

Compliance Assessment Report CAR_NRW0037223

Permit being assessed: CP3333BQ.

For: Orb Electrical Steels EPR/CP3333BQ, held by Tata Steel UK Limited

At: PO Box 30 Orb Electrical Steels Stephenson Street , Newport, NP19 0RB.

Type of assessment carried out: Audit, Reason: Routine.

On 09/12/2020 between 14:15 and 15:30.

Parts of permit assessed: 1.3, 2.11

NRW Lead Officer: Gareth Richards.

Report sent to: Robert Naylor, Designated Tata representative on 14/12/2020.

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

Part of permitted activity assessed (criteria)	Assessment result	Permit condition
B2 - Infrastructure - Closure and decommissioning	Assessed (A)	

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

Total number of 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 have submitted a surrender application for the Orb Electrical Steels installation permit and this is currently in the final stages of determination by NRW. A visual inspection of the installation was arranged in order to substantiate the application claims, confirm the status of the ongoing demolition and that all known potential sources of contamination had been

removed.

The site contact was Andrew Knowles, Wye Valley Demolition. The Tata representatives in attendance were Robert Naylor and Robert Hooper.

The installation's security arrangements appeared to be well managed. The measures to minimise the scope for unauthorised access were proportionate.

It was confirmed that the fire on site, reported to NRW on Sunday 22nd November 2020, involved rolling equipment that was in the process of being dismantled. It was thought that as a result of hot cutting work some grease had subsequently ignited. This caused a lot of smoke and some minor damage to roof lights above the machinery. The smoke had exited the building at several points which created the impression of a more extensive fire. It was quickly brought under control.

A full circular walk of the installation was hosted by Andrew Knowles. Demolition work was ongoing although the current activities were largely internal and hidden from general view. There was no current work on the side of the site that bordered the river. Measures had been put in place to prevent access to the river.

At the northern end of the site and on the eastern side there was evidence of extensive demolition and significant amounts of scrap remained. This included decommissioned tanks, structural steel work and general scrap. Large plant items such as the Oil Recovery Plant and Tetra plant had been demolished. There was no evidence of any residual contamination and what remained of existing bunds were clean (clean rainwater in remaining bunds). There was evidence of old tanks that had been decommissioned and cut up. There was no evidence of any remaining oil or chemical inventories. The original hard standing remained intact and was generally clean.

Inside the main building demolition work was in progress. Work was also ongoing in the cellars. Cellar water accumulation was primarily from roof leaks rather than groundwater ingress. The sealing work that Tata had undertaken had been largely successful. There was an oil interceptor that was in use for treating any accumulated water prior to discharge. NRW's view is that on the basis internal accumulated water is surface water and that precautions are taken (as part of Duty of Care) to ensure residual contamination is removed using the interceptor, then this could continue to be discharged as normal surface water runoff without the need for a specific discharge consent. Much of the original processing equipment had been partially or completely removed although much work remained to be completed. There had been some infilling of internal trenches pending permanent back fill and cover.

Photographs of the demolition work, cleared areas and oil interceptor were taken. The visual inspection confirmed for NRW that those former areas of the installation that were likely to have the greatest potential to lead to contamination had been removed and that all obvious tank infrastructure had been decommissioned. Whilst demolition of the installation was not complete there was no obvious indication that further work would have potential to lead to environmental contamination.

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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.