

	EPR Compliance Assessment Report	Report ID: WP3636ZG/0250033			
This form will report compliance with your permit as determined by an NRW officer					
Site	Wrexham Clinical Waste (HDU & TS) EPR/WP3636ZG		Permit Ref	WP3636ZG	
Operator/ Permit holder	SITA Healthcare Limited				
Date	22/09/2015	Time in	10:00	Out	16:55
What parts of the permit were assessed	EMS & Maintenance				
Assessment	Audit	EPR Activity:	Installation	X	Waste Op
					Water Discharge
Recipient's name/position	Steve York/Paul Phillips - Assistant Plant Manager				
Officer's name	Lara Cubley, Stuart Ross		Date issued	20/10/2015	

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	A			
b) Infrastructure	1. Engineering for prevention & control of pollution	A			
	2. Closure & decommissioning	N			
	3. Site drainage engineering (clean & foul)	N			
	4. Containment of stored materials	A			
	5. Plant and equipment	A			
c) General management	1. Staff competency/ training	C3		2.3.7, 1.1.1	
	2. Management system & operating procedures	C3		1.1.1, 2.3.1, 4.3.5	
	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	N			
f) Amenity	1. Odour	A			
	2. Noise	A			
	3. Dust/fibres/particulates	A			
	4. Pests, birds & scavengers	A			
	5. Deposits on road	A			
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	A			
	4. Reporting & notification	C3		4.3.5	
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	3	Total compliance score (see section 5 for scoring scheme)	12
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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.

An audit was conducted on the 22nd September 2015 which covered elements of the Operator's Environmental Management System (EMS) and Maintenance. Although Management Systems are common for the waste treatment site and incinerator site the audit is captured on a separate compliance assessment report for the incinerator site as it is covered by a separate permit.

The HDU was Operational and treating waste during the audit.

EMS

The Operator's policy, aspects register, and objectives were made available. The Operator has an Integrated Management System (IMS) which covers Tradebe's operation at a group level and is certified to ISO 14001.

Recommendations

Some of the legislation in the aspects registers was out of date (i.e. reference to WID now IED). The Operator must ensure this is updated at the next annual review of this document.

The Operator showed documentary evidence of pre-accreditation body audits which are conducted. This was in no standard format but just in e-mail form and the actions appeared to be the same as those from the accreditation body. Following the audit the Operator provided a standard proforma which is used to record audits and a healthcare audit schedule. The healthcare audit schedule commences Q4 2015 with a list of working procedures listed in numerical order, meaning those with higher numbers get audited last, i.e. Q2 2018. No procedure for producing audit schedules or conducting internal audits were made available and no schedule covering the auditing of higher level group procedures was available either. A further request for these was made following the audit but none have been received to date.

Recommendation

The Operator is to ensure there are procedures for compiling audit schedules and conducting audits of company procedures at all levels. Such procedures must be implemented. It is also recommended that the production of audit schedules are informed by risk.

Procedure, CP601 Accident, Incident, Near Miss Reporting & Investigation Issue 5 dated 12/09/11 was viewed on the day of the audit. It was noted that this procedure is very health & safety orientated. The Operator now uses a software system not mentioned in this procedure called Workbench to record all incidents and near misses at the site. Incidents of breaching Permit Emission Limit Values (ELVs) also appear to use form 601h Incident Investigation Form referenced in this procedure.

The procedure states it is to be reviewed every 2 years but this is clearly not occurring and the new Workbench recording system is not detailed in this procedure. The procedure does not adequately define what is to be reported although the reporting form helps define what requires notification.

Non-compliance

Condition 2.3.7 of the Permit requires the Operator to maintain and implement written procedures for investigating & reporting potential non-compliances with operating procedures or emission limits and investigating incidents. There appears to be a discord between procedure CP601 and what is actually happening. C1 – Staff Competency & Training – CCS=3 Minor potential impact.

Action: The Operator must review procedures covering the reporting, investigation, and recording of incidents, non-compliance, breach of ELVs and ensure all staff are appropriately trained (implement procedure) by 15/01/16.

Recommendation

In reviewing procedures above, it is recommended that the Operator makes it clear which types of incidents are reported and defines terminology used.

The Operator has some procedures which enable him to meet the reporting requirements of the Permit. However, some of these are in draft form. In terms of ensuring sampling goes ahead as required by the permit a wall chart is in use.

An environmental permit returns tracker is currently being developed in Excel format.

On occasions NRW have received initial notifications of ELV breaches which turn out not to be a breach of Permit, or notifications have come through to the wrong route/phone number in NRW.

Recommendation

The Operator must ensure there are published and implemented procedures which enable him to meet all the reporting/notification requirements of the Permit.

Complaints Procedure

CP602 is the group's complaints procedure, which was viewed on the day of the audit. It did take the auditee a while to find this procedure and personnel were not conversant in its content. A complaints recording form FAEN001 was provided following the audit. This contains various prompts for recording complaints investigations.

Recommendation

The Operator must ensure appropriate training to enable the complaints procedure to be implemented.

