

## Compliance Assessment Report CAR\_NRW0043247

**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:** 29/12/2023.

**Parts of permit assessed:** monitoring returns.

**NRW Lead Officer:** Rebecca Harwood.

**Report sent to:** Alan Rhodes, SHEQ Lead, on 06/02/2024.

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

Part of permitted activity assessed (compliance criteria)	Assessment result	Permit condition
IR4B - Information - Reporting	Assessed (A)	
IR4C - Information - Notification	Assessed (A)	
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
IR3E - Emissions and monitoring - Monitoring	Action only (X)	

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

Total non-compliances recorded	Total non-compliance score
3	12

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
IR3A	see text below	Already completed
IR3A	see text below	Already completed
IR3A	see text below	31/03/2024
IR3E	see text below	30/04/2024

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 (CAR) follows the submission of Quarter 4 2023 (October – December 2023) CEMS data and 2023 performance data.

As a result of the permit variation issued in December 2022, the reporting requirements have been amended and there were changes to the ELVs from the 3<sup>rd</sup> December 2023. Monitoring requirements are specified in condition 3.6 and reporting requirements in condition 4.2.

### 1. Q4 CEMS monitoring

Monitoring data was received monthly from the Operator.

Condition 3.2.1 requires that emissions to air will not exceed levels set out in Table 3.1 or Table S3.1(a). Having reviewed the data submitted, the following ELV breaches have been identified for Q4. Exceedances across the quarter have been consolidated per parameter.

TOC/VOC - An exceedance of the ½ hour average ELV of 20mg/m<sup>3</sup> was identified. **This has been scored a category 3 breach of Condition 3.2.1.** There were no breaches of the daily average ELV of 10mg/m<sup>3</sup>.

The Operator has stated that they were not loading waste at the time of the exceedance

and were undertaking a boiler clean. This is not a technically unavoidable stoppage and forms part of routine maintenance.

**Action 1:** The Operator should review procedures to ensure that maintenance activities do not disrupt emissions.

**Advice and Guidance:** TOC ELVs form part of Table S3.1(a) and the Operator should be aware that if there is an exceedance of particulate matter, TOC or carbon monoxide during abnormal operations, limits still apply to these parameters.

Sulphur dioxide - exceedances of the ½ hour average ELV of 200mg/m<sup>3</sup> have been identified. **These have been scored a category 3 breach of Condition 3.2.1.** An exceedance of the daily average ELV of 40mg/m<sup>3</sup> was also identified. **This has been scored a category 3 breach of Condition 3.2.1.**

The Operator has stated that they are looking at waste mixing to reduce the impact of specific wastes on the SO<sub>2</sub> concentrations.

There were no breaches of particulate matter, HCl, NOX or CO above the ELVs.

Both a hydrogen fluoride and mercury CEM has been installed at the site and readings provided for December 2023. There were some issues relating to mercury readings between the 22<sup>nd</sup> and 28<sup>th</sup> December 2024. Exceedances were identified on the daily CEM print out at the site as a result of an error in reporting unit, however, these have been rectified and these incidents were confirmed to be anomalies.

Flow has not been recorded as required by the permit as there was an issue with the gas flow probe installed that was detrimentally impacting the particulate readings. The Operator informed NRW of the issue when they became aware. Following an internal investigation it transpires that there was a fault on the gas flow probe. A further probe has been installed and a QAL2 recently carried out.

**Action 2:** Please update the Schedule Notification relating to the monitoring of flow and submit the QAL2 report as part of the next quarterly monitoring return.

## 2. Biannual Air Emissions Monitoring

Biannual air emissions were undertaken from A1 in March and August 2023. The results of these have been covered in previous CARs.

## 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 for Q4.

## 4. Emergency Relief Vent (ERV)

NRW were notified 25 times during the course of 2023 regarding the ERV opening.

As detailed in previous CARs the Operator has undertaken Failure Mode Effect Analysis (FMEA). The results of this analysis was submitted to NRW on 12th January 2024. NRW may review the actions identified from this at future compliance visits, or if ERV openings continue.

**Advice and Guidance:** Ensure ERV openings are reported quarterly to NRW.

#### **5. Annual performance reporting**

Condition 4.2.2 of the permit requires a report on the performance of the permitted activities over the previous year to be submitted, this includes annual water, energy, waste and performance parameter data. This report was received on the 30th January 2024.

**Advice and Guidance:** As a result of the BREF review and permit variation, the annual monitoring requirements for 2024 have changed. Please ensure all requirements are covered when submitting the 2024 data returns.

#### **6. Waste returns**

Waste returns were submitted for all quarters.

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](mailto: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](mailto: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.