

Compliance Assessment Report CAR_NRW0037207

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 carried out: Report/Data Review, Reason: Routine.

On 09/12/2020.

Parts of permit assessed: Q3 returns, IC conditions, Oct,Nov breaches

NRW Lead Officer: Richard Taylor.

Report sent to: Hannah Mayled, Environmental Team on 09/12/2020.

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

Part of permitted activity assessed (criteria)	Assessment result	Permit condition
E1 - Emissions - Air	C3 Minor	3.1.2
B5 - Infrastructure - Plant and equipment	C4 No impact (Suspended)	3.7.1(b)
G4 - Monitoring and Records, Maintenance and Reporting - Reporting and notification to Natural Resources Wales	C4 No impact	4.2.3
G4 - Monitoring and Records, Maintenance and Reporting - Reporting and notification to Natural Resources Wales	C4 No impact	4.2.3
E1 - Emissions - Air	C3 Minor	3.1.2
E1 - Emissions - Air	C3 Minor	3.1.2
E1 - Emissions - Air	C3 Minor	3.1.2

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

Total number of non-compliances recorded	Total non-compliance score
7	16.2

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
E1	Return to permit compliance limits	Already completed
B5	Reinstate permitted monitor at Willowbrook school	Already completed
G4	Schedule report due dates and meet deadlines	28/01/2021
G4	Meet permit requirements for periodic reports	28/01/2021

Criteria	Action needed	Complete by
E1	Return to compliance limits with immediate effect	31/01/2021
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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 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

Celsa TP3639BH Tremorfa Meltshop Q3 Jul-Sept round-up. IC's Update & breaches until Dec 9th 2020.

1.0 August breach of permit limits for Particulate matter (PM)

Site reported daily emission exceedances for PM from A1 stack on 3rd Aug and 4th Aug. The permit limit is set at 5mg/m³ for this release point. The reading on 3rd was reported as 7.39mg/ with the reading on 4th at 6.44mg/m³. The root cause of the emission increase was that up to a hundred filter bags had suffered burn out and were not functioning properly which in turn lead to EAF dust being released to air. The condition of the bags was not picked up until 3rd Aug, but they suffered damage over the weekend of 1st and 2nd Aug.

The exceedance on the 3rd was reported for a daily average exceedance. However, the period which the emission took place was for a 12-hour period between 00:59 and 12:59 hrs before shut-down. The fault was exacerbated by no personnel being present at the bag filter house over the weekend. A three-point improvement plan has subsequently been introduced to ensure there is no repetition of the incident.

1. To prevent a reoccurrence of such events, increased inspection of bags are taking place.
2. The CEMS instrument will have an alarm system retrofitted to enable warnings to be sent to contractors and engineers that particulate levels are increasing within the plant.
3. In addition, the temperature of the furnace will be closely monitored to prevent high temperatures from causing damage to DED plant.

The above measures are a welcome improvement and their progress will be inspected at the next site visit.

The 2 permit limit breaches of particulate matter to air from the same stack have been combined into 1 permit breach for the Quarter following NRW CCS rules. The status of the baghouse (DED) plant should have been checked prior to use to ensure their functionality. The improvement items above are a welcome improvement.

Decision – 1 x Cat 3 breach of permit condition 3.1.2 for particulate limit exceedances from A1 stack on 3rd and 4th Aug 2020.

2.0 July TOPAS Monitoring failure

Celsa have a permit requirement for an air quality monitor record ambient background levels within the local community at Willowbrook High school. During 1st July to 11th Aug 2020, the monitor was offline. The ambient air monitoring is covered by permit condition 3.7.1(b). Data was lost for the 6-week period from this location, but a secondary monitor not covered by the permit was able to provide the missing data. The secondary monitor is located on nearby Baden Powell school and was agreed to be used as a surrogate monitor while the permitted monitor is offline. The Monitor was fixed on 20th October, with data from this source re-established from that date. Site sent a schedule on 12th August to NRW to notify of the situation. It was agreed that the surrogate monitor at Baden Powell would be used for the ambient monitoring in the interim period. The ambient air quality data is permitted to come from Willowbrook school, so the submission of data from the period 1st July to 10th Aug is technically a breach of permit conditions. However, as there was surrogate data available, the breach is listed but not scored as a Cat 4 breach.

Decision – Suspended Cat 4 breach of permit condition 3.7.1(b) for not supplying ambient data from the location specified in the permit recorded here as a non-scoring breach for completeness.

3.0 Late reporting of Q1 and Q2 data

Permit condition 4.2.3 requires timely reports to be submitted to NRW within 28 days of the end of each quarter. Site sent their Q1 and Q2 air monitoring reports on 8th Sept. These were due on 28th April and 28th July respectively. A new permit variation V009 was issued to site on 5th May which altered the parameters of some reportable substances which changed the reporting schedule. Nevertheless, the site reported their Q1 and Q2 air emissions late following a request from NRW and therefore earns x2 Cat 4 breaches of permit conditions. These are permit breaches with no environmental effect.

Decision 2 x Cat 4 breaches of permit condition 4.2.3 for late submission of returns for Q1 and Q2.

4.0 Site visit 24th Jul – follow up to fly complaint.

The site was inspected jointly by NRW and SRS following a complaint in the local area. The site was clean and tidy with no pests or vermin present. The stockpile of cans was reduced to a sixth of the amounts carried in previous years and kept to approximately 1000 tonnes on site. The pile was also placed under cover. Inspections records showed periodic spraying had commenced. It was concluded that the site was not the source of the fly infestation reported in the wider community. No excessive flies were witnessed on site.

