	<b>EPR Compliance Assessment Report</b>	Report ID: WP3836ZF/0222926	
<b>This form will report compliance with your permit as determined by an NRW officer</b>			
Site	Wrexham Clinical Waste Treatment Facility (Incinerator)	Permit Ref	WP3836ZF
Operator/ Permit holder	SITA Healthcare Limited		
Date	28/10/2014	Time in	Out
What parts of the permit were assessed	Monitoring Returns and report submissions 1st January to 30th June 2014		
Assessment	Report/data review	EPR Activity:	Installation X Waste Op Water Discharge
Recipient's name/position	Alan Gartside/Senior Plant Manager		
Officer's name	Lara Cubley	Date issued	28/10/2014

### 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
<b>a) Permitted activities</b>	1. Specified by permit	N	
<b>b) Infrastructure</b>	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	
<b>c) General management</b>	1. Staff competency/ training	N	
	2. Management system & operating procedures	N	
	3. Materials acceptance	N	
	4. Storage handling, labelling, segregation	N	
<b>d) Incident management</b>	1. Site security	N	
	2. Accident, emergency & incident planning	N	
<b>e) Emissions</b>	1. Air	C2	2.2.1.3
	2. Land & Groundwater	N	
	3. Surface water	N	
	4. Sewer	N	
	5. Waste	N	
<b>f) Amenity</b>	1. Odour	N	
	2. Noise	N	
	3. Dust/fibres/particulates	N	
	4. Pests, birds & scavengers	N	
	5. Deposits on road	N	
<b>g) Monitoring and records, maintenance and reporting</b>	1. Monitoring of emissions & environment	C2	2.10.1
	2. Records of activity, site diary, journal & events	N	
	3. Maintenance records	N	
	4. Reporting & notification	N	
<b>h) Resource efficiency</b>	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

<b>Number of breaches recorded</b>	2	<b>Total compliance score</b> (see section 5 for scoring scheme)	62
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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.

Monitoring Returns 1st January to 30th June 2014

### Monthly CEMs data for A1

All monthly data provided as required by Permit. The number of invalid results occasionally appears elevated but the Operator has confirmed that these coincide with plant shut downs.

Permit breaches for period as follows:

- 02/02/14 14:30 – 14:59 SO<sub>2</sub> concentration of 255mg/m<sup>3</sup> half hourly average to ELV of 200mg/m<sup>3</sup> (**Permit Breach Emissions Air E1 - Emissions to air CCS = 3**) – Part C received 20/02/14 reported vibration horn failure due to rain ingress to electrical junction box at top of lime silo. Replaced with weather proof box and blockage cleared.
- 07/02/14 01:30 – 02:30 SO<sub>2</sub> concentration of 240mg/m<sup>3</sup> and 201mg/m<sup>3</sup> half hourly average to ELV of 200mg/m<sup>3</sup> (**Permit Breach Emissions Air E1 - Emissions to air CCS = 4 – Note: only one CCS entry for the reporting period of one month of February under sub criteria E1**) – Part C received 20/02/14 reported a lime blockage in pipework feed to abatement system. Blockage likely to be as a result of vibration horn issues 02/02/2014. Lime blockage was cleared and pipes replaced with plastic piping with more access points to enable blockages to be cleared more readily.
- 13/03/14 10:30 HCl concentration of 77mg/m<sup>3</sup> half hourly average to ELV of 60mg/m<sup>3</sup> and SO<sub>2</sub> concentration of 446mg/m<sup>3</sup> half hourly average to ELV of 200mg/m<sup>3</sup> (**Permit Breach Emissions Air E1 - Emissions to air CCS = 3**) – Part C received 18/3/14 reported a lime blockage in pipework feed to abatement system. Blockage cleared and emissions returned to normal levels in subsequent readings and daily average. There was no record of notification without delay on Natural Resources Wales (NRW) databases. No Part A was provided as required by Condition 5.1.2.1 for this ELV breach (**Permit Breach Reporting & Notification G4 – CCS = 4**). **The Operator must ensure that the notification requirements of the permit are met by site procedures and that such procedures are implemented.**

### A1 Bi-annual Periodic sampling

- Updated and much improved Part B received 14/03/14 to document investigation into, and action taken, with respect to Particulate breach of 14/11/13.

