

Compliance Assessment Report for: CAR_NRW0037491

Permit number	BV7311IE	Operator name	Tata Steel (UK) Ltd.
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Site name	Morfa Non Hazardous Landfill
Site address	Morfa Landfill, Port Talbot Steelworks, Port Talbot, SA32 2NG
Type of assessment	Report Review

Date of assessment	5 th February 2021
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Parts of permit assessed	Part Review of 2020 Quarter 4 Monitoring submissions
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NRW Lead officer	Neil Herbert	Accompanied by	N/A
Report sent to – Name and position	Nathan Ace SHE Manager	Date	6 th February 2021

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

Part of permitted activity assessed (use action criteria below)	Assessment result	Permit condition
A1 Specified by permit	Assessed or assessed in part (A)	
E2 Emissions – Land and groundwater	Assessed or assessed in part (A)	
E3 Emissions – Surface water	Assessed or assessed in part (A)	
G1 Monitoring and records, maintenance and reporting – Monitoring of emissions and environment	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
	- Tata to ensure that the next monitoring submission - includes the dates samples taken and	28 th Apr 2021

Criteria	Action needed	Complete by
	○ specify the unit of measurement e.g. mg, µg, etc.	
	• Tata to clarify apparent: ○ omission of gas monitoring; ○ omission of SW1 results and; ○ intermittent dipping of GW wells.	26 th Feb 2021

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

Introduction

Following previous assessments of the site's monitoring data, NRW and Tata have been engaged in a series of discussions over the revision and consolidation of the monitoring tables applicable to all three permits. As part of this work NRW reviewed¹ the site's outstanding HRA review and 2017 monitoring interpretation report. Proposed changes to the monitoring programme were accepted in principle and on the caveat that a variation application to update the monitoring tables is submitted. The work to develop the monitoring tables is concluded and the operator have submitted their applications to vary all three landfill permits. Once the applications are determined this will ensure an updated monitoring schedule is reflected in the site's permit.

This is a limited review of the Q4 submitted data. The operator is currently preparing a detailed monitoring interpretation report covering all the monitoring undertaken in 2020.

Monitoring Report – general comment

- The dates of the sampling (with exception for leachate) are not reported. Action: operator to ensure monitoring dates included in future submissions.

Groundwater - Quarterly Monitoring Report – Q4 (Dec to March 2020)

- Data has been submitted for the Q4 period. The report also included the results of the more extensive annual monitoring suite.
- The results for the wells with emission limits were compliant with the Arsenic and Chloride trigger levels previously agreed.
- It is noted that groundwater levels are not monitored consistently or to the frequency specified in the permit. **Action: operator to clarify.**

¹ CAR_NRW0036689 (16th June 2020)

- The units of measurement are also not included in the report, the operator must ensure that these are clearly identified in future submissions. **Action**

Recharge Trench

- The recharge trench (C) has not been built to date (to distribute the water from the recharge ponds) and is currently discharging onto the site's haul road.
- The new recharge trench will need to be constructed in 2021. (ongoing action).

Leachate Levels - Q4 (Dec to March 2020)

- Leachate Level monitoring was undertaken between Oct and Dec to the frequencies required by the permit.
- All cells were compliant throughout the monitoring period.

Leachate Chemistry - Q4 (Dec to March 2020)

- Leachate Chemistry monitoring was undertaken which included the more extensive annual monitoring suite.

Landfill Gas - Quarterly Monitoring Reports - Q4 (Dec to March 2020)

- Landfill Gas monitoring results have not been submitted for the 2020 period. The operator will need to ensure that this monitoring is undertaken in 2021.

Surface Water - Quarterly Monitoring Reports - Q4 (Dec to March 2020)

- Data has been submitted for the Q4 period. The report also included the results of the more extensive annual monitoring suite.
- However we were unable to locate the results for SW1 Action: operator to clarify.

If you have any queries about this report, or wish to discuss completion of any actions, please contact the NRW Officer named above.

End of section 4

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.