

This form will report compliance with your permit as determined by an NRW officer

Site	Liberty Steel Newport Ltd	Permit Ref	EP3830GH		
Operator/Permit holder	Liberty Steel Newport Ltd				
Regime	Installations				
Date of assessment	26/07/2017	Time in	14:30	Out	16:05
Assessment type	Audit				
Parts of the permit assessed	2.1.1,				
Lead officer's name	Richards, Gareth (Rivers House)				
Accompanied by					
Recipient's name/position	Richard Steed/ Environment Manager	Date issued	27/07/2017		

Section 1 – Compliance Assessment Summary

This is based on the requirements of the permit under the Environmental Permitting Regulations or the licence under the Water Resources Act 1991 as amended by the Water Act 2003. A detailed explanation is captured in "Compliance Assessment Report Detail" (Section 2) and any actions you may need to take are given in the "Action(s)" (section 4). This summary details where we believe any non-compliance with the permit has occurred, the relevant condition and how the non-compliance has been categorised using our Compliance Classification Scheme (CCS). CCS Scores can be consolidated or suspended where appropriate, to reflect the impact of some non-compliances more accurately. For more details of our CCS scheme, contact your local office.

Permit conditions and compliance summary	CCS Category	Condition(s) breached
KEY: See Section 5 for breach categories, suspended scores will be indicated as such. A = Assessed or assessed in part (no evidence of non-compliance), X = Action only, O = Ongoing non-compliance, not scored.		

Number of breaches recorded	0	Total compliance score (see section 5 for scoring scheme)	0
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If the Number of breaches recorded is greater than zero, please see Section 3 for our proposed enforcement response

Section 2 – Compliance Assessment Report Detail

This section contains a report of our findings and will usually include information on:

- The part(s) of the permit that were assessed (eg. Maintenance, training, combustion plant, etc)
- Where the type of assessment was 'Data Review' details of the report/results triggering the assessment
- Any non-compliances identified
- Any non-compliances with directly applicable legislation
- Details of any multiple non-compliances
- Information on the compliance score accrued inc.
- Details of advice given
- Any other areas of concern
- Any actions requested
- Any examples of good practice
- A reference to photos taken

Audit was arranged to review Liberty Steel Newport's (LSN) progress with the removal from site of RDF bales and the procedures that had been implemented to record the operation of the newly installed generators. Liberty Steel were represented by Richard Steed, Magnus Hammick and Antoine Kohler.

RDF Storage

LSN had not responded to Action (1) on CAR_NRW0031483 due by 30th June 2017. It was verbally confirmed that approx. 700t of the original RDF waste inventory had been removed from site, approx. 6000t remained. The original arrangements made with a third party to remove the waste had not proved successful as while the rate of removal had initially been small but steady it had now stalled.

NRW reinforced that this situation was not acceptable. LSN needed to make renewed efforts to remove all the RDF. **Action (1)** LSN to provide NRW with a definitive plan for the removal of all the stored RDF from the installation. A copy of the plan to be provided to NRW by **11th August 2017**. This must include as a minimum;

- an achievable date by when all RDF waste will be removed from the installation in consideration that the 9 month storage limit has already been exceeded,
- the proposed destination of the RDF waste to ensure Duty of Care requirements are satisfied,
- the proposed rate of removal of the RDF waste e.g. tonnes per week, and
- a contingency plan to guard against delays to the removal plans and the completion date.

Generator Operation

The permit conditions in respect of the operation of the engines/generators were reviewed. The operation system that has been installed for the purpose of controlling and monitoring the generation system was described briefly. This enabled the status of all individual units to be determined and provides a record of historic operation. LSN have met with OFGEN and agreed the control process, a copy of the agreed methodology will be provided to NRW. **Action (2) LSN**.

The permit (Schedule 1) places a restriction on the operational hours for individual engines (500h in any continuous 365 day period and 3h in any continuous 24h period). This creates the scenario that during periods of less than maximum generation an individual engine may need to be switched off and another started to maintain electrical output. This is likely to be detrimental in terms of environmental impact (a cold engine is less efficient). It was therefore agreed that as long as the cumulative 24h and 500h maximum operational times are not exceeded i.e. 27h and 4500h for 24h and 365day periods respectively for the combined nine engines, then individual engines can operate for longer than 3h or 500h to suit operational need. As part of any subsequent variation the permit wording will be changed to reflect this flexibility.

IC5 in the permit requires an agreed date for the commencement of generator use to be identified - this is the start of the 12 month deadline for reporting to NRW. It was agreed that LSN will advise NRW of the date of commencement of commercial generation. **Action (3)**.

