

## Compliance Assessment Report CAR\_NRW0043592

**Permit being assessed:** BV7311IE.

**For:** Morfa Non-Hazardous Landfill , **held by:** Tata Steel UK Limited

**At:** Port Talbot Steel Works Abbey Works , Margam, PORT TALBOT, West Glamorgan, 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:** Nathan Ace , Head of Environment TSUK Operations, 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)	
IR2I - Operations - Leachate levels (only applicable to landfill)	Assessed (A)	
IR2K - Operations - Landfill gas management (only applicable to landfill)	Assessed (A)	
IR3A - Emissions and monitoring - Emissions to water, air or land	Assessed (A)	
IR3E - Emissions and monitoring - Monitoring	Assessed (A)	
IR4B - Information - Reporting	Assessed (A)	

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

Total 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

Tata Steel UK Limited (Tata) operates Morfa Non-Hazardous Landfill (MNHL) under the provisions of Permit BV73111E. The larger waste management site at Port Talbot includes the unlined Closed Landfill (MCL) and the Hazardous Landfill (MHL).

The non-hazardous wastes mainly comprise of steel slag, with flue dusts, water treatment solids, office waste, canteen wastes and demolition rubble arising from steel production at Port Talbot.

### **Purpose of Compliance Assessment**

The following monitoring returns and reports have been assessed within this Compliance Assessment Report (CAR):

- Quarter 4 (Q4) October to December 2023 Monitoring Returns

### **Compliance Assessment**

#### 1. **Q4 2023 Monitoring Returns**

The operator submitted the Q4 2023 monitoring returns on the 25<sup>th</sup> January 2024, which is within the specified reporting window, representing compliance with the permit condition (4.2.3).

### **Groundwater Monitoring**

Over the reporting period, the required groundwater monitoring; ground water level and quality, was undertaken.

The reported results were compliant with the Arsenic (50 (µg/l)) and Chloride (200 (mg/l)) trigger levels<sup>[1]</sup>.

### **Leachate Monitoring**

Leachate level monitoring was undertaken to the frequency required by the permit (weekly). Leachate levels in all wells were compliant throughout the monitoring period, with no breach of the 1m limit recorded.

Leachate quality monitoring, as required by Table S3.6 of the permit was undertaken, and the relevant data submitted.

**Surface Water Monitoring**

The required surface water monitoring for the quarter was undertaken and the relevant data submitted.

Water levels at each surface water monitoring point throughout the landfill and the neighbouring Margam Moors were measured monthly, as required by the permit.

**Landfill Gas Monitoring**

Quarterly landfill Gas monitoring was undertaken for the external monitoring wells with no exceedances in the Methane limit detected.

**Recharge Trenches**

The recharge trenches have yet to be constructed. Water level and quality data will be required monthly following the construction of each trench.

**Note:** This CAR report and assessment was undertaken on 26 February 2024. However, to ensure that the CCS score is attributed to the correct financial year (for billing) the date on CARS system has been altered to 31 December 2023.

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[1] Following the application of the uncertainty value by the Operator.

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](mailto: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](mailto: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.