure the management system correctly identifies the waste reporting requirements of the permit.	Already completed
IR3B	Ensure process fumes are adequately controlled to prevent fugitive emissions to the environment.	Already completed
IR1A	Increase planned preventative maintenance inspection frequency for the meltshop extraction ducting.	Already completed
IR4C	Ensure notification procedures capture the permit requirement to notify of fugitive emission events.	Already completed

Compliance 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.

You are non-compliant with your permit.

We are currently considering taking enforcement action against you for the non-compliance recorded above. We will contact you in due course.

4. Details of our assessment

Celsa

EPR/TP3639BH

This CAR provides a summary of:

- Quarter three permit returns.
- Recent site visits and updates.
- Non-compliances and scoring in relation to Scheduled 5 Notifications, incorrect waste reporting and reported incidents.

- Outstanding CAR actions.

As of the 1st of September 2023, Natural Resources Wales regulation officer Dale Padfield took over as the regulatory officer for the Celsa Tremorfa installation. An initial site visit was conducted on the 21st of September 2023, this provided an opportunity for the new officer to become familiar with the site and for introductions to be made with the Celsa Environment Team.

Celsa provided an overview of operations across all three of the permits and an overview of the environmental aspects and impacts. Celsa led a tour of the electric arc furnace (EAF) operation, the EAF was not operational during the visit, as the process was down as part of the weekly maintenance. The different sections of the process were seen, and the workflow explained. Celsa discussed the ongoing improvement projects currently in progress across the site along with other planned improvements, these are discussed further within this CAR.

A second visit was made on the 24th of November, the focus of this visit was to further familiarise the new regulatory officer with several of the permitted activities including waste acceptance and the processing of incoming and generated waste. The A4, A10, A11 and A12 activities were seen, with an overview of each activity provided by the various operational mangers for each area. The waste reporting requirements, recent schedule 5 notifications and the EAF dust were also discussed during this visit, more detail on these topics is provided below. All stockpiles appeared well managed on both the main installation site and the minerals yard. The dust suppression systems were seen in place on the minerals yard, however, the weather was wet during the visit and no active suppression was required. The Haith plant was seen in operation and the various sorted waste output fractions were seen. No non-compliances were identified during the site visits.

On-going action from CAR_NRW0023809

Celsa were issued an action within the above CAR to provide NRW with a report every 18 months assessing the levels of lead and TPH within the scrap screenings, to ensure the waste description (EWC 19 12 12) non-hazardous remains valid. Celsa queried if this action could be closed. Further information was received from Celsa stating that, the scrap screenings waste is currently sampled quarterly to ensure the EWC code remains valid, as part of Celsa's duty of care requirements. As provided in an email response to Celsa on the 02/10/2023, providing a report to NRW on an 18-month basis is no longer required, NRW are satisfied with the provisions Celsa have in place. Instead, this aspect will form part of routine compliance assessment undertaken by NRW, whereby waste characterisation and sampling methodology will be assessed in more detail.

Q3 returns

Q3 Air emissions return reports were received on time, a summary for each release point is detailed below.

A1 ~ Particulate concentrations were reported at 4.95 mg/m^3, 3.95 mg/m^3 and 4.38 mg/m^3 for July, August, and September respectfully. All within the permitted emission limit value of 5 mg/m^3.

A5 ~ Particulate concentrations were reported at 1.68 mg/m^3, 2.20 mg/m^3 and 4.10 mg/m^3 for July, August, and September respectfully. All within the permitted emission limit value of 20 mg/m^3.

The data summary report for the ambient air particulate monitor (TOPAS monitor) was received on time. Celsa also supplied a schedule 5 notification detailing a fault on the TOPAS monitor being identified on the 01/08/2023. The fault resulted in no data being captured between 20/07/23 and 15/08/23.

The fault on the monitor was reported as being discovered on the 1st of August 2023, review of the TOPAS

monitoring data shows that the fault had developed on the 20th of July 2023 suggesting that the monitor had not been operational for 12 days before the fault had been discovered. Within the 'Part B' of previous schedule 5 notifications for TOPAS monitor faults it was stated that regular observations would be made to detect monitor faults, the frequency of these observations was not stated. On this occasion, given the timelapse between the monitor fault occurring and the fault being detected, it would suggest that frequency of checks for assessing the TOPAS condition was not adequate. The prompt discovery of any faults with the monitors will enable a quicker initiation of the 48-hour breakdown response, resulting in less down-time of the monitor. During this period, the backup TOPAS monitor situated at the Baden Powell Primary school had also suffered a fault, resulting in no ambient particulate data being captured. Although Celsa have stated within the notification that the A1 stack CEM showed particulate readings to be below permitted ELV's over this period, there is still potential for fugitive dust emissions arising from the site activities.

