

## Compliance Assessment Report CAR\_NRW0043845

**Permit being assessed:** WP3636ZG.

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

**At:** Tradebe Healthcare HDU & TS, Marlborough Road, Wrexham Industrial Estate, Wrexham, Wrexham, LL13 9RJ.

**Type of assessment:** Site Inspection,

**Reason:** Routine.

**On:** 15/03/2024 between 12:55 and 14:15.

**Parts of permit assessed:** various.

**NRW Lead Officer:** Rebecca Harwood, accompanied by Kathryn Bradshaw.

**Report sent to:** Alan Rhodes, SHEQ Lead, on 27/03/2024.

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

Part of permitted activity assessed (compliance criteria)	Assessment result	Permit condition
IR1A - Management - General management	C3 Minor	1.1.1
IR4A - Information - Records	Action only (X)	
IR3C - Emissions and monitoring - Odour	Assessed (A)	
IR3D - Emissions and monitoring - Noise and vibration	Assessed (A)	

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

Total non-compliances recorded	Total non-compliance score
1	4

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
IR1A	see text below	30/04/2024
IR4A	see text below	05/04/2024

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 follows an unannounced inspection of the site on the 15 March 2024. Officers met with the SHEQ Lead, SHEQ Advisor, Plant Manager and the new Site Manager.

The Quarantine Area has been relocated to near the rear access gates. There were a number of bins in the area containing gypsum waste that needed to be returned to Scotland. It is not known at the time of the inspection how long these bins had been on site. The Operator confirmed subsequently that this waste was returned to Scotland on 21 March 2024.

There were also 3 bins from a local Council that had been quarantined due to a contractual issue. It is understood that these bins had been delivered the weekend before the inspection and should have been turned away by staff at the time. The Operator confirmed that these bins were still on site as of 21 March 2024.

The Operators procedure THC 108 On Site Waste Acceptance and Rejection states the *"Waste will be kept in the quarantine area for no longer than 5 days before being removed of site to a suitably permitted facility."* Both the gypsum waste and Council waste had been on site for longer than 5 days. **This has been scored a category 3 breach against condition 1.1.1 - General Management.**

**Action 1:** The remaining bins should either be processed or removed off site immediately.

**Action 2:** Provide NRW with the relevant paperwork linked to the rejected waste as per the Operators Procedure THC 108 by the 05 April 2024.

A new waste tracking system has been installed on site and therefore it was not possible to establish how long bins had been on site during the visit. The Operator provided details for a random selection of bins retrospectively. There were some errors highlighted by the Operator in relation to receiving dates which imply the waste has been on site for longer than recommended.

**Action 3:** Provide an update to NRW relating to the implementation of the new waste tracking system and the issue around receiving dates by 30 April 2024.

As detailed in CAR NRW0042986, Action 4 stated: *Review procedure THC WRX 001 Waste Storage Procedures and update as necessary. Ensure that this is trained out to all relevant staff. Update NRW by 31<sup>st</sup> January 2024.* A response to this action has not been received.

**Action 4:** A review of both THC WRX001 and THC 108 should be undertaken, along with any other relevant procedures. Once reviewed, and updated if required, these procedures should be trained out to all relevant staff to ensure that waste is correctly dealt with on arrival and storage times are not exceeded. Evidence shall be provided to NRW showing that this review and training has been completed by the 30 April 2024.

As detailed in CAR NRW0043780 the Operator stated that the roller shutter doors where the HDU was previously sited are scheduled for replacement. However, the gates to the trailer / car parking yard area, although identified as requiring installing, have not yet been programmed and this remains a concern to NRW with regards security and managed access onto the site.

**Advice & Guidance:** The Operator should review all relevant legislation and guidance (i.e. Waste Duty of Care and Code of Practice; How to Comply etc) to ensure that they are satisfied that the site is being operated in accordance with this legislation and guidance and that any waste on site is securely stored.

Discussions were also had regarding kerbing of the yard areas. It is anticipated that this work will be completed by the end of 2024.

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.