

Compliance Assessment Report CAR_NRW0046498

Permit being assessed: EP3830GH.

For: Liberty Steel Newport Ltd, **held by:** Liberty Steel Newport Ltd

At: Corporation Road, Newport, NP19 4XE.

Type of assessment: Report/Data Review,

Reason: Routine.

On: 31/12/2024.

Parts of permit assessed: 4.2 reporting, 3 emissions and monitoringg .

NRW Lead Officer: Luke Burton.

Report sent to: HR & Compliance Manager, Liberty Steel Newport Ltd, on 28/02/2025.

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

Part of permitted activity assessed (compliance criteria)	Assessment result	Permit condition
IR4B - Installations - Information - Reporting	Assessed (A)	
IR3A(2) - Installations - Emissions and monitoring - Emissions to air	Assessed (A)	
IR3A(1) - Installations - Emissions and monitoring - Emissions to water	C3 Minor	3.1.2
IR3A(1) - Installations - Emissions and monitoring - Emissions to water	C3 Minor	3.1.2
IR2A - Installations - Operations - Permitted activities	C3 Minor	2.1.1

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

Total non-compliances recorded	Total non-compliance score
3	12

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
IR3A(1)	No action	Already completed

Criteria	Action needed	Complete by
IR3A(1)	No action	Already completed
IR2A	Operator shall remove and send all of the 1,000 tonnes of RDF waste from the site to a relevant waste operation.	30/06/2025

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.

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

This Compliance Assessment Report (CAR) has been produced in response to the submission of annual performance and monitoring report(s) required by the following environmental permit conditions.

Condition 4.2.2 of the environmental permit states:

For the following activities referenced in schedule 1, table S1.1 (A1 - AR15), A report or reports on the performance of the activities over the previous year shall be submitted to Natural Resources Wales by 31 January (or other date agreed in writing by Natural Resources Wales) each year. The report(s) shall include as a minimum:

- (a) a review of the results of the monitoring and assessment carried out in accordance with the permit including an interpretive review of that data;
- (b) the annual production /treatment data set out in schedule 4 table S4.2; and
- (c) the performance parameters set out in schedule 4 table S4.3 using the forms specified in table S4.4 of that schedule.

Table S4.2 is partially reproduced below:

Table S4.2: Annual production/treatment

Parameter	Units
Total Steel Production	tonnes
Total Waste Produced	tonnes
Total Scrap metal stored on-site	tonnes
Total SRF stored on-site	tonnes
Total RDF stored on-site	tonnes
Total ASR stored on-site	tonnes
Total End of Life Tyres stored on-site	tonnes
Total waste plastic stored on-site	tonnes
Electrical power generated	MWh
Electrical power exported to the grid	MWh

Table S4.3 is partially reproduced below:

Table S4.3 Performance parameters

Parameter	Frequency of assessment	Units
Water usage	Annually	tonnes
Energy usage	Annually	MWh
Total raw material used	Annually	tonnes
Total Particulates	Annually	Mg/m ³
Total amount of bio-diesel used	Annually	tonnes
Operating hours for peaking plant	Every 6 months	Total hours (h), total number of runs (quantity), duration of longest run (h) and number of runs >2 hours duration (quantity)

Table S4.4 is partially reproduced below:

Table S4.4 Reporting forms

Media/parameter	Reporting format	Date of form
Air	Form air 1 or other form as agreed in writing by Natural Resources Wales	01/04/16
Water	Form water 1 or other form as agreed in writing by Natural Resources Wales	01/04/16
Water usage	Form water usage 1 or other form as agreed in writing by Natural Resources Wales	01/04/16
Energy usage	Form energy 1 or other form as agreed in writing by Natural Resources Wales	01/04/16
Waste	Form performance 1 or other form as agreed in writing by Natural Resources Wales	01/04/16
Particulates	Form particulates 1 or other form as agreed in writing by Natural Resources Wales	01/04/16
Electrical power generated (net), total hours (h), total number of runs (quantity), duration of longest run (h), number of runs >2 hours duration (quantity)	Form operating hours 1 or other form as agreed in writing by Natural Resources Wales	01/06/17

Report(s) for condition 4.2.2 were submitted via email on 31/01/25.

The report(s) submission was made inside the reporting window which represents compliance with the permit.

The report(s) submitted include the parameters specified in schedule 4 table S4.2 and S4.3 which represents compliance with the permit.

The report(s) submitted are for the reporting periods specified in schedule 4 table S4.2 and S4.3 which represents compliance with the permit.

The report(s) have been submitted using the forms specified in schedule 4 table S4.4 which represents compliance with the permit.

The monitoring report(s) submitted include an interpretive review and assessment as required by condition 4.2.2 (a) which represents compliance with the permit.

The review and assessment was judged to be suitable given the non-operational nature of the site.