The following non-compliances will be issued:

Non-compliance: A category 3 minor non-compliance is issued for failing to continuously monitor ambient particulate matter levels as required by the permit. Permit condition 3.7.1(b). **It is an offence under Regulation 38(2) of the Environmental Permitting Regulations (consolidated 2016) to breach a permit condition or emission limit. Non-compliance score CCS3.**

Non-compliance: A category 3 minor non-compliance is issued against the management system for failure to maintain and identify faults with permitted monitoring equipment in an appropriate timeframe. Permit condition 1.1.1. **It is an offence under Regulation 38(2) of the Environmental Permitting Regulations (consolidated 2016) to breach a permit condition or emission limit. Non-compliance score CCS3.**

Within the 'Part B' for this schedule 5, Celsa have stated that the monitor status will be checked daily via the online portal. As such, no follow up actions are required, as the daily frequency is deemed adequate and will allow prompt discovery and rectification of any issues.

An additional schedule 5 was received on the 21/11/23, for a further failure on the TOPAS monitor. As this second failure falls within a separate reporting quarter, the non-compliance score cannot be consolidated with the previous score. However, back up data was available from the Baden Powell TOPAS, as such no non-compliance score will be issued.

Celsa are exploring the possibility of replacing the TOPAS monitor, the monitor has been in service for several years and is becoming less reliable. Please keep NRW updated with any progress on this matter.

A schedule 5 'part A' was received on the 21/11/23, providing notification that the on the 13/11/23 the A1 CEMS particulate monitor was providing faulty particulate readings on the daily data reports. An additional schedule 5 'part A' was received on the 30th of November, detailing a second fault of a similar nature on the CEM occurring on the 25/11/23. The 'Part B' for each notification were received on the 15/12/23. Celsa investigation into the issue found that the PC that generates the daily data reports relies on a background software programme called Cemcom, the data storage unit that runs this programme also runs a watchdog programme that is designed to reboot the system automatically in case of failure. The failure that resulted in a loss of data from the 13/11/23 was caused by a software crash, that resulted in manual intervention to restore operation of the unit. The failure that resulted in a loss of data on the 25/11/23 was caused by a loss of power to the monitor running the software, due to a failure of an 11kV transformer in the Meltshop, the backup power supply also failed.

Celsa stated that there had been no abnormal operations that would affect the operation of the bag filter. However, without accurate data being captured by the CEM it is possible that faults within the abetment system may go undetected and there is no assurance that the daily average particulate ELV is within

compliance. However, it is not likely that the air emission limit for this monitoring parameter has been exceeded over the affected period. Consequently, no breach has been recorded against this condition. Although these are two separate events, as they are similar in nature and fall under the same permit condition, both events will be consolidated into a single non-compliance. The following non-compliance will be issued for the CEM failure.

Non-compliance: A category 3 minor non-compliance is issued for failing to continuously monitor particulate matter levels from the A1 stack. Permit condition 3.7.1(a). **It is an offence under Regulation 38(2) of the Environmental Permitting Regulations (consolidated 2016) to breach a permit condition or emission limit. Non-compliance score CCS3.**

Celsa have stated that as a preventative measure, the watchdog programme on the data storage unit has been updated to prevent the requirement for manual intervention. Celsa are also investigating the possibility of connecting the CEMS monitor system to an existing uninterruptable power supply, to prevent the system shutting down during future power losses. Please keep NRW informed of any developments.

Celsa are investigating the possibility of replacing the current A1 CEM as the asset has been in service for some time and is becoming less reliable. As discussed on site, a more robust system would be to use two CEMS in a duty and standby configuration, this would provide greater resilience, allowing continuous monitoring to continue if one CEM suffers a fault. Please keep NRW updated with any developments.

