Compliance Assessment Report

Report ID:
CAR_NRW0032845

This form will report compliance with your permit as determined by an NRW officer					
Site	Llanwern Steelworks EPR/BS3905IP	Permit Ref	BS3905IP		
Operator/Permit holder	Tata Steel UK Limited				
Regime	Installations				
Date of assessment	26/01/2018	Time in	11:00	Out	15:00
Assessment type	Audit				
Parts of the permit assessed	All				
Lead officer's name	Richards, Gareth (Rivers House)				
Accompanied by					
Recipient's name/position	Fiona Abbot/Hayley Jeremiah/ Environment Dept.	Date issued	12/02/2018		

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

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

Introductions

Discussions were held in the presence of Fiona Abbot (Tata Environment Manager), Hayley Jeremiah (Llanwern Environment Manager) together with Michael Launder and Claire Grainger (both Tata Environment Team).

Business update

Zodiac plant was shut down for 3 weeks during November to complete the upgrading work. The commissioning programme is now nearly complete. The furnace and cooling capacity have been increased by 30% - this is close to being achieved. The GJ/t figure has improved from 1.09 to 1.03. There is also improved heat recovery and new radiant tube burners have been installed. Q1 monitoring data has been recorded and there has been a slight decrease in NOx concentrations. The cooling tower now has variable speed capacity which will improve energy efficiency. Overall plant tonnage is on track for the year-end target and current operation remains 24/7 based. Approx. 10-20% of the Zodiac output goes to the AFL.

Consideration is being given to developing a Mg/Zn coating process for the automotive sector. This has improved corrosion protection properties and is of interest to the automotive sector.

Chromic coating has ceased at Llanwern, the equipment has been cleaned and decommissioned. The replacement process is at the first stages of commissioning and will be progressed over the coming months.

The Pickle Line is now operating on a three-shift basis (No.2 only as No. 1 remains mothballed). There are no plans for the status of the Hot Mill to change.

Review of actions from CAR NRW0031243

Action (1): Energy team pick up any abnormal levels and investigate as appropriate. **Complete.**

Action (2): NRW to consider the scope of an OMA and advise Tata. **Action (1).**

Action (3): **Complete.**

Action (4): **Complete.**

Action (5): DoC audit report provided by Tata. **Complete.**

Action (6): Copy of latest noise survey report provided by Tata. **Complete.**

Action (7): Copy of an ISO 14001 report to be provided. **Action (2).**

Action (8): **Complete.**

Action (9): **Complete.**

Action (10): Information on 'Green List' consignments from Llanwern for 2016 and 2017 to be provided.

Action (3).

Audit topics

EWC Classification of consigned wastes

NRW made specific reference the classification of waste filter cake material produced by the Pickle Line that is consigned under 11 01 10. This is a non-haz code, however, there is also a hazardous code (11 01 09) for the same material. This means that Tata should have evidence that the waste is non hazardous – this needs to be a WM3 assessment. Tata explained that there is a procedure for the classification of waste together with guidance and sampling plans. Copies of these documents together with any reports specific to this waste stream were requested by NRW for review. **Action (4): Tata.**

Audit trail for data submitted to PRTR

The audit trail for mass release data for NOx, Particulates and Sulphur oxide releases to air together with cadmium and zinc releases to water were checked. In each case spreadsheets were checked that included the monitoring data for the species and the calculation methodology. The documented data agreed with the total mass releases that had been submitted to the PRTR for 2016. No discrepancies were identified.

Review of complaints log

There had been no complaints logged since the last inspection. It was known that there had been complaints related to piling activity on the adjacent development site but this was not a Tata activity.

W1 Cd exceedances and investigation

The recent reports of raised Cd levels for the W1 discharge were discussed. The issue had been investigated in details and a supplementary report was provided. (A Sch 5 Part A had previously been submitted). It was noted that variations in the concentration levels detected at W1 coincided with a change in the detection limit from 0.01 to 0.001mg/l. To identify potential sources of the raised levels a comprehensive sampling programme was initiated for W1 together with site surface water drains. There was no correlation identified between pH and Cd levels, or, any trends in the Cd levels for drain samples. On this basis, the cause remains unknown. However, Tata will continue to keep this under review and were considering analysing for total Cd in addition to dissolved Cd to see if this provided any further clues. It was agreed that the Schedule 5 Part B would be completed and submitted to NRW **Action (5) Tata**. A CAR would then be provided in response. **Action (6): NRW**. On the basis that no further information is identified a non-compliance would not be recorded.

