

Compliance Assessment Report CAR_NRW0041278

Permit number	BS3905IP	Operator name	Tata Steel UK Limited
----------------------	----------	----------------------	-----------------------

Site name	Tata Steel UK Limited
Site address	TATA Steel Strip Products UK, Llanwern Works, Newport, NP19 4QZ
Assessment type	Record of a breach of environmental permit arising from the exceedance of a permitted emission limit.

Date of assessment	20 February 2023	Time in	N/A	Time out	N/A
---------------------------	------------------	----------------	-----	-----------------	-----

Parts of permit assessed	See section 4
---------------------------------	---------------

NRW Lead officer	Guy Baskerville	Accompanied by	N/A
Report sent to – Name and position	Hayley Jeremiah	Date	20 February 2023

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

Part of permitted activity assessed (use action criteria below)	Assessment result	Permit condition
E3 Emissions – Surface water	C3 Minor	6.3.2

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

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

2. What action is required?

Criteria	Action needed	Complete by
E3	Undertake measures to prevent reoccurrence of the exceedance and/or measures to rectify, limit or prevent any pollution of the environment, as identified by the investigation and presented in the Part B Notification.	03 April 2023

Action 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 prosecutions and/or suspension or revocation of your permit.

4. Details of our assessment

The purpose of this Compliance Assessment Report (CAR) is to record breaches of the environmental permit arising from the exceedance of permitted emission limits during **Q4 2022**.

Condition 6.3.2 of the environmental permit states:

Limits for the emissions to water for the parameter(s) and emission point(s) set out in Table 6.3.3 shall not be exceeded.

Table 6.3.3 of the environmental permit is reproduced below.

Table 6.3.3: Emission limits into water		
Parameter	Emission Point W1	Monitoring frequency
Flow rate	28000 m ³ /day (dry weather)	Continuous
pH min	6	
pH max	12	
Total hydrocarbon oil ⁽³⁾	5 mg/l	Weekly average
Suspended solids ⁽¹⁾⁽²⁾⁽³⁾	100 mg/l	
Dissolved iron ⁽¹⁾⁽³⁾	10 mg/l	
Total chromium ⁽¹⁾⁽³⁾	0.2 mg/l	
Dissolved nickel ⁽¹⁾⁽³⁾	0.2 mg/l	
Zinc ⁽¹⁾⁽³⁾	2 mg/l	
Copper ⁽¹⁾⁽³⁾	0.1 mg/l	
Lead ⁽¹⁾⁽³⁾	0.8 mg/l	
Cadmium ⁽¹⁾⁽³⁾	0.05 mg/l	
Mercury ⁽¹⁾⁽³⁾	0.05 mg/l	

¹ Any representative spot sample.

² The solids shall be separated and dried at 105 C.

³ Limit shall be complied with if 95% of all weekly representative spot samples during a rolling half year period do not exceed the limit value given in Table 6.3.3 and the peak spot sample value does not exceed 1.5 times the limit value.

A Schedule 1 Part A Notification was submitted via email on 06/12/2022 reporting that the weekly average copper measurement at emission point W1 between 27/11/2022 and 03/12/2022 was 0.5195 mg/l.

This is an exceedance of permitted emission limits and represents non-compliance with the environmental permit.

By the date of this assessment, we had not yet received a Part B Notification for the above exceedance and therefore the outcome of the operator's investigation into this exceedance is unknown.

As a result of this non-compliance a CCS Score [C3] has been recorded against compliance sub-criteria E3: Emissions – Surface water

A C3 score has been levied as it is reasonably foreseeable that an exceedance of permitted copper emission limits will result in a minor pollution of the environment.

Action 1: Undertake measures to prevent reoccurrence of the exceedance and/or measures to rectify, limit or prevent any pollution of the environment, as identified by the investigation and presented in the Part B Notification.

A Schedule 1 Part A Notification was submitted via email on 19/12/2022 reporting that the weekly average suspended solids measurement at emission point W1 between 11/12/2022 and 17/12/2022 was 187.57 mg/l.

This is an exceedance of permitted emission limits and represents non-compliance with the environmental permit.

A Schedule 1 Part A Notification was submitted via email on 03/01/2023¹ reporting that the weekly average suspended solids measurement at emission point W1 between 18/12/2022 and 24/12/2022 was 112 mg/l.

This is an exceedance of permitted emission limits and represents non-compliance with the environmental permit.

By the date of this assessment, we had not yet received a Part B Notification for the above exceedances and therefore the outcome of the operator's investigation into these exceedances is unknown.

Exceedances of suspended solids have been observed regularly in the past with no clear cause. It has been suggested that earthworks associated with nearby housing developments may be the cause, although no clear link has been established. The operator continues to de-silt Lagoon 14 to maintain its effectiveness and is working with the housing developer to instate a monitoring programme to better understand their contribution to background contamination. Given the inherently high suspended solid levels in the estuarine receiving waters, the environmental impact will be negligible and therefore no non-compliance score has been levied for the above exceedances on this occasion.

¹ The operator first notified NRW of the exceedance via email on 28/12/2022.

Condition 5.1.1 of the environmental permit states:

The operator shall notify the Agency [sic] without delay of:

(a) the detection of an emission of any substance which exceeds any limit or criteria in this permit specified in relation to the substance

Condition 5.1.2 of the environmental permit states:

The Operator shall submit written confirmation to the Agency [sic] of any notification under condition 5.1.1 in accordance with Schedule 1 to this permit by sending the information listed in Part A of Schedule 1 to this Permit within 24 hours of such notification. The Operator shall send the more detailed information listed in Part B of that Schedule as soon as practicable thereafter. .

The operator notified the regulator of the exceedance of permitted copper emission limit(s) on 06/12/2022, which represents compliance with the environmental permit. Written confirmation in accordance with Part A of Schedule 1 to the permit was received at the time of notification.

The operator notified the regulator of the exceedance of permitted suspended solids emission limit(s) on 19/12/2022 and 28/12/2022, respectively, which represents compliance with the environmental permit. Written confirmation in accordance with Part A of Schedule 1 to the permit was received at the time of notification or promptly thereafter, which represents compliance with the environmental permit.

[ENDS]

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 in the aspects assessed.
Action only (X)	Action only relating to the activity assessment
Ongoing (O)	Ongoing non-compliance, not scored

Non-compliance category	Description
C1 Major	Potential to have a major, serious, persistent and/or extensive impact or effect on the environment, people and/or property
C2 Significant	Potential to have a significant impact or effect on the environment, people and/or property
C3 Minor	Potential to have a minor or minimal impact or effect on the environment, people and/or property
C4 No environmental impact	Non-compliance at a regulated site that cannot foreseeably have any impact on the environment, people and/or property

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.