

## Compliance Assessment Report CAR\_NRW0045922

**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:** 31/12/2024.

**Parts of permit assessed:** Q4 2024 and Annual Returns.

**NRW Lead Officer:** Rebecca Harwood.

**Report sent to:** SHEQ Lead, SHEQ Lead, on 14/02/2025.

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

Part of permitted activity assessed (compliance criteria)	Assessment result	Permit condition
IR3A(2) - Installations - Emissions and monitoring - Emissions to air	C3 Minor	3.2.1
IR3A(2) - Installations - Emissions and monitoring - Emissions to air	C3 Minor	3.2.1
IR3A(2) - Installations - Emissions and monitoring - Emissions to air	C3 Minor	3.2.1
IR3A(2) - Installations - Emissions and monitoring - Emissions to air	C3 Minor	3.2.1
IR3A(2) - Installations - Emissions and monitoring - Emissions to air	C3 Minor	3.2.1
IR3A(2) - Installations - Emissions and monitoring - Emissions to air	C3 Minor	3.2.1
IR3A(2) - Installations - Emissions and monitoring - Emissions to air	C2 Significant	3.2.1
IR3E - Installations - Emissions and monitoring - Monitoring	C3 Minor	3.6.1
IR4B - Installations - Information - Reporting	Action only (X)	
IR4C - Installations - Information -	C3 Minor	4.3.1

Part of permitted activity assessed (compliance criteria)	Assessment result	Permit condition
Notification		
IR4B - Installations - Information - Reporting	Action only (X)	
IR4B - Installations - Information - Reporting	C3 Minor	4.2.5
IR1A - Installations - Management - General Management	C3 Minor	1.1.1

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

Total non-compliances recorded	Total non-compliance score
11	71

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(2)	see Action 1	Already completed
IR3A(2)	see Action 1	Already completed
IR3A(2)	see Action 1	Already completed
IR3A(2)	see Action 1	Already completed
IR3A(2)	see Action 1	Already completed
IR3A(2)	see Actions 4 & 5	17/03/2025
IR3A(2)	see Actions 4 & 5	17/03/2025
IR3E	see Actions 3 & 6	31/03/2025
IR4B	see Actions 2 & 9	24/02/2025
IR4C	see Actions 7 & 8	24/02/2025
IR4B	see Action 10	17/03/2025
IR4B	see Action 11	17/02/2025
IR1A	see above actions	31/03/2025

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

This Compliance Assessment Report (CAR) follows the submission of Quarter 4 2024 (October – December 2024) monitoring data and the 2024 annual monitoring returns.

### 1. Q4 CEMS monitoring

CEMS monitoring data continues to be received monthly from the Operator.

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 Q4. Exceedances across the quarter have been consolidated per parameter.

Hydrogen Chloride - exceedances of the ½ hour average ELV of 60mg/Nm<sup>3</sup> were recorded during October and November 2024. **This has been scored a category 3 breach of Condition 3.2.1 against compliance criteria (IR3A(2)) Emissions to air.** Exceedances of the daily average of 8mg/Nm<sup>3</sup> were recorded in October 2024. **This has been scored a category 3 breach of Condition 3.2.1 against compliance criteria (IR3A(2)) Emissions to air.**

Sulphur dioxide - exceedances of the ½ hour average ELV of 200mg/Nm<sup>3</sup> were identified during October and November 2024. **This has been scored a category 3 breach of Condition 3.2.1 against compliance criteria (IR3A(2)) Emissions to air.** An exceedance of the daily average of 40mg/Nm<sup>3</sup> was also recorded in October 2024. **This has been scored a category 3 breach of Condition 3.2.1 against compliance criteria (IR3A(2)) Emissions to air.**

CO - exceedances of the daily average of 50mg/Nm<sup>3</sup> were recorded in November 2024. **This has been scored a category 3 breach of Condition 3.2.1 against compliance criteria (IR3A(2)) Emissions to air.**

**Action 1:** The Operator should continue to investigate and undertake root cause analysis into future emissions exceedances.

The root causes of the exceedances during 2024 as detailed on the Schedule 5 Notifications are being reviewed and further non compliances may be applied.

### 2. Monthly dioxin monitoring

An exceedance of the monthly dioxin ELV was recorded in September 2024 - 0.5726ng/Nm<sup>3</sup> against an ELV of 0.08ng/Nm<sup>3</sup>. **This has been scored a category 3 breach of Condition 3.2.1 against compliance criteria (IR3A(2)) Emissions to air. See Actions 4 & 5 below.**

This exceedance was not notified to NRW at the time, a Schedule 5 Notification was submitted on the 7<sup>th</sup> January 2025. **The non compliance relating to notifications has been consolidated, see Section 4 Notifications.**

The Part B of the Schedule 5 notification states *"Daily operations, furnace conditions and waste loading were checked and indicate nothing out of the ordinary. This will be discussed with the engineering department to explore carbon dose rated and this will be related to the wastes being incinerated."*

A further exceedance of the monthly dioxin ELV was recorded in December 2024 - 0.1266ng/Nm<sup>3</sup> against an ELV of 0.08ng/Nm<sup>3</sup>. **This exceedance has been consolidated with November's 6m exceedance, see Section 3 Biannual Air Emissions Monitoring and Actions 4 & 5 below.**

This exceedance was notified to NRW following a request for the data on 12<sup>th</sup> February 2025. A Schedule 5 notification has not been received. **The non compliance relating to notifications has been consolidated, see Section 4 Notifications.**

Monthly monitoring was not undertaken during January, June and October 2024 due to plant breakdown when the monitoring was scheduled. This has not been scored on this occasion as these events were unforeseen.