During the site visit, NRW queried the position of the particulate CEM on the A1 stack. The CEM appears relatively close to the top of the stack. It's recommended that the sampling plane is located at five hydraulic diameters up stream and two hydraulic diameters downstream from any disturbances or five hydraulic diameters from the top of the stack. It appears that the sampling plane is located closer than the recommended 5 hydraulic diameters from the top of the stack. However, it may be that this is the most suitable location as there are multiple inlets at the base of the stack and achieving the recommended distance from these would likely result in a greater benefit with regards to gas stream stability, homogeneity and meeting the flow measurement requirements. Review of the Metlshop OMA conducted in 2022 supports this conclusion, where the officer had evaluated the position of the CEMS to likely be the best available.

Further schedule 5 notifications have been received, detailing various faults with the CEM and ELV exceedances on the A5 asphalt plant. Further information has been requested in relation to the notifications and these will be discussed within the next CAR form. An additional Schedule 5 detailing an ELV exceedance on the A1 stack was also received, which will also be captured in the next CAR form.

Waste Returns

Enquiries made by NRW have revealed that the waste returns submitted by Celsa under permit condition 4.2.5 have been incorrect between 2012 and 2023, and those required by permit condition 4.2.6 incorrect since 2020. During this timeframe, the only wastes reported by Celsa were the wastes from the processing of slag (EWC code 10 02 01) and millscales waste (EWC code 10 02 10). Both wastes arise from the primary activity and were not the wastes received by Celsa as the feedstock material i.e., scrap metal.

Celsa have concluded that this reporting error likely occurred when the minerals site and the melt shop permits became consolidated. During consolidation, it appears that the waste returns spreadsheet for the minerals site was used as the template for the ongoing reporting requirements. This resulted in Celsa only reporting, as they had historically done, the wastes received onto the minerals site, which were technically no longer 'waste received' as these were waste produced by the primary activity and under the same permit. Likewise, the waste reporting requirements were also overlooked when Celsa became the operator for the waste permit EPR/DP3699FM, which was later consolidated into the meltshop permit in 2020 (version V08). This permit also required waste return submissions, and this was incorporated into permit as permit condition

4.2.6.

There are several reasons why NRW require this data to be reported,

- The legal requirement for NRW to maintain a public register and to make this information available on that register.

- To collate waste data for the purpose of national reporting on waste statistics.

- To monitor site compliance with permit conditions.

With regards to the first two points, NRW's waste policy team have stated that there is unlikely any significant impact from this reporting error. Now that the issue has been identified, historic data can be re-submitted to accurately reflect the waste received by the site. This data will then be available on the public register. Additionally, although the data has not been submitted by Celsa, most of the waste data is likely to have been recorded and captured by other means, such as the waste returns submitted by other waste operators and brokers when reporting the movements of the waste before finally being received by Celsa. As such, the movement of the waste is likely accounted for, and the data will have been captured and included within the national statistics reporting.

For the remaining point, assessing compliance with permit conditions, there are several permit conditions that may be affected, namely the permitted waste types, as specified in schedule 2 of the permit, and the tonnage restrictions given for specific activities and waste types. These aspects will be evaluated as and when NRW receive the corrected and back-dated waste returns, if any non-compliances are identified, these will be evaluated and scored on a case-by-case basis.

The reporting error does constitute a breach of the permit. From the information available, it appears that this absence of reporting is likely to only have a minor or minimal impact or effect on the environment, people and/or property and hence is no greater than a category 3 non-compliance. As permit conditions 4.2.5 and 4.2.6 both cover the reporting of waste but for different activities, the non-compliance will be consolidated into a single score.

Non-compliance: A category 3 minor non-compliance is issued for failing to accurately report the waste accepted onto site as per permit condition 4.2.5 and 4.2.6. **It is an offence under Regulation 38(2) of the Environmental Permitting Regulations (consolidated 2016) to breach a permit condition or emission limit. Non-compliance score CCS3.**

Non-compliance: A category 3 minor non-compliance is issued for the management system failure, whereby Celsa failed to account for and recognise the ongoing reporting requirements following subsequent permit consolidations. Permit condition 1.1.1. **It is an offence under Regulation 38(2) of the Environmental Permitting Regulations (consolidated 2016) to breach a permit condition or emission limit. Non-compliance score CCS3.**

As discussed during the site visit, it is expected that Celsa re-submits an annual waste return for each year up to 2023, Celsa have stated that they can back date the reports to 2018, this has been accepted. For 2023, a return should be re-submitted for each quarter. There are several different activities, each consisting of different permitted EWC codes and tonnage limits, and two permit conditions requiring a waste return. NRW suggest that all the data may be submitted on a single waste return form for each quarter, providing the different activities are identified using different R&D codes. There is no preference to which codes Celsa apply, providing they are relevant to the activity. When submitting, please indicate which activity each R&D refers to.

