

Compliance Assessment Report CAR_NRW0039287

Permit being assessed: TP3639BH.

For: Tremorfa Melt Shop , held by Celsa Manufacturing UK Ltd

At: Tremorfa Works New Melt Shop Seawall Road , Tremorfa, Cardiff, South Wales, CF24 5TH.

Type of assessment carried out: Report/Data Review, Reason: Routine.

On 31/12/2021.

Parts of permit assessed: Q3, Q4, Annual returns

NRW Lead Officer: Richard Taylor.

Report sent to: Hannah Powell, Environment Manager on 04/02/2022.

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

Part of permitted activity assessed (criteria)	Assessment result	Permit condition
E1 - Emissions - Air	C3 Minor (Suspended)	3.7.1(a)
B5 - Infrastructure - Plant and equipment	C4 No impact	3.7.1(b)
B5 - Infrastructure - Plant and equipment	C3 Minor	1.1.1(a)
E1 - Emissions - Air	C3 Minor	3.7.1(a)

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

Total number of non-compliances recorded	Total non-compliance score
4	8.1

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
E1	exceedance should have been added to previous August exceedances already scored. Recorded her for completeness without score applied.	31/03/2022
B5	Already complete	Already completed
B5	Continue to monitor CEMs and return to permit compliance limits	31/03/2022
E1	Return to permit compliance limits	31/03/2022

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.

At this time, we do not intend to take any further action.

This statement does not stop us from taking additional enforcement action if further relevant information comes to light or offences continue.

4. Details of our assessment

Celsa Meltshop permit TP3639BH

Review of 2021 Q3 and Q4 returns

Q3 Data (Jul-Sep inclusive)

Received on time. All permit limits were complied with during Q3 – July-Sep inclusive with the exception of the following.

A1 stack CEMS-

A max daily average for particulate matter of 8.04mg/m³ against a permit limit 5mg/m³ was submitted for August 2021. The noncompliance is rated as having the potential to cause a minor environmental effect. However, a previous CAR form dated 13th September listed x2 permit limit breaches for August from the same source and material which were consolidated into a single Cat 3 breach under CCS guidance for consolidation of scores. The August exceedance should have also been included in the same Quarter score. Therefore, the exceedance is listed here for completeness, but does not carry a noncompliance score.

- **Decision – Cat 3 noncompliance for a permit limit exceedance against permit condition 3.7.1(a) specified in table S3.1. Added to previously scored exceedances for Q3. Listed for completeness.**

0 points

Q4 data (Oct-Dec inclusive)

Received on time. A1 stack CEMS particulate matter Maximum daily average concentration limits of 5mg/m³ were exceeded in Oct (5.57mg/m³), Nov (5.10mg/m³) and Dec (6.29mg/m³). Schedule 5 notifications were sent by site on time, and these are evaluated further below.

Ambient Monitoring –

Site has a permit condition to monitor ambient particulate matter at the neighbouring Willows School. A secondary monitor is placed on Baden Powell school which is used as an unofficial surrogate if the Willows school monitor goes down. The secondary monitor is not in the site permit. The Willows monitor was offline between 16th July and 23rd Sept, but the surrogate data from Baden Powell was used in the interim period. However, the Baden Powell monitor also went down for a 4-day period between 19th Sept and 22nd Sept inclusive.

Site sent a Schedule 5 notification on 21st Sept to inform NRW of the situation. The Meltshop had shut down during this time so was not emitting particulate material from combustion activities at the time.

Nevertheless, a noncompliance to permit condition 1.1(b) is imposed for the 4-day period where neither the permitted monitor nor the back up monitor were available. Use of the backup monitor for substitute data was agreed prior with the NRW site Officer and is not penalised. Because the data either side of the 4-day period had normal ambient levels and cross checks with data from local weather stations showed no

noticeable spikes, we do not believe any air quality standards were breached at this time. The noncompliance is applied for not providing ambient monitoring data for the 4-day period. Because there was no notifiable environmental effect, the category for the breach is Cat 4.

