

EPR Compliance Assessment Report

Report ID: TP3639BH/0256284

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

Site	Tremorfa Melt Shop EPR/TP3639BH				Permit Ref	TP3639BH		
Operator/ Permit holder	Celsa Manufacturing UK Ltd							
Date	26/01/2016				Time in	13:30	Out	15:30
What parts of the permit were assessed	Waste management							
Assessment	Report/data review	EPR Activity:	Installation	X	Waste Op	Water Discharge		
Recipient's name/position	Richard Lewis							
Officer's name	Gareth Richards				Date issued		26/01/2016	

Section 1 - Compliance Assessment Summary

This is based on the requirements of the permit under the Environmental Permitting Regulations. A detailed explanation and any action you may need to take are given in the "Detailed Assessment of Compliance" (section 3). 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 Condition(s) breached

a) Permitted activities	1. Specified by permit	N	
b) Infrastructure	1. Engineering for prevention & control of pollution	N	
	2. Closure & decommissioning	N	
	3. Site drainage engineering (clean & foul)	N	
	4. Containment of stored materials	N	
	5. Plant and equipment	N	
c) General management	1. Staff competency/ training	N	
	2. Management system & operating procedures	A	
	3. Materials acceptance	N	
	4. Storage handling, labelling, segregation	N	
d) Incident management	1. Site security	N	
	2. Accident, emergency & incident planning	N	
e) Emissions	1. Air	N	
	2. Land & Groundwater	N	
	3. Surface water	N	
	4. Sewer	N	
	5. Waste	A	
f) Amenity	1. Odour	N	
	2. Noise	N	
	3. Dust/fibres/particulates	N	
	4. Pests, birds & scavengers	N	
	5. Deposits on road	N	
g) Monitoring and records, maintenance and reporting	1. Monitoring of emissions & environment	N	
	2. Records of activity, site diary, journal & events	N	
	3. Maintenance records	N	
	4. Reporting & notification	N	
h) Resource efficiency	1. Efficient use of raw materials	N	
	2. Energy	N	

KEY: C1, C2, C3, C4 = CCS breach category (* suspended scores are marked with an asterisk),
A = Assessed (no evidence of non-compliance), N = Not assessed, NA = Not Applicable, 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 Total No Breaches is greater than zero, then please see Section 3 for details of 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 (e.g. 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 suspended or consolidated scores.
- details of advice given
- any other areas of concern
- all actions requested
- any examples of good practice.
- a reference to photos taken

This report should be clear, comprehensive, unambiguous and normally completed within 14 days of an assessment.

The meeting had been arranged to discuss progress with WM3 assessment work that Celsa had initiated on the scrap screening fraction produced from the subsequent screening of the non-ferrous material that is being mechanically separated from received scrap.

Celsa representatives were James Ellis and Richard Lewis (part).

Celsa's dilemma was described in detail by James Ellis. Celsa purchase approximately 1 Million tonnes of scrap for melting each year. This is obtained from a large number of scrap suppliers across the UK. It is not procured with reference to any quality specification as the scrap market is such that if Celsa are not prepared to accept that which is on offer then the same material will typically be sent for recovery overseas. Approximately 9 Million tonnes is exported from the UK each year. However, the scrap Celsa purchase typically contains a significant proportion of non-ferrous material. Celsa have screened a large number of lorries (up to 12% in a month) and discovered the level of contamination is consistently 5% w/w and in some cases up to 30% w/w. Celsa made reference to European End of Waste Regulations 2008/98/EC and Council Regulation 333/2011. These set a 2% limit for contamination for scrap to meet the end of waste criteria. It is clear that the material Celsa are procuring does not meet this standard, yet the same material is commonly being exported normally as a 'Green list' waste with lighter touch regulation compared with TFS.

The screening of scrap to remove non-ferrous material has been adopted by Celsa for the last ~18 months, however, it leads to the generation of a waste stream that 1) is difficult to identify a recovery option for and 2) some of the screened fractions are hazardous. Its removal from the scrap charges to the furnace imparts some significant advantages including improved thermal efficiency, reduced EAF dust generation and improved slag quality i.e. some significant environmental benefits. Celsa's environmental consciousness is such that they wish to continue with the screening, however, they consider that the non-ferrous material should be removed earlier during the processing stage i.e. by those parties who are producing the scrap from its original source material (e.g. ELV sites).

Action (1): GR agreed to investigate the procedures that are in use by other scrap users (Tata and other EAF operators).

Action (2): GR agreed to investigate the export restrictions that apply for scrap metal.

Subsequent to the meeting Celsa have provided a copy of the summary report and full report prepared by consultants who had been contracted to complete a Waste Management Options Assessment. These documents have been reviewed and the following comments are relevant:

- The consultants have completed a valuable assessment that aids the appropriate waste classification of some of the fractions produced during the secondary screening of the scrap screenings.
- The confirmation that the 'Fines' fraction from the screening process is a Hazardous waste has significant consequences for its final disposal or subsequent treatment. Action (3): Celsa should identify sustainable management options for this waste stream to ensure it is removed from the installation within an acceptable time scale. Report progress to NRW by 30th June 2016.

- 'The Quality Protocol for the Production of Aggregates from Inert Waste' is not considered applicable for the Celsa waste streams. It is noteworthy that the Celsa waste streams do not meet the input criteria for this protocol.
- The proposal that 'Soil washing' could be used to treat the screening fractions that have been assessed to be hazardous waste is not appropriate. Soil washing can be appropriate for contaminated soils, however, in this instance soil is likely to be a minor contaminant rather than a majority of the waste. The waste does not originate from a soil based source and the fines are stated to be ~25% Fe. This does not exclude other treatment options being suitable.

The ongoing generation of scrap screenings in the absence of a viable disposal option for the waste is not a sustainable position for Celsa. While it is understood that Celsa view the removal of non-ferrous material from received scrap prior to melting as environmentally beneficial, due to the consequent improvements in EAF thermal efficiency, improved slag quality and reduced EAF dust generation/improved quality, the need to also have a sustainable management option for the generated screening waste cannot be overlooked.

Action (4): Celsa to identify a sustainable and acceptable management option for the screening waste and report progress to NRW by March 31st 2016.

Action (5): Celsa to advise the current inventory of scrap screenings. Information provided on 18th January 2016.



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Section 3- Enforcement Response

Only one of the boxes below should be ticked

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.

Other than the provision of advice and guidance, at present we do not intend to take further enforcement action in respect of the non-compliance identified above. This does not preclude us from taking enforcement action if further relevant information comes to light or advice isn't followed.

In respect of the above non-compliance you have been issued with a warning. At present we do not intend to take further enforcement action. This does not preclude us from taking additional enforcement action if further relevant information comes to light or offences continue.

We will now consider what enforcement action is appropriate and notify you, referencing this form.

Section 4- Action(s)

Where non-compliance has been detected and an enforcement response has been selected above, this section summarises the steps you need to take to return to compliance and also provides timescales for this to be done.

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 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 which 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 fulfill 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 (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 and taking any resulting action
- preventing breaches of environmental law
- assessing customer service satisfaction and improving its service
- Freedom of Information Act/Environmental Information 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 twenty 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 the officer's line managers. 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.

