

Compliance Assessment Report for: CAR_NRW0037026

Permit number	AP3292LT	Operator name	Tata Steel (UK) Ltd.
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Site name	Morfa Closed Landfill
Site address	Morfa Landfill, Port Talbot Steelworks, Port Talbot, SA32 2NG
Type of assessment	Site inspection

Date of assessment	8 th October 2020
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Parts of permit assessed	Site inspection of closed landfill
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NRW Lead officer	Neil Herbert	Accompanied by	N/A
Report sent to – Name and position	Nathan Ace SHE Manager	Date	29 th October 2020

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

Part of permitted activity assessed (use action criteria below)	Assessment result	Permit condition
B2 Infrastructure – Closure and decommissioning	Assessed or assessed in part (A)	
B3 Infrastructure – Site drainage engineering (clean and foul)	Assessed or assessed in part (A)	
F1 Amenity – Odour	Assessed or assessed in part (A)	
F2 Amenity – Noise	Assessed or assessed in part (A)	
F3 Amenity – Dust/fibres/particulates and litter	Assessed or assessed in part (A)	
F4 Amenity – Pests/birds and scavengers	Assessed or assessed in part (A)	
F5 Amenity – Deposits on road	Assessed or assessed in part (A)	

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

Total number of non-compliances recorded
0

2. What action is required?

Criteria	Action needed	Complete by
B3	Ref: 0037026.1 Blockage to be cleared from southern surface water pond outlet	As soon as practicable
B2 & B3	Ref: 0037026.2 Surface water outlets from some of the recharge ponds are presently draining directly to the Margam Moors SSSI. They need to drain via the engineered recharge trenches system (c and d) as specified in the permit.	To be completed as part of Biocell capping works

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.

No non-compliances were recorded during this assessment

4. Details of our assessment

- I was escorted around the permitted installation by Rhys Lloyd and James Davies (Darlow Lloyd & Sons) and Ben Rees (Geotechnology). The purpose of the visit was a routine, albeit limited, inspection of the Morfa Closed Landfill (see Figure 1). The landfill has been closed since 2004. Restoration of the landfill started in 2004 and was completed in 2013.

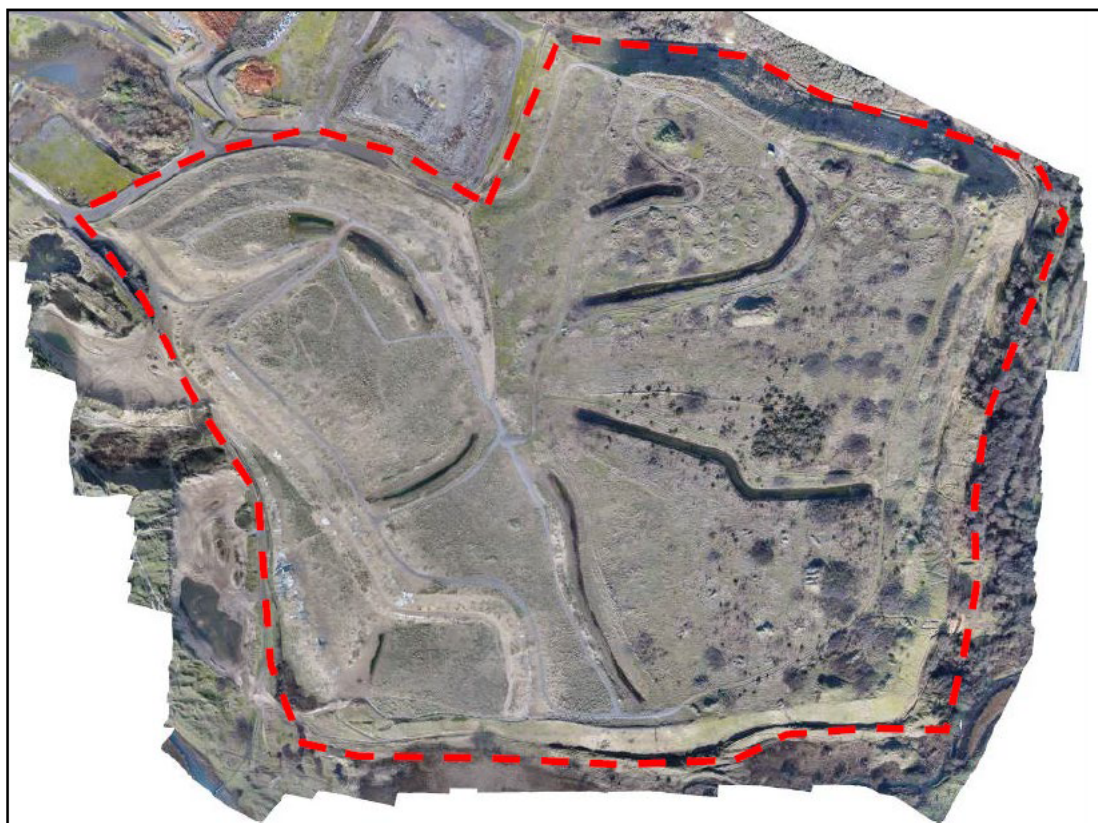


Figure 1. Aerial Photograph, showing the (approx.) installation boundary outlined in red.

Site Observations – Recharge Trench A and B - repairs

- As previously noted,¹ the wind turbine and control infrastructure, which was built to power the recharge trench chambers, were irreparably damaged by vandalism some time ago. Presently recharge trenches A and B are being supplied by water which is passively draining from the recharge ponds.
- A previous action (ref 7.0036306) required TATA to reinstate the recharge pumping infrastructure to coincide with the capping works scheduled for the bio cells (deadline Dec 2021).
- It is now understood following this visit that Tata have commissioned a review into the design of the recharge distribution system, specifically examining whether the current approved design could be modified to function as a passive system.
- Whilst NRW welcome the use of a passively driven abatement system, the changes under consideration would likely need to be considered as part of a permit variation application before being approved.

Site Observations – Recharge Ponds – general comments

- We briefly inspected several the recharge ponds and most appeared to be in satisfactory condition. The outlet on the southern pond (figure 2 below) has sustained a blockage, but TATA are aware of this and it will be mitigated shortly as

part of the site's routine maintenance programme.



Figure 2: Photo showing southern surface water pond.

- Collected surface water from some of the ponds is being diverted to the adjacent SSSI. However some of the outlets do not drain via a recharge trench system, as they are yet to be built. The next phase of recharge trench construction (c & d) will be completed as part of the Biocell capping works, due in 2021. Once completed the

¹ Tata annual report submission and NRW CAR report CAR_NRW0036306 (7th February 2020).

surface water from these ponds will then be distributed into the SSSI more effectively and in accordance with the permit.

Site Observation – Restoration Layer

- The landfill's restoration layer suffers periodically from loss of the sand cover. This results in the capping synthetics being exposed. Tata's contractors have a programme in place to mitigate and repair these as part of their routine maintenance programme. It was notable during this visit that no exposed liner was seen by the inspector, indicating that the operator's programme appears to be effective.

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 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, formal caution or warnings. We may also take a protective response to a permit non-compliance and this can include 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.