

Compliance Assessment Report CAR_NRW0038858

Permit being assessed: BV0759IC.

For: Cardiff Rod & Bar Mill EPR/BV0759IC, held by Celsa Manufacturing UK Ltd
At: PO Box 83 Cardiff Rod & Bar Mill Castle Works , East Moors Road, Tremorfa, Cardiff, South Wales, CF24 5NN.

Type of assessment carried out: Audit, Reason: Incident Response (Incident number 2107297).

On 21/09/2021 between 10:00 and 13:00.

Parts of permit assessed: Water treatment system and release points

NRW Lead Officer: Richard Taylor, accompanied by Charlotte Rhodes.

Report sent to: Haanah Powell, Environment Manager on 22/10/2021.

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

Part of permitted activity assessed (criteria)	Assessment result	Permit condition
G3 - Monitoring and Records, Maintenance and Reporting - Maintenance records	C3 Minor (Suspended)	2.2.6

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

Total number of non-compliances recorded	Total non-compliance score
1	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?

Criteria	Action needed	Complete by
G3	Actions listed within text	31/12/2021

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 prosecution and/or suspension or revocation of your permit.

You are non-compliant with your permit.

We are currently considering taking enforcement action against you for the non-compliance recorded above. We will contact you in due course.

4. Details of our assessment

Permit BV0759IC, Celsa R&B Mill

Effluent treatment plant audit, 21st Sept 2021

Present, Hannah Powell (Celsa Environmental Manager), Charlotte Rhodes (NRW), Richard Taylor (NRW Site Inspector).

SITE AUDIT

Permit requirements - Monthly reporting in mg/l

Flow (litres per day)	No Limit
Total Hydrocarbon Oil	5
pH (6-9)	6-9
SS	80
Free chlorine	0.1
Dissolved Iron	10
Total Chromium	0.2
Dissolved Nickel	0.2
Zinc	2

KPI - Monthly water usage per tonne rolled steel (ltrs)

1.0 Multistage interceptor

Site uses a 3 stage multi-stage interceptor for all site effluent. This had recently been cleaned and serviced by a qualified outside contractor on 16-17th Sept. Site provided a method statement for this work on 6th October. The cleaning and inspection is scheduled on an annual basis.

2.0 Interceptor and Penstock

There is 1x release point (W1) into East Bute Dock. This is controlled by a Penstock valve which is accessed via a manhole cover. The drain key for the cover is held adjacent to the drain. There is no further prevention in place for the valve to be accessed and opened. This was seen as lacking the security required to prevent accidental/malicious releases into the dock and would benefit from tighter controls on the penstock system, i.e. a fitted chain with padlock and key sign out control.

Locking the turning mechanism off and controlling access via a controlled key was discussed and would provide an extra layer of security. However, Celsa staff are free to explore other options to add another layer of security.

Action – Celsa to investigate and implement additional controls for the W1 Penstock to prevent operation of the release point to prevent accidental/malicious release into the dock.

Action – Update the site Accident management plan (permit condition 2.8.1) with the detail of the additional measures chosen.

A follow up inspection will be scheduled for December to see the measure(s) in place.

2.1 List of Releases in 2021.

Site provided a list of releases into the dock during 2021 prior to the inspection. This showed a total of 6 dates when surface water was released to the dock.

24/01/21 – 8.00 am – 10.00 (2 hrs)

25/01/21 – 7.00 am – 22.15 (15.25 hrs)

21/05/21 – 7.00 am – 14.00 (7 hrs)

28/05/21 – 6.30 am – 13.30 (7 hrs)

14/9/21 – 7.00 am – 13.00 – (6 hrs)

13/9/21 – 5.00 am – 15.30 – (10.30 hrs)

2.2 Permit Parameters

Records showed the parameters for Chlorine, pH, and Hydrocarbon oil were within permit limits with the exception of Chlorine on 28th May at 13.30 hrs which reached 1.1mg/l before the penstock was closed. Site have subsequently reported that the procedure in place ensured that the water containing the excess Chlorine was held back on site and not released to the dock. Excess readings trigger the manual shutting of a fast-acting valve unit.

2.3 Visual Alarm

Site have a visual alarm fitted on the separator which alerts staff when readings of >4mg/l of hydrocarbons oil against a permitted limit of 5mg/l. This was seen to be working on the day of the inspection. Staff confirmed this is regularly serviced and maintained. Records were available on request.

2.4 Taking Samples

Site employ MCERTS contractors to take and analyse water samples in compliance to permit condition 2.10.5. Staff were reminded of the requirements of M18 guidance on taking water samples to ensure the samples are representative.

Training records of Celsa staff were seen on the day and found to meet the requirements of the permit.

2.5 Sampling point

This was seen as being compliant with M18 guidance and being able to provide a representative sample.

