

Compliance Assessment Report CAR_NRW0044799

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: 22/07/2024.

Parts of permit assessed: Q2 Monitoring Returns.

NRW Lead Officer: Rebecca Harwood.

Report sent to: SHEQ Lead, SHEQ Lead, on 20/08/2024.

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

Part of permitted activity assessed (compliance criteria)	Assessment result	Permit condition
IR3E - Installations - Emissions and monitoring - Monitoring	Assessed (A)	
IR4B - Installations - Information - Reporting	Assessed (A)	
IR4C - Installations - Information - Notification	Action only (X)	
IR3A - Installations - Emissions and monitoring - Emissions to water, air or land	C3 Minor	3.2.1
IR3A - Installations - Emissions and monitoring - Emissions to water, air or land	C3 Minor	3.2.1
IR3A - Installations - Emissions and monitoring - Emissions to water, air or land	C3 Minor	3.2.1
IR3A - Installations - Emissions and monitoring - Emissions to water, air or land	C3 Minor	3.2.1
IR3A - Installations - Emissions and monitoring - Emissions to water, air or land	C3 Minor	3.2.1

Part of permitted activity assessed (compliance criteria)	Assessment result	Permit condition
land		

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

Total non-compliances recorded	Total non-compliance score
5	20

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	30/09/2024
IR3A	see text below	30/09/2024
IR3A	see text below	30/09/2024
IR3A	see text below	30/09/2024
IR3A	see text below	30/09/2024
IR3A	see text below	30/09/2024

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 2 2024 (April – June 2024) monitoring data.

1. Q1 CEMS monitoring

CEMS monitoring data continues to be received monthly from the Operator. Queries were raised by NRW relating to inconsistencies within the data and missing Schedule 5 notifications. The data was resubmitted on the 16th August 2024.

Condition 3.2.1 requires that emissions to air will not exceed levels set out in Schedule

3(b), Tables S3.1 and S3.1(a). Having reviewed the data submitted, the following ELV breaches have been identified for Q1. Exceedances across the quarter have been consolidated per parameter.

Hydrogen Chloride - an exceedance of the ½ hour average ELV of 60mg/Nm³ was recorded during April 2024. **This has been scored a category 3 breach of Condition 3.2.1.** There were no exceedances of the daily average ELV of 8mg/Nm³.

Sulphur dioxide - an exceedance of the ½ hour average ELV of 200mg/Nm³ was identified during June 2024. **This has been scored a category 3 breach of Condition 3.2.1.** An exceedance of the daily average of 40mg/Nm³ was also recorded in June 2024. **This has been scored a category 3 breach of Condition 3.2.1.**

Particulates - a number of exceedances of the ½ hour average ELV of 30mg/Nm³ were recorded during April, May and June 2024. **These exceedances have been scored a category 3 breach of Condition 3.2.1.** Exceedances of the daily average of 5mg/Nm³ were also recorded in April, May and June 2024. **These exceedances have been scored a category 3 breach of Condition 3.2.1.**

As detailed in CAR NRW0043780 a QAL2 was undertaken in January 2024 following the installation of the gas flow probe that was interfering with the particulate monitor. A valid calibration function could not be derived from either this QAL2 or a subsequent QAL2 undertaken in April/May 2024. The current calibration function is therefore based on the QAL2 undertaken in June 2021. The AST for particulates undertaken in May 2022 passed. NRW have requested that a further QAL2 is undertaken for particulates as a result of the number of exceedances being seen to see if a new calibration function can be derived. The Operator has also stated that they are going to install a parallel particulate probe.

Action 1: An update should be provided to NRW by 3rd September 2024 as to when the QAL2 is being completed and when the second particulate probe is to be installed.

Schedule Notifications were received for the exceedances in accordance with Condition 4.3.1, however, a number of Part B's remain outstanding.

Action 2: Part Bs for the outstanding Q1 and Q2 notifications should be submitted once the investigations have been completed. Further non-compliances may be applied following a review of these.

2. 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 Q2.

Following an on site audit on 18th June 2024 concerns were raised regarding the hazardous nature of the bottom ash. NRW's Hazardous Waste Team are reviewing the results and are liaising with the Operator. Any issues will be addressed separately.

3. Emergency Relief Valve (ERV)

The ERV opened on 4 occasions during the quarter. The reports indicate that the ERV opened as result of high boiler recirculation temperatures.

Action 3: Further investigations should be undertaken to investigate the root cause of the high boiler recirculation temperatures and actions put in place to avoid future occurrences. An update should be provided to NRW by the 30th September 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.