For any hazardous waste, this will also need to be submitted on the relevant hazardous waste consignee

returns form (a copy of this form can be located on our website) and returned to the email address provided on that form.

Reported incidents.

During Q3, NRW received several reports concerning dust / smoke, which were believed to be emanating from the Celsa installation. Celsa were made aware of the reports and initiated an internal investigation.

For the reports made on the 08th and 10th of September, Celsa reviewed CCTV footage, CEM data and operational logs, there was no evidence to suggest that Celsa was the source of the dust or smoke reported in the area at these times. The reports are therefore unsubstantiated.

For the report received on the 01st of September, describing the Celsa installation (meltshop) to be covered in a plume of smoke and dust, with accompanying images appearing to show the installation and surrounding area under a haze. With regards to this report, Celsa's investigation identified a failure within the fume extraction, temporary repairs were made on the 7th of September with a follow up permanent repair conducted during the processing shutdown in October.

Further information was requested from Celsa with regards to the nature of the failure, how Celsa mitigated any impacts from the defective fume extraction between discovery and repair and for details of the planned preventative maintenance regime currently in place on the fume extraction system.

Celsa reported that the failure was caused by slow deterioration of the fume extraction ducting, a result of physical abrasion from the entrained dust and corrosion due to the dew point. Following the 1st of September, Celsa increased the ramp down of the main extraction fan, from 10 minutes to 20 minutes, to extract fumes from the meltshop over a longer period.

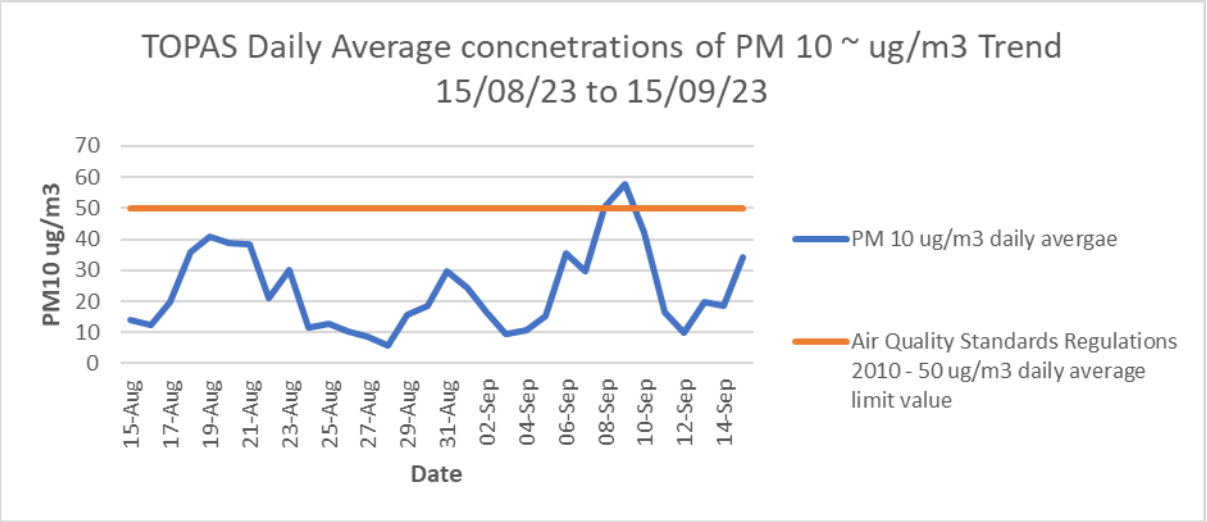
The holes within the failed ducting likely resulted in ambient air being drawn into the system, resulting in a drop in the negative pressure at the extraction inlet within the meltshop. The reduced negative pressure would have resulted in a reduction of the effectiveness of the system to extract process fumes from the meltshop, which led to the fugitive emissions escaping the meltshop building.

Celsa have conducted repairs on the sections of ducting where holes had been identified, with additional sections benefiting from concrete spray to provide additional strength to the linings, ongoing surveys of the ducting is being conducted with sections identified for replacement during shutdown. Preventative maintenance of the ducting has now been increased from annual to quarterly. NRW is satisfied with this response.

