

Compliance Assessment Report

Report ID:
CAR_NRW0031483

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	28/03/2017	Time in	09:00	Out	12:50	
Assessment type	Audit					
Parts of the permit assessed	1.1, 2.1, 4.1, 4.2					
Lead officer's name	Richards, Gareth (Rivers House)					
Accompanied by						
Recipient's name/position	Richard Steed/ Environment Manager	Date issued	11/04/2017			

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
A1 - Specified by permit	C3	2.3.1(a)
B1 - Infrastructure - Engineering for prevention and control of emissions	C3	3.1.1
F3 - Amenity - Dust/fibres/particulates and litter	C3	3.2.1

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	3	Total compliance score (see section 5 for scoring scheme)	12
------------------------------------	----------	---	-----------

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

General

The audit was arranged as part of the routine audit schedule. The main purpose was to be updated on proposed developments at the installation, review existing operations particularly the storage of RDF, and inspect construction work on the new generation plant. An agenda had been provided prior to the audit.

Business update (RS/MH/AK)

A copy of the recently produced GFG literature was provided.

RS advised that during 2016 the installation had rolled on 21 weeks out of an available 48. They were currently operating using a 4 day shift pattern. This provides efficiency benefits. There is no rolling activity carried out at the weekend. This pattern is expected to continue.

RDF is the only waste material that has been traded and it is planned that there will be no further receipts. Effort is being directed at identifying outlets for the current holdings, this is being done in association with Broad Environmental.

Liberty had been notified that the variation application for the electrical generation plant was duly made on 23rd March. The process had been delayed due to the incorrect OPRA being used and the need to pay a higher application fee. The facility is now planned to be fuelled by bio-diesel (hydrogenated vegetable oil), a certified non-waste material. It will consist of 12 independent generation units with a max thermal input of 48.7MW. It will only operate when rolling is on going as the price for export is unattractive. It is planned to use a water injection based technique to minimise the formation of NOx and PM. There will be an on site fuel storage capacity of 60 000l in addition to the individual day tanks for each unit (approx. 100l).

No ground work had commenced in respect of the proposed COMAH oil storage facility. Budget release was awaited for the design and build stage, Unit Birwelco were the contractors, they have previous experience of this type of work. It was strongly recommended that Tony Leakey, NRW, is contacted to arrange a pre-design meeting - this will help ensure the appropriate construction standards for this type of facility are adopted at an early stage.

Despite recent press releases development of the EAF was not yet confirmed. It was still necessary to decide on the most appropriate location within GFG for such a facility.

The impact of the M4 relief road route was discussed, this will pass across a corner of Liberty's land, although not a part that is within the installation boundary.

GFG were interested in the acquisition of the former Sloblands area, this would be used for new activities not associated with the permitted installation.

Review of CAR NRW0026290

All Actions on the CAR form had been completed.

Records for waste receipt and despatch

Records for the despatch of scrap metal were provided. It was noted that the last receipt of RDF was during August and there had been no despatch of RDF from the installation.. Once waste despatch commences it is estimated to be a two month programme.

Condition 2.3.1 (a) of the permit references Schedule 1 that defines the limits of activity for waste storage, specifically the maximum storage duration of 9 months. Some of the current inventory will already have exceeded this limit. Liberty Steel must make the necessary arrangements to ensure the current waste inventory is removed from the installation no later than 30th June 2017. **Action (1): Liberty Steel.**

Review of Emissions monitoring and water monitoring reports

The most recent monitoring reports for air (2016 - Q2,3 and 4) were reviewed. In all cases the correct data had been reported to NRW.

Site Inspection

An inspection of the installation was hosted by RS (in combination with MH and AK for the generation plant construction site and RDF storage).

Construction of the generation plant was well advanced. The individual generation units, transformers and fuel storage were all on concrete plinths. The transformer units also has bunding. Electrical installation was in progress and temporary fuel lines were in place to enable pre-commissioning testing, each unit needed to be run for a short duration as part of the initial testing. Permission for completing such testing prior to the issue of the variation was provided by Email subsequent to the audit. Construction work was not yet complete especially the access roadway between the two banks of units. On site fuel storage was 60m³, tankers would be required to visit on a daily basis during periods of operation to maintain fuel supplies.

The W1 discharge point was accessible, the local vegetation was being managed. No issues were identified. It was difficult to view the water in the connecting reën due to dead vegetation so no assessment of the water quality could be made. However, the frequency of exceedances of the limits for the water discharge had reduced in recent months - previous non compliances were thought to be associated with the use of the adjoining area for slag storage when the EAF was operational.

The area in use for RDF storage was inspected. No progress had been made on the bunding requirements. This work was due to be completed by 31st January 2017. A Cat 3 non-compliance is recorded - see detailed notes. The majority of the bales were in a reasonable condition, however, there was clear evidence of deterioration since they were received. The plastic wrapping was damaged on some bales, there had been partial collapse of some piles where they were stored up to four layers high and where some bales had been opened for examination the material had been covered by a tarpaulin. Requirements in respect of the need to remove the material are noted above, see Action (1). There was an access route through the storage area (necessary as a fire break and for access in the event of a fire). Unfortunately this was being used as a short cut for HGVs that were in the process of moving steel coil. This is not appropriate as it could easily result in further damage to the bales. There needs to be effective management of such practices. **Action (2): Liberty.** There was no odour detected in the proximity of the RDF bales.

The HGV movements were leading to significant fugitive dust, including from the made roadways. There was no evidence of any ongoing or recent roadway cleaning or dampening to reduce fugitive dust. Roadways should be maintained in a clean state to reduce such problems, in accordance with the Fugitive Dust Management Plan. Failure to do this was a permit non-compliance and a Cat3 non-compliance is recorded - see detailed notes.

The water treatment plant was inspected. This was being used to recover oil from the water used for rolling mill operations. The plant appeared to be in a reasonable condition, however, upon leaving the area it was noticed that there was a leak from the seal between the concrete retaining wall panels on the tank nearest the mill. Oily water was leaking from the treatment tank at an estimated rate of 1l/min. This appeared to have been ongoing for a significant period as there was staining on the ground and surrounding area together with a small pool of water. A Cat 3 permit non-compliance was recorded - see detailed notes. Liberty were requested to provide records of the inspection records for the water treatment plant infrastructure **Action (3): Liberty by 30th April 2017.**

Wash Up Meeting

A wash up meeting was held in the presence of one of the new Directors - Hridayeshwar Jha. The issues identified during the inspection were described and the need to take appropriate measures to correct these reinforced. It was noted that a total of three Cat3 non-compliances had been recorded during the audit.

EPR Compliance Assessment Report

**Report ID:
CAR_NRW0031483**

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	Date	28/03/2017

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			
B1	C3	Repair leak and ensure regular inspection checks are carried out and any identified issues are rectified in a timely manner.	30/04/2017
A1	C3	Remove all waste or install necessary infrastructure	30/06/2017
F3	C3	Fugitive dust management plan to be followed to include road cleaning and dampening to minimise fugitive dust.	30/04/2017

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.