

Compliance Assessment Report CAR_NRW0043600

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: Report/Data Review,

Reason: Routine.

On: 31/12/2023.

Parts of permit assessed: Q4 2023 Monitoring Returns .

NRW Lead Officer: Rhodri Morgan.

Report sent to: Paul Morgan , Environment Health and Safety Manager, on 26/02/2024.

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

Part of permitted activity assessed (compliance criteria)	Assessment result	Permit condition
IR1A - Management - General management	Assessed (A)	
IR3A - Emissions and monitoring - Emissions to water, air or land	Assessed (A)	
IR3E - Emissions and monitoring - Monitoring	C3 Minor	3.5.1
IR4B - Information - Reporting	Assessed (A)	
IR4C - Information - Notification	Assessed (A)	

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

Total non-compliances recorded	Total non-compliance score
1	4

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 emissions are monitored to the frequency specified by the permit condition.	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.

At this time, we are issuing you with a warning for the non-compliance recorded above. Warnings may influence future enforcement response for continued or further non-compliance.

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. Quarter 4 (Q4) October to December 2023 Monitoring Returns
2. 2023 Annual Returns

Compliance Assessment

1. Q4 2023 Monitoring Returns

Harsco submitted the Q4 2023 monitoring returns on the 12th January 2023, which is within the specified reporting window, representing compliance with the permit condition (4.2.2).

AS3 – Lancing Booth

The continuous particulate matter (PM) results for the monitoring period have been submitted with no exceedances of the 20 mg/m³ hourly average emission limit noted.

Monitoring results were not available for a number of days throughout the monitoring period; including three days when the lancing booth was operational (2nd – 4th October 2023). A schedule 5 notification was submitted by the operator, representing compliance with the permit condition (4.3.1b)

The operator was unable to determine the root cause of the monitoring failure; the device has since been serviced and confirmed to be functioning correctly. There were no reported triggers of the lancing booths PM local warning system; suggesting the emission limit was not exceeded.

The failure to monitor PM continuously throughout the monitoring period is contrary to condition 3.5.1. In accordance with non-compliance scoring guidelines a non-compliance score of C3 has been allocated.

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. The majority (83.8%) of the tipping assessments have been classed as a shade 2, which is consistent with previous monitoring submissions.

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

2. 2023 Annual Report

The operator is required to submit an annual report on the performance of the activities over the previous year by 31 January as per condition 4.2.3. Harsco submitted the 2023 Annual Report on the 12th January 2024, which is within the specified reporting window, representing compliance with the permit condition (4.2.3).

The annual submission consisted of the following documents:

- Form Particulate 1
- Form Performance 1
- EPR-BP3635MR Annual Performance Report 2023

The annual submission contained all the required information in accordance with permit condition 4.2.3.

The annual stack testing was undertaken on the 24th November 2023 in accordance with permit condition 3.5.1. An emission value of 13.1 mg/m³ was recorded during the monitoring; below the emission limit value of 20 mg/m³.

Note: This CAR report and assessment was undertaken on the 26th February 2024. However, to ensure that any non-compliance scores are attributed to the correct financial year (for billing) the date on CARS system has been altered to 31 December 2023.

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.