The repairs and increased PPM regime for the ducting are a result of reactive measures taken after a failure and subsequent fugitive emission to air has occurred. As an operator of a permitted site, you should manage and operate your activities in accordance with a written management system that identifies and minimises risks of pollution, including those arising from operations, maintenance, accidents, incidents, non-conformances, closure and those drawn to the attention of the operator as a result of complaints. Had the PPM regime been more proactive in its nature, with a higher frequency of inspection in place, the deteriorating state of the fume extraction ducting could have been identified before this emission had occurred.

A review of the data for the ambient air monitor stations at Willowbrook High School and Cardiff city Centre has been conducted, along with meteorological data for the time. The data does not show any increased levels

of $PM_{10,}$ with the levels within Cardiff city Centre averaging around 9 ug/m3, which is a typical average seen for this location. Likewise, the PM_{10} data from the Willowbrook high school monitor for the 01st of September showed normal variation of PM_{10} concentrations, averaging 24.5 ug/m3, which appears to be within the normal range at this location. There was a single high spike in PM_{10} concentration the on the 31st of August at 22:00, with a 15 minute average concentration of 1094 ug/m^3 being recorded. The data preceding and following this spike was within the usual ranges. Wind data for this time, from the Cardiff airport meteorological station, showed wind directions to be from the West North/West, as such, there is no indication this spike in PM_{10} was a result of any activities being conducted at the Celsa installation. The data recorded by the TOPAS located at Willows shows PM_{10} concentrations were within the UK air quality limit values, with the daily average for the 01st of September totalling 24.5 ug/m^3 (limit value is 50 ug/m^3 over 24 hours). However, the wind direction on the 1st of September was recorded as North Westerly, as such, any increased levels of PM10 may not have been detected by the TOPAS monitor. The line chart below displays daily averages recorded by the TOPAS between 15/08/23 and the 15/09/23.



The monitor recorded daily averages below the limit value of 50 ug/m3 for the days preceding, during and following the duct failure on the 01st of September. A daily average of 58 ug/m3 was recorded on the 9th of September, however wind direction data indicates a westerly / North Westerly wind, suggesting the source may have originated outside of the Celsa installation. It is appreciated that other mereological variables and local typography etc will influence the movement of local fugitive emissions, however there is no evidence to suggest that this fugitive release was occurring for a prolonged period or at significant levels. As such, the following minor non-compliance scores will be issued for the fugitive emission on the 01st of September 2023, which had the potential to cause negative air quality impacts in the local area.

Non-compliance: A category 3 minor non-compliance is issued for fugitive emission of process fumes / dust. Permit condition 3.2.1. **It is an offence under Regulation 38(2) of the Environmental Permitting Regulations**

(consolidated 2016) to breach a permit condition or emission limit. Non-compliance score CCS3.

Non-compliance: A category 3 minor non-compliance is issued for the inadequate inspection frequency of the fume extraction ducting, resulting in the ducting to partially fail, causing the release of fugitive emissions. Permit condition 1.1.1. **It is an offence under Regulation 38(2) of the Environmental Permitting Regulations (consolidated 2016) to breach a permit condition or emission limit. Non-compliance score CCS3.**

Celsa are also reminded that in any instance where a permit condition has been breached, such as a release of fugitive emissions, they are required under permit condition 4.3 to notify NRW. Celsa had implemented mitigation control measures on the 1st of September, indicating awareness of the fugitive emissions, with NRW only being made aware due to a reported made to our incident communications centre by a member of the public. As this isn't the first instance where Celsa have failed to notify NRW of fugitive emissions, the following minor non-compliance will be issued.

Non-compliance: A category 4 minor non-compliance is issued for failing to notify NRW of the fugitive emissions released on the 1st of September 2023. Permit condition 4.3.1(b). **It is an offence under Regulation 38(2) of the Environmental Permitting Regulations (consolidated 2016) to breach a permit condition or emission limit. Non-compliance score CCS4.**

Celsa should ensure that notification procedures reflect the requirements of the permit.

On Monday the 20th of November a report was received suggesting there had been a major oil or diesel spill at Celsa (Tremorfa) on Sunday the 19th. Celsa were contacted on the 21st and made aware of the report but were unaware of any such spillages occurring on site. Celsa conducted an internal investigation across all three permitted sites, including visual inspections of the reported location 'forklift truck repair area'. The report was also queried with operational teams, logistics and contractors. No oil or diesel spill was identified and no internal reports of any such spillage were made. NRW are satisfied with the response and the incident report has been closed as un-substantiated.