Condition 4.2.3 of the environmental permit states:

Within 28 days of the end of the reporting period the operator shall, unless otherwise agreed in writing by Natural Resources Wales, submit reports of the monitoring and assessment carried out in accordance with the conditions of this permit, as follows:

- (a) in respect of the parameters and emission points specified in schedule 4 table S4.1;
- (b) for the reporting periods specified in schedule 4 table S4.1 and using the forms specified in schedule 4 table S4.4 ; and
- (c) giving the information from such results and assessments as may be required by the forms specified in those tables

Table S4.1 is partially reproduced below:

Table S4.1 Reporting of monitoring data

Parameter	Emission or monitoring point/reference	Reporting period	Period begins
Particulate	A1, A2	Every 3 month	
Oxides of Nitrogen mg/m ³	A1, A2, A5	Every 3 month	
Carbon Monoxide	A1, A2	Every 12 month	
Sulphur Dioxide	A1, A2	Every 12 month	
VOC as Carbon	A1, A2	Every 12 month	
PCDD/F	A1, A2	Every 12 month	
Metals ¹	A1, A2	Every 12 month	
Mercury	A1, A2	Every 12 month	
PAH	A1, A2	Every 12 month	
PCB	A1, A2	Every 12 month	
Suspended Solids	W1	Every 3 month	
Oil and Grease	W1	Every 3 month	
pH	W1	Every 3 month	
Zinc	W1	Every 3 month	
Metals ¹ and Iron	W1	Every 3 month	
Energy		Every 12 month	
Environment monitoring		Annual	
Borehole monitoring		Annual	
Waste		Every 12 month	

Notes:

1. Metal include elements and compounds of Pb, As, Cd, Cr, Ni, Cu, Hg and Zn expressed as the metal and shall be individually reported
2. Reporting to approximate with calendar quarters
3. Reporting may be suspended by written agreement of Natural Resources Wales

Table S4.4 is partially reproduced above.

Report(s) were submitted on 26/04/24, 06/08/24, 06/11/24 and 31/01/25.

The report(s) submission was made inside the reporting window which represents compliance with the environmental permit.

The report(s) submitted include the parameters specified in schedule 4 table S4.1 which represents compliance with the environmental permit.

The report(s) submitted are for the reporting periods specified in schedule 4 table S4.1 which represents compliance with the environmental permit.

The report(s) have been submitted using the forms specified in schedule 4 table S4.4 which represents compliance with the environmental permit.

Below is a break down of the monitoring data provided, by monitoring point.

Emissions point A1, A2 and A5

The activities giving rise to emissions from points A1 and A2 were not in operation and

generating no emissions to air during the reporting period / 2024.

The process giving rise to emissions from point A5 was idled and generating no emissions to air during the reporting period / 2024.

The report(s) therefore contain no emissions monitoring returns results for emission points A1, A2 and A5 which represents compliance with the environmental permit.

Emissions point W1

Report(s) demonstrate that on 12/02/24, 06/03/24 and 14/12/24 the emission limit for maximum pH specified within Schedule 3, Table S3.2 of the environmental permit was exceeded, this represents 3 non-compliances with the environmental permit.

Condition 3.1.2 ('the limits given in schedule 3 shall not be exceeded') of the environmental permit has been breached on three occasions.

In accordance with consolidating non-compliance scores, the February and March breaches have been consolidated into one breach.

The two breaches have been scored a C3 – A non-compliance with the potential to have a minor or minimal impact or effect on the environment, people and/or property.

Action: Already complete – Operator taken measures to prevent reoccurrence.

Waste storage and Schedule 1 operations

The operators returns state the total amount of RDF stored on-site for the period January – December 2024 as 1,000 tonnes.

The operator has confirmed that 1,000 tonnes is the current quantity of RDF being stored on-site and the 1,000 tonnes of RDF has been stored on site for longer than 9 months.

Permit condition 2.1.1 states:

The operator is only authorised to carry out the activities specified in schedule 1 table S1.1 (the "activities").

Table S1.1 is partially reproduced below:

Table S1.1 activities			
Activity reference	Activity listed in Schedule 1 of the EP Regulations	Description of specified activity and WFD Annex I and II operations	Limits of specified activity and waste types
Description of activities for waste operations		Limits of activities	
AR14	R13 Storage of wastes pending any of the recovery operations numbered R1 to R12. Receipt and storage of commercial and industrial wastes, excluding those wastes which are hazardous	Receipt of waste and storage on site prior to recovery via use as a fuel in a Waste to Energy plant or export for recovery. Subject to the storage limitations of 10,000 tonnes of SRF and 50,000 tonnes of other waste derived fuel, ASR, waste plastic, waste tyres at any given time. Waste will be stored on-site for a maximum of up to 9 months. To be stored on a concrete platform with a sealed drainage system. Waste types as specified in schedule 2, table S2.1	

Condition 2.1.1 has been breached as the operator has not complied with 'limits of the activities' within Table S1.1 as the waste (namely Refuse Derived Fuel – RDF) has been stored on site for longer than 9 months.

This breach has been scored a C3, at present – A non-compliance with the potential to have a minor or minimal impact or effect on the environment, people and/or property.

Action: Operator shall remove and send all of the 1,000 tonnes of RDF waste from the site to a relevant waste operation.

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.