

Compliance Assessment Report CAR_NRW0042727

Permit being assessed: WP3836ZF.

For: Wrexham Clinical Waste Treatment Facility (Incinerator), **held by:** Tradebe Healthcare National Limited

At: Wrexham Clinical Waste Treatment Facility (Incinerator) Marlborough Road , Wrexham Industrial Estate, WREXHAM, Clwyd, LL13 9RJ.

Type of assessment: Report/Data Review,

Reason: Routine.

On: 31/10/2023.

Parts of permit assessed: monitoring returns.

NRW Lead Officer: Rebecca Harwood.

Report sent to: Alan Rhodes, SHEQ Lead, on 15/11/2023.

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

Part of permitted activity assessed (compliance criteria)	Assessment result	Permit condition
IR3E - Emissions and monitoring - Monitoring	Assessed (A)	
IR4B - Information - Reporting	Assessed (A)	
IR4C - Information - Notification	C4 No impact	4.3.1
IR3A - Emissions and monitoring - Emissions to water, air or land	C3 Minor	3.2.1
IR3A - Emissions and monitoring - Emissions to water, air or land	C3 Minor	3.2.1
IR3A - Emissions and monitoring - Emissions to water, air or land	C3 Minor	3.2.1
IR3A - Emissions and monitoring - Emissions to water, air or land	C3 Minor	3.2.1
IR3A - Emissions and monitoring - Emissions to water, air or land	C3 Minor	3.2.1
IR3A - Emissions and monitoring - Emissions to water, air or land	C3 Minor	3.2.1
IR2C - Operations - Operating techniques	Action only (X)	

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

Total non-compliances recorded	Total non-compliance score
7	24.1

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
IR4C	see text below	13/12/2023
IR3A	see text below	30/11/2023
IR3A	see text below	30/11/2023
IR3A	see text below	30/11/2023
IR3A	see text below	30/11/2023
IR3A	see text below	30/11/2023
IR3A	see text below	30/11/2023
IR2C	see text below	31/12/2023

Compliance 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.

You are non-compliant with your permit.

At this time, we are issuing you with a warning for the non-compliance recorded above. Warnings may influence future enforcement response for continued or further non-compliance.

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

This Compliance Assessment Report follows a review of Quarter 3 2023 (July - September 2023) CEMS data, biannual air emissions monitoring and residues monitoring.

1. Q3 CEMS monitoring

Monitoring data was received monthly from the Operator as previously agreed.

Condition 3.2.1 requires that emissions to air will not exceed levels set out in Table S3.1 or Table S3.1(a). Having reviewed the data submitted, the following ELV breaches have been identified for Q3.

Carbon monoxide - exceedances of the 10 min average ELV of 150mg/Nm³ were recorded on the 13 July and 14 July 2023. **These exceedances have been scored a category 3**

breach of Condition 3.2.1. There were no exceedances of the daily average ELV of 50mg/Nm³.

A late notification was received in relation to the exceedance on the 14 July. This was received on the 10 October having been requested by NRW following a review of the monthly CEMS spreadsheet. **This has been scored a category 4 breach of Condition 4.3.1.**

Action 1: Ensure all relevant personnel understand when emissions exceedances apply in order that these are reported in accordance with the permit. Training gaps should be identified immediately and training implemented. Provide an update to NRW by 13 December 2023.

Carbon monoxide - an exceedance of the ½ hour average ELV of 100mg/Nm³ was recorded on the 8 August during a period of abnormal operations. There was a failure of the recirculation and secondary chamber fans. **This exceedance has been scored a category 3 breach of Condition 3.2.1.**

Hydrogen Chloride - exceedances of the ½ hour average ELV of 60mg/Nm³ were recorded on the 21 July, 16 August, 26 September and 29 September 2023. The exceedance from the 29 September was a result of a leak on the lime feed pipe and therefore constitutes abnormal operations. **The other exceedances have been scored a category 3 breach of Condition 3.2.1.**

Hydrogen Chloride - an exceedance of the daily average of 10mg/Nm³ was also recorded on the 26 September 2023. **This exceedance has been scored a category 3 breach of Condition 3.2.1.**

VOC - exceedances of the ½ hour average ELV of 20mg/Nm³ were recorded on the 31 July and 4 August 2023. **These exceedances have been scored a category 3 breach of Condition 3.2.1.** There were no exceedances of the daily average ELV of 10mg/Nm³.