Site inspection

The RDF storage area and Generation compound were inspected.

It was clear that one section of RDF bales had been removed from site. The condition of the remaining bales appeared not to have changed since the last inspection in March 2017. No local odour was detectable. Access to the thoroughfare in between the sections of bales had been restricted to prevent unauthorised use.

Construction of the generation compound had been completed. This incorporated thirteen engines - only engines 1 - 9 are currently permitted. Engines numbered ten to thirteen are not currently permitted to operate (LSN plan to submit a variation seeking the addition of these to the permit). The switch room was visited and a brief description of the control system was provided. The electrical control system divides the generators into three main banks. Each bank can be locked off manually as necessary. It was therefore easy to isolate the currently unpermitted generators (10 -13) as they are in a separate bank. Noise levels from the two operating engines were low and unlikely to be obtrusive especially considering the distance to local receptors. Arrangements for refuelling the main fuel tanks were described and the connection points inspected. A single photograph was

taken to illustrate the engine number - clearly identified on each unit.

EPR Compliance Assessment Report

**Report ID:
CAR_NRW0031929**

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Section 3 – Enforcement Response

You must take immediate action to rectify any non-compliance and prevent repetition. Non-compliance with your permit conditions constitutes an offence and can result in criminal prosecutions and/or suspension or revocation of a permit. Please read the detailed assessment in Section 2 and the steps you need to take in Section 4 below.

Section 4 – Action(s)

This section summarises the actions identified during the assessment along with the timescales for when they will need to be completed.

Criteria Ref.	CCS Category	Action required/advised	Due Date
See Section 1 above			

Section 5 – Compliance notes for the Operator

To ensure you correct actual or potential non-compliance we may

- Advise on corrective actions verbally or in writing
- Require you to take specific actions verbally or in writing
- Issue a notice
- Require you to review your procedures or management system
- Change some of the conditions of your permit
- Decide to undertake a full review of your permit

Any breach of a permit condition is an offence and we may take legal action against you

- We will normally provide advice and guidance to assist you to come back into compliance either after an offence is committed or where we consider that an offence is likely to be committed. This is without prejudice to any other enforcement response that we consider may be required.
- Enforcement action can include the issue of a formal caution, prosecution, the service of a notice and/or suspension or revocation of the permit.

See our Enforcement and Civil Sanctions guidance for further information

This report does not relieve the site operator of the responsibility to

- Ensure you comply with the conditions of the permit at all times and prevent pollution of the environment
- Ensure you comply with other legislative provisions which may apply

Non-compliance scores and categories

CCS category	Description	Score
C1	A non-compliance that could have a major environmental effect	60
C2	A non-compliance which could have a significant environmental effect	31
C3	A non-compliance which could have a minor environmental effect	4
C4	A non-compliance which has no potential environmental effect	0.1

Operational Risk Appraisal (Opra) - Compliance assessment findings may affect your Opra score and/or your charges. This score influences the resource we use to assess permit compliance.

Section 6 – General information

Data protection notice

The information on this form will be processed by the Natural Resources Wales (NRW) to fulfil its regulatory and monitoring functions and to maintain the relevant public register(s). The NRW may also use and/or disclose it in connection with:

- Offering/providing you with its literature/services relating to environmental matters
- Consulting with the public, public bodies and other organisations (eg. 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 its service
- Freedom of Information Act/Environmental Regulations request

The NRW may pass it on to its agents/representatives to do these things on its behalf. You should ensure that any persons named on this form are informed of the contents of this data protection notice.

Disclosure of information

The NRW will provide a copy of this report to the public register(s). However, if you consider that any information contained in this report should not be released to the public register(s) on the grounds of commercial confidentiality, you must write to your local area office within fifteen working days of receipt of this form indicating which information it concerns and why it should not be released, giving your reasons in full.

Customer charter

What can I do if I disagree with this compliance assessment report?

If you are unable to resolve the issue with your site officer, you should firstly discuss the matter with officer's line managers using the informal appeals procedure. If you wish to raise your dispute further through our official Complaints and Commendations procedure, phone our general enquiry number 0300 065 3000 (Mon to Fri 08.00 – 18.00) and ask for the Customer Contact team or send an email to enquiries@naturalresourceswales.gov.uk. If you are still dissatisfied you can make a complaint to the Public Services Ombudsman for Wales. For advice on how to complain to the Ombudsman phone their helpline on 0845 607 0987.

Welsh Language

If you would like this form in Welsh please contact your Regulatory Officer.