Decision – this complaint was unsubstantiated.

5.0 A5 stack NO and PM exceedances

Site are required to carry out monitoring of the A5 asphalt plant stack for Nitrous Oxide (NO) and Particulate matter (PM). Limits are set which were exceeded during the monitoring which took place on 9th October and reported on 4th Nov. The explanation for the exceedance for PM was that several filters had become dislodged. The replacement for these was reported to commence on 2nd Nov. The Continuous emissions monitor for particulates reported no emissions exceedances for the Q3 period 1st July – Sept 30th. The Q4 results are expected on 28th Jan 2021.

The dust abatement filters on the asphalt plant should have been replaced as a matter of priority and NRW informed of the situation through permit condition 4.3.1(a)(i). Site need to be aware of the permit conditions relating to potential breaches of permit conditions and pollution incidents and use the schedule 5 notification system in place in the permit for informing NRW.

Similarly, to point 1.0 above, the system should be checked for operational functionality before use so that the plant is not running without full abatement plant in place. Site need to review the system pre-checking systems in place at the Asphalt plant to ensure it is fully operational prior to use. Like point 1.0 an improvement plan should be put in place following the first two points;

1. Increased inspection of dust abatement plant filters.
2. The CEMS instrument should have an alarm system retrofitted to enable warnings to be sent to contractors and engineers that particulate levels are increasing within the plant.

Decision 1 x Cat 3 permit limit exceedance of permit condition 3.1.2 for NO limits with a reading of 18.1mg/m³ against a permit limit of 12mg/m³ during annual monitoring on 9/10/20.

Decision 1 x Cat 3 permit limit exceedance of permit condition 3.1.2 for PM limits with a reading of 47.3mg/m³ against a permit limit of 20mg/m³ during annual monitoring on 9/10/20.

Action – Site to review current prestart checking system on Asphalt plant abatement systems and evaluate the inclusion of the above 2 points. – Summary of review and improvements due 31st Jan 2021.

6.0 Site reported Q3 data.

There were x2 exceedances in monthly average figures for particulate matter with 5.78mg/m³ given as the July monthly average and 10.44mg/m³ for August against a permit maximum of 5mg/m³. During this period there were a number of complaints against the site for dust made by members of the public. Site needs to return to permitted PM levels with immediate effect. Site has an approved dust management system which should be implemented across the site. The 2 monthly breaches constitute a combined Cat 3 breach of permit condition 3.1.2 a non compliance which has lead to a minor environmental effect.

Decision 1 x combined Cat 3 breach of A1 stack permit condition 3.1.2 for permit limit exceedances for July average for PM's.

7.0 Summary table of actions

Date	Subject	Discussion	Decision
3 rd Aug 2020	Daily particulate matter limit breach	7.39 mg/m ³	
4 th Aug 2020	Daily particulate matter breach	6.44 mg/m ³	Combined Cat 3 with above.
12 th Aug 2020	TOPAS reporting failure 1 st July to 11 th Aug	The permitted TOPAS was not recording particulate data for the period 1 st July to 11 th Aug. The issue was fixed on 20 th Oct. The position of the TOPAS is at Willowbrook school. A surrogate monitor on nearby Baden Powell school was used for Q3 reporting as agreed with NRW on 18 th Aug.	Surrogate system used Cat 4 (suspended)
8 th Sept 2020	Late reporting Q1 and Q2 dust emissions data	Site submitted Q1 and Q2 air reports on 8 th Sept 2020, these were due on 28 th Apr and 28 th July respectively.	2 x Cat 4
24 th Jul	A site inspection took place in	Celsa clean – no flies witnessed. Stockpiles	Complaint

2020		response to complaints in the locality over excess flies.	of cans were inspected the day stock, (600t), plus 2 piles of 100t and 1000t undercover. The spraying regime was once per week but moving to twice. Also, the fly traps were seen to be changed – but these were relatively empty of flies. Conclusion, Celsa was not the cause of the flies.	not substantiated
16 th Oct	A5 stack PM exceedance.	NRW received A5 asphalt stack data. Site reported several dust filters had become dislodged and would be replaced commencing from 2 nd November.	Reported emission figures breach the permit limit of 20mg/m3 with 47.3 mg/m3. The dislodged filters are a concern. A review of the pre-operational system checks is required	Cat 3 Pre check review due 31 st Jan 2021
4 th Nov	A5 N.O. exceedance	NO received A5 NO data on request.	Test results showed NO2 readings at 18.1mg/m3 over the permit limit of 12mg/m3.	Cat 3
A1 stack PM Max daily averages		NRW received revised Q3 data 5/11/20 – no penalty for late reporting (originally sent 12/10)	Permit limits for A1 stack PM's are set out in Schedule 3 table S3.1 and given as a daily average max of 5mg/m3. The site reported monthly average values of 5.78mg/m3 in July and 10.44mg/m3 in August.	Combined Cat 3
			Summary 4 x Cat 3 – 16 pts 2 x Cat 4 – 0.2 pts 1 x Cat 4 suspended – 0 pts	Total 16.2 Compliance points

8.0 Permit V009 Improvement Conditions (IC's) update

There are two remaining IC's to complete. Both have been given extensions because on business of the Covid 19 pandemic. The table below shows the up to date status for the Permit V009 IC's.

IC4	FPMP	Completed 28/05/20
IC5	PM10's	Completed 01/07/20
IC6	Results and interpretation report	Extended to 31st Jan 2021
IC7	Dust suppression system	Completed 06/08/20
IC8	Noise survey results	Extended to 5th Feb 2021

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.

What are suspended scores?

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 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.