- **Decision – Cat 4 noncompliance to permit condition 3.7.1(b) for not undertaking continuous monitoring specified by table S3.4 for a 4-day period.**

0.1 points

Review of Schedule 6 reports –

Date of Report

- 2nd November 2021 – A1 stack daily average particulate matter exceedance 5.57mg/m³ against a permit limit 5mg/m³.
- 16th and 17th November 2021 A1 stack particulate matter daily average exceedance with 5.1 and 5.09mg/m³ against a permit limy 5mgm³. NRW carried out a site inspection on 1st Dec.

NRW inspected the continuous emission monitoring data (CEMS), its management, its use when informing management decisions and how rising readings are notified throughout the manufacturing process at the control room.

NRW looked at the investigation that Celsa were carrying out into splits in the plenum chamber which takes the air stream from the Arc furnaces to the baghouse. We saw that gaps had appeared in the skin of the chamber which gave a possible pathway for particulate matter to escape and bypass the bag filters. The plant was shut down and weld repairs made to the failed wall seam as soon as Celsa realised there was a problem. Celsa continued to carry out investigations and repairs to the plenum chamber until the start of 2022. The replacement interval for bag house filters was expedited and welding repairs were carried out on the plenum chamber.

NRW looked at continuous monitoring data from Celsa's own monitor which is positioned on Willows High school some 470m North of the site approximately. The data showed rises in particulate matter on the 16th and 17th which correspond to the daily emission limit breaches as well as the wind direction at this time. NRW do not expect air quality standards to have been exceeded. This period of slightly elevated emissions may also have resulted in increased deposition of dust across parts of Splott and Tremorfa, but NRW were unable to confirm this due to being officially notified of the issue some days after the event. Due to the short duration of any related deposition, we do not believe that this will have resulted in contamination at levels of concern.

However, the splits in the plenum chamber constitute a noncompliance to permit condition 1.1.1(a) where 'The operator shall manage and operate the activities: (a) in accordance with a written management system that identifies and minimises risks of pollution, including those arising from operations, maintenance, accidents, incidents'

The splits in the plenum chamber even though unforeseen, constituted a pathway to the outside environment which had the potential to release unabated process gas. This represents a breach in the integrity of the plant equipment under pc1.1.1. The noncompliance has been assessed as having the

potential to cause a minor environment impact in this case.

- **Decision – 1 x Cat 3 breach of permit condition 1.1.1(a) for failure of abatement pipework which had the potential to release unabated gas/air to the environment.**

4.0 points

- 1st Dec 2021 A1 stack particulate matter daily average 6.29mg/m³ against a permit limit of 5mg/m³
- 5th Dec 2021 A1 stack particulate matter daily average 5.76mg/m³ against a permit limit of 5mg/m³
- 10th Dec 2021 A1 stack particulate matter daily average 5.83mg/m² against a permit limit 5mg/m³
- 15th Dec 2021 A5 stack Asphalt plant dark smoke incident. Plant shut down as precaution. Damaged filter bags identified as cause.

- **Decision- The above schedule 5 notifications have been consolidated into a single Cat 3 breach of permit condition 3.7.1(a) specified in table S3.1 for daily average particulate matter exceedances at A1 stack on November 2nd, 16th, 17th and December 1st, 5th, 10th and 15th following CCS guidance on the consolidation of scores within the same Quarter.**

4.0 points

Total points 8.1

Total for 2021 – 12.1

This places the site into Band C for the 2021 reporting year

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Reports Received

- IC6 Dust Management plan.

A site boundary survey was received 24th Aug 2021 to satisfy permit improvement condition IC6. Permit Variation V09 carried a time limit for this to be completed within 2 months of IC5 which was formerly accepted by NRW via a CAR form dated 2nd July 2021. IC6 is now complete.

- IC8 Noise survey

A noise level survey was received on 26th Oct 2021 to satisfy permit improvement condition IC8. IC8 is now complete.

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Delay to A5 Q4 stack Monitoring

The A5 stack monitoring for Q4 was delayed – NRW accepted this will take place during Q1 2022, but asked Celsa to review their schedule of booking monitoring contractors so that a repeat occurrence does not happen. Celsa need to ensure monitoring is carried out in accordance with permit schedules and build enough contingency into their booking system to allow for delays.

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.