2.6 Ownership of the Release point and pipework to East Bute Dock.

It is not clear who officially owns the length of under road pipe leading from Celsa's W1 point to the outlet into East Bute Dock. This has a bearing on maintenance regimes and frequency of pipe inspection. An action is placed on Celsa to ascertain current ownership. For clarity, the area for the permit does not show the permit boundary extending under the A234 Central link road from the W1 release point.

Action – Establish ownership of the pipe from W1 to the release point into the East Bute dock.**3.0 Permit limit exceedances and non-compliances Jan 1st – Oct 20th, 2021**

There were no permit limit exceedances from the site due to the process water not being released through W1 to the dock. However, site reported the following limit exceedances during the year in accordance with permit conditions.

- **January** - Hydrocarbon oil was measured at 5.89mg/l against a permit limit of 5.0 mg/l. NRW are satisfied the water was held on site and not released into the dock. For transparency, the ELV breach is recorded here but not scored as there was no environmental effect.
- **January** Monitoring results omitted the reading for Chlorine. Site explained this was due to a backlog in the laboratory processing capacity due to Covid 19.
- **February** Monthly Chlorine reading was 0.19mg/l against a permit limit of 0.1mg/l. Chlorine is added to site process water to reduce the levels of legionella. Site liaised with the water contractor to impart the permit limits in place are there to protect wildlife. No release was made to the dock.
- **March** Chlorine reading was 0.28mg/l against a permit limit of 0.1mg/l again the water was not released to the dock. Site introduced the use of a Palin-test (water quality) and fortnightly monitoring.
- **April, May, and June** – the flow rate was estimated due to battery failure of the logger. Monthly water use is not a requirement of W1 reporting but is a component part of KPI's and annual use. There is no need to return this element and Celsa can choose to not report flow rate for monthly reporting.
- **May** Chlorine result mentioned above was a marginal breach at 1.1.mg/l against a permit limit of 0.1mg/l. The water was held on site and sent back to process.
- **July** Hydrocarbon Oil measured 6.48mg/l against a limit 5mg/l, Water was not released to the East Bute dock.

4.0 Holding tanks

Site has 2 large concrete clarifier tanks. The maintenance schedule for the tanks was queried. Although site cleans the tanks on a periodic basis, there was no formal inspection for the concrete infrastructure in place, or written records for inspection of the infrastructure. Tanks are covered in general terms within the permit at sections 2.2.5 'Fugitive emissions of substances to water and sewer' under 2.2.5.1 where;

'The Operator shall use BAT to prevent and reduce....fugitive emissions fromstorage areas, buildings, pipes/valves and other transfer systems'.

The wider permit condition 2.5.1 covers maintenance where; 'All plant and equipment used in operating the permitted installation, the failure of which could lead to an adverse impact on the environment, shall be maintained in good operating condition'. Further conditions under 2.3.6 relate to listing relevant equipment for a maintenance programme and records pertaining to maintenance.

As it could not be ascertained on the site visit when the concrete tanks had last been inspected, and there was no evidence of a scheduled inspection for tank and concrete integrity, or timely recorded visual checks, there is room for improvement to bring the maintenance and inspection of the tanks, as well as the wider bunds and tanks used on site. The Steel sector BAT at 9.11 places the maintenance regime of tanks and bunds on a scheduled maintenance inspection regime held under a site environmental management system,

(EMS). Celsa therefore need to first review the inspection and maintenance regime currently in place for site tanks and bunds, particularly ones which could have a negative effect on the environment or human health if they fail catastrophically such as the clarifier(s). There should be a list of infrastructure drawn up which would be then subject to a periodic inspection and maintenance regime which is listed in the site EMS.

Without the inspection regime in place, the site is in breach of permit conditions listed above. However, it is not fully clear at this stage if there is a system in place which has lapsed. Therefore, the non compliance is listed here for clarity, but it does not have a score applied at this stage. Instead, this will be subject to a future follow up inspection in December. This will give site time to produce the maintenance regime and records of maintenance for the clarifier tanks, concrete structures and bunds on site, and to schedule these on a periodic inspection regime under the EMS.

Decision; - A Category 3 non-compliance to permit condition 2.2.6 has been applied for site not having records of maintenance, or a maintenance programme for plant and equipment whose failure could lead to an adverse impact on the environment. The application of the score is subject to a follow up inspection scheduled for December 2021.

To bring the tanks and bunds to Bat standards and comply with permit conditions, the following actions should be implemented.

Action – Carry out an inspection of site Concrete tanks, bunds and sumps with immediate effect to ensure they are fit for purpose.

Action – Site to carry out a BAT gap analysis where a review of the inspection and maintenance regimes for existing site tanks and bunds meets or doesn't meet current Steel sector BAT standards.

Action – update the site EMS system with a list of tanks and bunds to be scheduled into periodic inspection and maintenance, with the frequency of inspection, inspection and maintenance should align to CIRIA guidance. [Item Detail \(ciria.org\)](http://ciria.org)

Action – Site to report on the above actions by the next inspection due December 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.