Particulate Matter - a number of exceedances of the ½ hour average ELV of 30mg/Nm³ were recorded during August and September. The Operator is investigating whether some of these are linked to the recent calibration issue. **These exceedances have been scored a category 3 breach of Condition 3.2.1.** There were no exceedances of the daily average ELV of 10mg/Nm³.

Exceedances across the quarter have been consolidated per parameter.

Action 2: The Operator should continue to investigate individual exceedances and look for any trends or reasons for these exceedances to improve compliance.

There were no breaches of sulphur dioxide or NOx above the ELVs.

2. Biannual Air Emissions Monitoring

Condition 3.6.1(a) requires that biannual air emissions are undertaken in accordance with Table S3.1. Condition 3.1.2 states that the limits in Schedule 3 shall not be exceeded.

Bi-annual monitoring from emission point A1 was undertaken during August 2023.

There were no exceedances of the emission limits.

3. Bottom Ash & APC residues

Bottom Ash and APC residues sampling was undertaken in accordance with Conditions 3.6.1(c) and Table S3.5. Ash composition remained below the 3% TOC limit.

4. ERV openings

Following on from the previous CAR NRW0042501, the ERV has continued to open as a result of issues with the boiler. The Operator stated via email on the 29 September 2023 that they are *undertaking Failure Mode Effect Analysis (FMEA) with our Engineering and EC&I department to review all aspects of boiler, Heliex and Incineration plant logic control and response.*

A longer term solution once the FMEA is completed is an assessment of the boiler and Incinerator control logic with a subsequent round of upgrades and improved alarms and controls.

Site have also called in the manufacturers of the boiler (Cochrane) for one of their engineers to assist in diagnosing and rectifying this issue.

As a result of more recent ERV openings the electrical and EC&I teams *identified a number of control software issues and settings which are impinging upon the safety chain.* These have since been addressed.

Action 3: Ensure NRW are kept abreast of any further changes to the ERV control system and provide an update into the investigation, including the FMEA report, by 31 December 2023.

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.

If your assessment result in Section 1 is suspended, what does this mean?

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 compliance criteria (used in section 1 and 2):

1. Management

- IR1A – General management
- IR1B – Finance (only applicable to Landfill)
- IR1C – Energy efficiency
- IR1D - Efficient use of raw materials
- IR1E - Avoidance, recovery and disposal of wastes produced by the activities
- IR1F - Multiple operator installations

2. Operations

- IR2A – Permitted activities
- IR2B – The site
- IR2C – Operating techniques
- IR2D – Technical requirements
- IR2E – Improvement programme
- IR2F – Pre-operational conditions
- IR2G – Landfill engineering (only applicable to Landfill)
- IR2H – Waste acceptance (only applicable to Landfill)
- IR2I – Leachate levels (only applicable to Landfill)
- IR2J – Closure and aftercare (only applicable to Landfill)
- IR2K – Landfill gas management (only applicable to Landfill)

3. Emission and Monitoring

- IR3A – Emissions to water, air or land
- IR3B – Emissions of substances not controlled by emission limits
- IR3C – Odour
- IR3D – Noise and vibration
- IR3E – Monitoring
- IR3F – Pests
- IR3G – Air quality management plans
- IR3H – Monitoring for the purposes of the Industrial Emissions Directive (this heading includes Large Combustion Plants)
- IR3I – Fire

4. Information

- IR4A – Records
- IR4B – Reporting
- IR4C – Notification

Enforcement response

Any non-compliance with a permit condition 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 twenty 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 to 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.