Evidence of ongoing bund inspection programme

Tata provided evidence of the ongoing bund maintenance schedule. This included the date of previous and scheduled inspections for the bunds associated with the various operational areas. The frequency of these was set at 52, 26, 20 or 13 weeks depending upon the inventory and other factors. The outcome of individual inspections was not reviewed, but in the event of any identified issues these would be logged on SAP and the necessary work completed.

Site inspection

The site inspection was conducted in the presence of HJ together with Bob Fradd (M4 Project Manager) and Anthony John (Jacobs). All the areas visited were on the south side of Queensway.

The Settlement Lagoon 14 and W1 release point were inspected. The lagoon was in good condition. Although the water was cloudy there had been recent significant rainfall that would have been the likely cause. There was only a small amount of vegetation growing at the edges of the lagoon which was not significant to affect overall capacity. If this changes during the summer months then it may need to be removed. The monitoring equipment at the W1 release point continued to be regularly cleaned. From a visual perspective, it looked in reasonable condition. The reen downstream of W1 was flowing freely and looked in an acceptable condition.

Lagoon 27 was inspected. This area remained within the installation boundary, however, none of the four quadrants had been actively used for many years (since before the original PPC permit was issued). These were generally dry and some had considerable vegetation (primarily small trees). There had been some excavation work recently as the proposed M4 Black route would cross the lower half. As a result there would need to be earthworks to create a new bund as the boundary. It was understood that this would be the subject of a permit variation at some stage in the future depending upon the project schedule. The Black route for the M4 either side of the Lagoon was described. This crossed other Lagoons but these were not within the installation boundary.

The M4 Black route will also result in some capacity being lost from Reedbed No.2 which is within the installation boundary. While the reduction in treatment capacity is not large it does increase the operational risk especially in the event of non-routine issues e.g. an event that affected the reedbed. To provide suitable emergency capacity there is interest in incorporating Reedbed No.1 within the installation boundary. A tour of the boundary of this was made. It is a significant area and at the time of its construction represented a considerable investment. It appeared to be in a reasonable condition. There is no current link between the two reedbeds so if water needed to be moved from No.2 to No. 1 this would either require installation of a pumped link or movement by bowser. There was no obvious reason why it would not be possible to complete this change as part of the variation that would be required for the boundary change involving Lagoon 27.

The discharges from the St Modwen's site into the East-West ditch were witnessed. There was a considerable volume of water entering the ditch from a 42 inch diameter pipe that passed under Queensway. There was work in progress on the St Modwen's site, the exact nature of this was not determined. Tata were concerned that they had no knowledge of the controls in place on this discharge despite making enquiries with St Modwen's. There was also some evidence that the discharge was detrimental to the ditch water quality. While this is outside the installation boundary and the water does not mix with Llanwern's permitted discharge until after the W1 release point, it does enter the reen that finally discharges to the estuary. The concerns were noted and further enquiries would be made. **Action (7): NRW.** [Subsequent to the inspection this issue was discussed with the Usk Natural Resource Management Team Leader – the existing discharge controls were only as a result of any Planning requirements, there are no permitted discharge controls in place. However, the exact situation would be investigated further].

The Auto Finish Line had been visited as part of a different inspection earlier in the day therefore this was not revisited as part of this audit. Commissioning of the line was close to completion. When Tata were fully satisfied that the performance satisfied the contract specification it would be signed over.

AOB

During the inspection, a report was received from an NRW colleague. They had detected an acetic acid odour in the morning downwind of the Pickle Line stack outside the installation boundary. While it was noted that Tata do not use acetic acid it was considered this could be present as a contaminant in pickling acid (HCl). Tata agreed to investigate contaminant levels in the HCl and report to NRW. This was completed after the inspection and it was confirmed that there is no acetic acid contamination in the HCl received on site. No further action is necessary.

Cyfoeth Naturiol Cymru / Natural Resources Wales	EPR Compliance Assessment Report	Report ID: CAR_NRW0032845

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Operator/Permit holder	Tata Steel UK Limited	Date	26/01/2018

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.