Site Updates

Celsa continues to undertake improvements across the site, this included re-cladding of buildings, providing better control over fugitive emissions. Improvements have been made to the EAF, including a project to improve electrode control, ensuring optimum performance of the furnace, resulting in optimised energy use. Upgrades have been made to the substation and electricity supply, with a newly installed static VAR Compensator (SAV). Due to the nature of the process, there can be rapid fluctuations in load current and voltage. These fluctuations can result in power quality problems such as flickering. The newly installed SAV should help reduce this effect, stabilise supply and improve overall power quality at site and the effects Celsa's' usage has on the grid.

The slag bay roof was seen to be under construction, there has been some delays due to lead-time on the water spray heads/nozzles. Once the project is complete, there will be improved management of the slag and better control on fugitive dust emissions that arise from the slag cooling process.

Celsa discussed the companies' environmental objectives, including its drive towards net-zero, it is clear that Celsa is committed to making positives changes and the improvements being made are welcomed by NRW.

Actions from CAR_NRW0041768

Action 1. Site need to check the WM3 guidance on oil content in Millscale (p30-35) and treat this material as hazardous if the oil content in the stockpile is found to be greater or equal to 0.1%.

Action 2: Check conversion factors obtained from monitoring data are reported as per permit requirements.

Action 3: Site to check how the start-up and shut-down data is applied in reporting emissions from the A5 stack and confirm this meets permit requirements.

Responses:

Action 1: Celsa are still awaiting a response from their waste specialists. This will be captured in the next CAR form.

Action 2: The response received did not address the action, likely a misinterpretation of the request. NRW awaiting a response which will be captured in the next CAR form.

Action 3: Harsco have stated that they are unable to give a definitive timescale to start up and shut down procedures due the quantity of variables which influence these operational phases. The following response was sent via email, and also included here for completeness:

It's appreciated that the exact timescales for start-up and shutdown may be difficult to define, given the nature of the plant. The reason for defining the start-up and shut down periods is to comply with the requirement stated in table S3.5 of the permit. The specification within this table states that an hourly average result exceeding 20 mg/m3 (excluding start-up and shut down) shall result in investigation and corrective action as necessary. As such, defining these periods will allow the operator to omit the start-up and shut-down data from the averaging periods.

During start-up and shut down it is assumed that there may be periods of elevated emissions, as can be the case with many processes. As such, if the CEM data from the entire production, including start-up and shut down periods, is currently utilised within the averaging periods then NRW will continue to accept this approach without the operator having to define the start-up and shutdown, as this is likely a more conservative approach.

However, if the requirement to investigate elevated emissions is triggered (exceedance of the hourly average 20 mg/m3), any investigation cannot conclude that the exceedance was caused by elevated emissions due to 'start-up' or 'shut down' until these operational phases have been defined. Once defined, any CEM data from these operating periods can then be accurately omitted from the averaging period.

END.

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.

If your assessment result in Section 1 is suspended, what does this mean?
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 compliance criteria (used in section 1 and 2):

1. Management
- IR1A – General management
- IR1B – Finance (only applicable to Landfill)
- IR1C – Energy efficiency
- IR1D - Efficient use of raw materials
- IR1E - Avoidance, recovery and disposal of wastes produced by the activities
- IR1F - Multiple operator installations

2. Operations
- IR2A – Permitted activities
- IR2B – The site
- IR2C – Operating techniques
- IR2D – Technical requirements
- IR2E – Improvement programme
- IR2F – Pre-operational conditions
- IR2G – Landfill engineering (only applicable to Landfill)
- IR2H – Waste acceptance (only applicable to Landfill)
- IR2I – Leachate levels (only applicable to Landfill)
- IR2J – Closure and aftercare (only applicable to Landfill)
- IR2K – Landfill gas management (only applicable to Landfill)

3. Emission and Monitoring
- IR3A – Emissions to water, air or land
- IR3B – Emissions of substances not controlled by emission limits
- IR3C – Odour
- IR3D – Noise and vibration
- IR3E – Monitoring
- IR3F – Pests
- IR3G – Air quality management plans
- IR3H – Monitoring for the purposes of the Industrial Emissions Directive (this heading includes Large Combustion Plants)
- IR3I – Fire

4. Information
- IR4A – Records
- IR4B – Reporting
- IR4C – Notification

Enforcement response
Any non-compliance with a permit condition 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 twenty 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 to 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.