Maintenance

There was no defined procedure for identifying, reviewing and prioritising items of plant for which a preventative maintenance regime is appropriate despite answering yes to this in OPRA (Operations & maintenance section of Operator Performance).

Recommendation

The Operator must review the Operator Performance OPRA score prior to next charging period (31/12/15) and re-submit to NRW. This should include procedure reference numbers where the Operator has confirmed there is a procedure.

The Operator reported that reviews of items of plant which break down are conducted and frequency of preventative maintenance changed if required.

On inspection of the Heat Disinfection Unit (HDU) the integrity of the pipework carrying the exit gases and abatement system was poor. Breaches in pipework were noted with condensate dripping from them between the biobeds and HEPA filter. Holes made in the pipework labelled for monitoring purposes had been left open in the absence of appropriately designed permanent sampling ports.

The HDPE biobed containers appeared to be weeping liquid and the tap drain on the far biobed was open and draining liquid into the drain. There was evidence that liquid had escaped from the abatement system and was pooling by the fire exit. The HEPA filter casing appeared corroded with condensate dripping from it.

Non-Compliance

Condition 1.1.1 requires the Operator to manage and operate the activities in accordance with a written management system that identifies and minimises the risks of pollution, including those arising from operations, maintenance, accidents, incidents, non-conformances, closure; and using sufficient competent persons and resources. Maintenance of this system was not to a level which minimises the risks of pollution. Abatement pipework and system is not adequately sealed and is overcome with condensate. C2 – Management Systems & Operating Procedures CCS = 3.

The Operator reported that the temperature of the condenser coolant is not controllable but the Air Blast Cooler (ABC) is just on. On inspection of the ABC it was not present and had been removed from site for maintenance. The Operator informed us that the ABC was removed from site shortly prior to letter dated 20/08/15 from a contractor quoting schedule of work to repair 'HDU coil'. It is uncertain that this pertains to the ABC in question. The Operator reports the complexity of the abatement at this site in comparison to similar plant (Avonmouth) with less elaborate abatement and no testing requirements.

Non-Compliance

Condition 2.3.1 requires the activities to be operated using the techniques and in the manner described in documentation specified which was provided in the Application. This includes the condenser within the abatement system.

Condition 4.3.5 requires the Operator to notify NRW of changes which may have consequences for the environment 14 days prior to making the change. No such notification was received regarding removing condensing capabilities of the abatement system.

C2 – Management Systems & Operating Procedures CCS = 3.

G4 - Reporting & Notification CCS = 3.

HEPA filter of HDU has pressure differential gauge fitted which is reading 0. There are no procedures to record and act on this. Checks and recording of pressures at biobed (HDU) and HEPA/Coarse filter for shredder hood are in place. But there are no procedures to govern review of data and action to be taken. Many pressure gauges were reading zero, which indicate a problem.

Action: The Operator must ensure that the abatement is running as designed with appropriate inspection and maintenance if he intends on continuing the treatment of waste in the HDU. This must include:

- **The presence of an appropriately maintained ABC to ensure condensate is removed.**
- **Repairs to abatement equipment and pipework to secure integrity of system.**
- **Ensure pressure gauges, filters or biobed are serviceable and abatement is working as intended. Procedures must be put in place to ensure readings from pressure gauges are logged, data assessed and acted upon to inform inspection & maintenance of abatement, i.e. pressure drop over filters with action limits or guidance on taking action.**

Action: Operator to ensure procedures for change are implemented (see incinerator CAR) by 27/11/15.

Action: Operator to ensure procedures for notifying change are in accordance with Condition 4.3.5 of the Permit and implemented as per action at the top of Page 3 of this report by 15/01/16.

Recommendation

Should the Operator wish to change the Operation of the HDU & abatement he must undertake a BAT review of the process against current guidance. This should be reported together with proposals and justifications for any changes to NRW for approval prior to implementation.

Other

Housekeeping appeared to get worse as you progressed further from office facilities. There was a build-up of debris/waste on the yard area and litter was evident behind the portakabin.

The drip tray/bunds for IBCs and diesel were very full of rainwater and would not afford 110% containment.

Condition 1.1.1 requires the Operator to manage and operate the activities in accordance with a written management system that identifies and minimises the risks of pollution, including those arising from operations, maintenance, accidents, incidents, non-conformances, closure; and using sufficient competent persons and resources. C1 – Staff Competency & Training – CCS=3 Minor potential impact.

Action: The Operator must ensure enough resource and training to enable procedures to be followed for keeping a clean, safe site and minimising potential pollution, i.e. cleaning yard/emptying bunds of rainwater.

Pooling of oil from the HDU was noticeable inside the low concrete retaining kerb under the HDU but also outside this area where absorbent pads had been put down.

Recommendation: The Operator is to ensure appropriate clean up and disposal of oil.

In this document 'Natural Resources Wales' means the Natural Resources Body for Wales established by Article 3 of the Natural Resources Body for Wales (Establishment) Order 2012.

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Operator/ Permit	SITA Healthcare Limited	Date 22/09/2015

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.	X
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			
C1	C3	See main body of text.	see main body of text
C2	C3	See main body of text.	see main body of text
G4	C3	See main body of text.	see main body of text

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.