- 22/04/14 Mercury concentration of 0.158mg/m<sup>3</sup> was obtained in the bi-annual periodic monitoring against an ELV of 0.05mg/m<sup>3</sup>. Re-testing on the 30th June 2014 showed a concentration of 35mg/m<sup>3</sup>. (**Permit Breach Emissions Air E1 - Emissions to air CCS = 2 potential significant effect**).

The Operator's investigations to date confirm that the cause is thought to be Mercury containing wastes. Analysis of APC residues appear to show an increase in the concentration of Mercury over time. The Operator has informed customers sending their waste to this site of this issue. **The Operator must complete the investigation as a matter of urgency including information as previously detailed in Compliance Assessment Report and submit by 11/10/14.** This must include data on further monitoring of mercury emissions to give us assurance that such elevated concentrations are isolated events. A review of abatement must also be undertaken. Further information on wastes incinerated at the time of elevated concentrations of Mercury emissions must be provided together with preventative action taken.

### **MCERTS - QAL2 to BS EN 14181 and AST as required by Permit Conditions 2.10**

Following concern that the periodic particulate monitoring showed an elevated concentration when the CEM was reading a significantly lower concentration the Operator provided reports detailing the last QAL2 (November 2012) and AST (November 2013) – received 08/04/14.

Review of these documents revealed the following shortcomings with the CEMs:

1. Particulate CEM failed the variability test in November 2012 and November 2013 meaning a valid calibration function couldn't be ascertained.
2. SO<sub>2</sub> CEM had a calibration function of  $y = x$  recommended in November 2012 despite emission concentrations being low with a poor spread of data. In November 2013 the SO<sub>2</sub> calibration test failed due to higher concentrations being recorded and the calibration function thus being invalid.
3. HCl CEM failed the variability test in November 2013 meaning the calibration function applied by the QAL2 in November the previous year was no longer valid.

The Operator has since conducted a QAL2 April 2014 in which all tests passed enabling valid calibration functions to be obtained for all CEMs. However, this has meant that there has been a period of at least 16 months where particulate data could only be used for qualitative purposes and 4 months for HCl and SO<sub>2</sub>.

Condition 2.10.1 requires the Operator to monitor for the above parameters using a CEM which meets the requirements of the methods stated and MCERTS as per note 8 in Table 2.2.2. It also requires results of monitoring to be assessed. The failure to obtain a valid calibration of the CEMs over such a period of time does not meet MCERTS standards and associated guidance with a potential significant environmental impact. **G1 Monitoring of Emissions and Environment CCS = 2. The Operator must ensure that his EMS designates responsibility for monitoring. Procedures must enable compliance with permit monitoring requirements to include achieving and maintaining the required standards. Such procedures must be implemented by 19/12/14.**

### **Bottom ash & APC residues**

All quarterly monitoring submitted in accordance with Permit requirements and shows <3% TOC in bottom ash.


## **Notifications**

The following emergency relief vent operations were notified as per Permit Condition 5.1.1.6 during this 6 month period:

14/02/14 06:56 for 2 mins due to power surge/bad weather (received 20/02/14)

12/02/14 16:52 for 1 min due to winds/bad weather (received 14/02/14)

12/02/14 17:03 for 1 min due to winds/bad weather (received 14/02/14)

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Operator/ Permit	SITA Healthcare Limited	Date	28/10/2014

<b>Section 3- Enforcement Response</b>		<b>Only one of the boxes below should be ticked</b>	
<p>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.</p>			
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.			X

<b>Section 4- Action(s)</b>			
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			
E1	C2	The Operator must complete the investigation as a matter of urgency. This must cover issues previously agreed and detailed in Compliance Assessment Report and include data on further monitoring of mercury emissions to give us assurance that such elevated concentrations are isolated events. A review of abatement must also be undertaken. Further information on wastes incinerated at the time of elevated concentrations of Mercury emissions must be provided together with preventative action taken. Completed report to be submitted to Natural Resources Wales.	11/11/14
G1	C2	The Operator must ensure that his EMS designates responsibility for monitoring. Procedures must enable compliance with permit monitoring requirements to include achieving and maintaining the required standards. Such procedures must be implemented by 19/12/14.	19/12/14

## 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 <b>major</b> environmental effect	60
C2	A non-compliance which could have a <b>significant</b> environmental effect	31
C3	A non-compliance which could have a <b>minor</b> environmental effect	4
C4	A non-compliance which has <b>no</b> 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](mailto: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.