**Action 2:** January and February 2025 dioxin monitoring results should be forwarded to NRW as soon as they are received by the Operator.

**Action 3:** Ensure monthly dioxin monitoring is undertaken during March, following the shut down, once start up has been completed and steady operational state has been achieved.

### 3. Biannual Air Emissions Monitoring

Biannual air emissions monitoring was undertaken from emission point A1 during November 2024. An exceedance of dioxins of 3.69ng/Nm<sup>3</sup> against an ELV of 0.06ng/Nm<sup>3</sup> was recorded. **This has been scored a category 2 breach of Condition 3.2.1 against compliance criteria (IR3A(2)) Emissions to air, consolidated.**

**Action 4:** Provide a summary and timeline of the steps undertaken to address the elevated dioxin levels since the September exceedance. This should be provided to NRW by 03/03/2025.

**Action 5:** Further investigation into the root cause of the dioxin exceedances should be completed, including the outcome of discussions with the engineering department. This investigation report and subsequent actions with timescales should be submitted to NRW by 17/03/2025.

Further scores may be applied following a review of this information.

There were no other exceedances of the ELVs.

PAH testing was not completed as part of the 6 monthly monitoring undertaken in November 2024. It is the responsibility of the Operator to ensure that all monitoring is undertaken in accordance with the permit. **This has been scored a category 3 breach of Condition 3.6.1 against compliance criteria (IR3E) Monitoring.**

**Action 6:** The missing parameters should be monitored as soon as practicable and the results forwarded to NRW upon receipt. Nb: This monitoring cannot be submitted as part of the 6 monthly monitoring suite for 2025.

#### 4. Notifications

The Operator did not submit schedule notifications for exceedances in accordance with Condition 4.3.1. ELV exceedances were identified by NRW and the schedule notifications requested. **This has been scored a category 3 breach of Condition 4.3.1 against compliance criteria (IR4C) Notification.**

**Action 7:** Part Bs remain outstanding for the following exceedances and should be submitted by 24/02/2025.

- CO 13/07/2023
- HCI 03/07/2024
- HCI 01/08/2024

**Action 8:** Ensure all relevant staff review monitoring data to identify exceedances and are aware of the requirements to notify non compliances to NRW in accordance with Conditions 4.3.1 and 4.3.2.

#### 5. 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.

IBA is currently being sent to hazardous landfill. NRW have not yet received the sampling protocol as raised in the Hazardous Waste Audit.

#### 6. Annual Performance

The annual performance spreadsheet and other annual reporting requirements were submitted to NRW in accordance with condition 4.2.2.

Queries were raised with the Operator in relation to abnormal operations during an onsite meeting in January. Subsequently the annual performance spreadsheet was resubmitted on the 4<sup>th</sup> February 2025.

Despite having been requested, the submission of the AST for 2024 remains outstanding.

**Action 9:** Submit the AST for 2024 to NRW by 24/02/2025.

## 7. Emergency Relief Valve (ERV)

The ERV opened on 13 occasions during Q4 2024. Reasons as to why the ERV opened have not been provided in relation to all the reports. The Operator has stated that they are reissuing a toolbox talk to relevant staff to ensure the relevant information is provided to NRW when the ERV activations are rung through to NRW.

During 2024 the ERV opened on 24 occasions. NRW do not expect the ERV to open this often.

**Action 10:** Further work is required by the Operator to investigate the root causes of the ERV activation and identify any remedial works required. A programme of work to address the root causes should be implemented. An update should be provided to NRW by 17/03/2025.

Further scores may be applied on review of this information.

## 8. Waste Returns

Condition 4.2.5 requires that quarterly waste returns for the previous quarter shall be submitted within one month of the end of the reporting period. Quarterly waste returns have been received from the Operator; however, discrepancies were found during the hazardous waste audit in June 2024. Consignee returns were not correlating with the waste returns and some consignment note numbers contained EWC codes that were not reported on the waste returns.

**The anomalies found in this audit (as detailed in Hazardous Waste Audit Report- Inspection 18/06/24- HWARNW03) have been scored a breach of condition 4.2.5 against compliance criteria (IR4B) Reporting.**

The Operator is currently reviewing their waste returns and an extension for their submission / resubmission has been agreed.

**Action 11:** Quarterly waste returns to be submitted by 17/02/2025.

A review of waste returns will be undertaken separately.

## 9. General Management

Condition 1.1.1 states:

*The operator shall manage and operate the activities:*

*(a) in accordance with a written management system that identifies and minimises risks of pollution, including those arising from operations, maintenance, accidents, incidents, non-conformances, closure and those drawn to the attention of the operator as a result of complaints; and*

(b) *using sufficient competent persons and resources.*

A number of permit breaches have been identified and highlighted within this CAR. Emissions exceedances and subsequent notifications are not being raised as required by the permit, there has been a delay in reporting exceedances and monitoring has been missed. There have been delays in providing information that has previously been requested. The ERV continues to be activated frequently, it is unclear whether trends are being reviewed and root causes being addressed. **A category 3 breach of condition 1.1.1 against compliance criteria (IR1A) General Management has been applied.**

An audit of management systems, training and competencies will be undertaken by NRW during 2025.

NRW are considering their enforcement response.

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.