

Compliance Assessment Report for: CAR_NRW0037815

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	Report Review

Date of assessment	25 th March 2020
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Parts of permit assessed	Part Review of 2020 Annual Monitoring report
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NRW Lead officer	Neil Herbert	Accompanied by	N/A
Report sent to – Name and position	Nathan Ace SHE Manager	Date	25 th March 2020

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

Part of permitted activity assessed (use action criteria below)	Assessment result	Permit condition
G1 Monitoring and records, maintenance and reporting – Monitoring of emissions and environment	Assessed or assessed in part (A)	
G4 Monitoring and records, maintenance and reporting – Reporting and notification to Natural Resources Wales	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
G4	Tata to: • facilitate safe access to all monitoring points • settlement markers need to be maintained with vegetation cut back to ensure identification	Ongoing

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.

The annual monitoring interpretation report was submitted on the 26th of February 2021 and covers the 2020 monitoring period. The report was submitted within the appropriate deadline (an extension having been previously agreed with NRW). G4

The submission is made in order to address the requirements of condition 4.2.2a of the permit.

As noted in previous CAR reports, a review and update of the permit's monitoring programme was completed last year and an application to vary the permit has been submitted by the operator and is now awaiting determination.

NRW have undertaken a partial review of the submission and make the following observations or comment.

Groundwater - Levels

- The operator has undertaken a review of groundwater level data collected in 2020 and updated the site's groundwater contour charts accordingly. The domed groundwater profile (in the shallow aquifer) beneath the landfill, means that all perimeter monitoring points are downgradient of the site. The downgradient wells have traditionally been banded into three groupings (based on their position), which is useful for assessment purposes. Analysis and comment have been provided based on each of these three groupings.
- Comment on the groundwater flow in the deep aquifer has also been included.
- The report also identifies that the water levels in the shallow aquifer have not fallen since capping.

Groundwater – Chemistry

- A review of the groundwater chemistry results has also been completed by the operator. We note that the report concludes that the groundwater chemistry observed during 2020 is very similar to that noted previously.
- More detailed assessment and comment of the groundwater quality data has also been provided, and these have been grouped, based on their proximity to the three primary receptors (River Kenfig; Margam Moors & the beach).

Leachate Chemistry

- There is no mechanism to sample or collect leachate from the landfill and therefore no data to assess.
- The report does however confirm that visual inspections of the landfill boundary has not revealed the presence of any new leachate breakout.

Leachate Levels

- The landfill is unlined and no leachate collection (or monitoring systems) are available to monitor this parameter.

Surface Water

- There are no compliance limits set in the permit for surface water as there are no point source emissions from the landfill, however surveillance monitoring of a number of surface water points including the River Kenfig and the ditches within Margam Moors is required by the permit.
- This review has examined these results and very detailed comment provided on each of the key areas.
- Comment and assessment of the water quality found in the recharge trenches has also been provided.
- We note the statement that there are some increases in calcium and alkalinity downstream of the landfill but that presently you conclude that these variations do not appear to be related to seepage from the landfill. However we note the commitment to keep this under scrutiny in future assessments.

Landfill Gas – in waste

- A review of the landfill gas results from 2020 and comment and interpretation of the results provided.

Settlement & Stability Assessment

- The report includes comment on the findings of the 2020 settlement and stability assessment.

Concluding remarks

- This is a very thorough and comprehensive assessment of the 2020 monitoring data, particularly given the complexity of this old landfill.

- We also note the primary summary finding of the report:

Groundwater and surface water monitoring has previously shown MCL to be negatively impacting shallow groundwater draining towards Margam Moors. In recent years, this shallow groundwater has started to show improvements in quality and, based on the most recent data this trend has continued and is potentially becoming more widespread. Groundwater in some areas is becoming less mineralised and less alkaline. This is thought to be because of the restoration and capping.

- The report identifies a few actions that need to be addressed:
 - settlement markers need to be maintained with vegetation cut back to ensure identification
 - ongoing requirement to manage safe access to several monitoring points and the operator is expected to action these accordingly.

Note: Any vegetation clearance should be undertaken carefully and only following consultation with the site's ecologist.

Other Reporting requirements

Topographical Survey

- NRW have previously agreed that a routine annual topographical survey is not required as the operator use a system of settlement markers to monitor settlement.

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.