

Compliance Assessment Report CAR_NRW0043799

Permit being assessed: BB3436RA.

For: Phase 2 Wrexham Recycling Park, **held by:** FCC Recycling (UK) Limited

At: Wrexham Recycling Park, Wrexham Industrial Estate, Wrexham, Clwyd, LL13 9UT.

Type of assessment: Site Inspection,

Reason: Incident Response (Incident number 2403652).

On: 19/03/2024 between 10:05 and 12:00.

Parts of permit assessed: See report.

NRW Lead Officer: Kathryn Bradshaw.

Report sent to: Garry Smith, PFI General Manager, on 05/04/2024.

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

Part of permitted activity assessed (compliance criteria)	Assessment result	Permit condition
IR3I - Installations - Emissions and monitoring - Fire	C3 Minor	3.7 Fire
IR3A - Installations - Emissions and monitoring - Emissions to water, air or land	Assessed (A)	
IR4C - Installations - Information - Notification	Assessed (A)	
IR4B - Installations - Information - Reporting	Assessed (A)	
IR1A - Installations - Management - General Management	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
IR3I	Further review the MBT FPMP following the fire and identify	31/05/2024

Criteria	Action needed	Complete by
	any improvements that could be made with particular focus on fire prevention within the drying tunnels and when opening the doors.	

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.

We are currently considering taking enforcement action against you for the non-compliance recorded above. We will contact you in due course.

4. Details of our assessment

A site inspection was undertaken following a fire on site on 18/03/24 (WIRS 2403652) in one of the bio-drying tunnels. The site informed NRW by phone on 18/03/24 at 09:30 hrs with updates provided during the day and a Schedule 5 notification was received on 19/03/24.

The site emergency procedures were followed, the penstock valves were closed and all fire water run off was contained on site. There was a very minimal release of smoke to the atmosphere. The fire was contained to the one tunnel and did not spread. The MBT suspended operations and waste was diverted to the transfer station.

The fire occurred in the tunnel during its cooling off period after the waste had been dried when site operators opened the tunnel door. It is suspected the fire started from a small battery within the waste. Although the tunnels have three temperature sensors within them set to 75°C which trigger an automatic shutdown, the hotspot was located further away from these sensors which did not pick up an increase in temperature. The site is reviewing the potential of installing further temperature sensors within the tunnels. The fire service initially had difficulties in accessing the fire to douse with water as it was located to the middle rear of the tunnel but eventually they were able to use hoses from the roof of the tunnel through openings installed for the temperature sensors. The site is reviewing the feasibility into installing further openings on the top of the tunnel and also potentially a further fire water tank on the roof.

No damage was caused as a result of the fire and there has been no impact to site operations. Fire water run off from the drains and interceptors have been tankered off site for disposal. The fire damaged waste has been put back through the MBT process. The site managed the situation extremely well and there were no pollutants released to the environment.

The site already had an action to review their FPMP (see CAR_NRW0042901) which will need to be reviewed further, following this fire.

Action

Further review the MBT FPMP following the fire and identify any improvements that could be made with particular focus on fire prevention within the drying tunnels and when opening the doors by 31st May 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 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.