

Compliance Assessment Report CAR_NRW0039229

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 carried out: Audit, Reason: Routine.

On 02/12/2021 between 08:45 and 16:00.

Parts of permit assessed: OMA - Air

NRW Lead Officer: Rebecca Harwood, accompanied by Stuart Ross, Rob Hester.

Report sent to: Helder Daravano, Operations Director on 08/02/2022.

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

Part of permitted activity assessed (criteria)	Assessment result	Permit condition
C2 - General Management - Management system and operating procedures	C2 Significant	Condition 1.3.1
C1 - General Management - Staff competency/training	C3 Minor	Conditions 2.3.2, 2.3.3
E1 - Emissions - Air	Action only (X)	
B5 - Infrastructure - Plant and equipment	C4 No impact	Condition 2.10.10.1

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

Total number of non-compliances recorded	Total non-compliance score
3	35.1

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
C2	See text below	31/03/2022
C1	See text below	31/03/2022
E1	See text below	28/02/2022
B5	See text below	31/03/2022

Action 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

An Operator Monitoring Assessment audit for emissions to air was undertaken on 02 December 2021.

The OMA highlighted a number of issues relating to procedures, staff responsibilities, competency and understanding of permit monitoring requirements.

Policies and procedures do not accurately reflect the requirements of the permit and actions that may be needed following any monitoring, there is also uncertainty around certain areas of responsibility.

When reviewing the CEMS DAHS in the control room, this showed that the calibration functions following the QAL2 campaigns in both February and May 2021 had not been applied. Tradebe confirmed via email on the 21 December 2021 that they had not been applied and this would be actioned immediately. A further visit to site on 19 January 2022 identified that the calibration function had still not been applied. The correct calibration functions were applied later that day. It is considered that the root cause of this is a combination of lack of understanding with regard to requirements of BS EN 14181 and the permit, actions not being documented in procedures, responsibilities not clearly identified and inadequate training provided.

The lack of adequate procedures and management of the CEMS, including the updating of the calibration functions has been scored a CCS2 breach of Condition 1.3.

The lack of training for key personnel meaning they are unaware of the actions required following monitoring campaigns has been scored a CCS3 breach of Condition 2.3.2 and 2.3.3

Action 1: Investigate why the calibration functions were not updated and report back by the 28 February 2022.

Action 2: Review all monitoring and reporting procedures relating to CEMS and DAHS to ensure they reflect permit requirements, BS EN 14181 and roles and responsibilities. The procedures should explicitly include the need to update calibration functions. Procedures should be provided to NRW by 31 March 2022.

Action 3: Provide suitable training to those staff identified within the revised procedures and document this. Evidence of staff training to be provided to NRW by the 31 March 2022.

Action 4: Review audit procedures and ensure internal audits are undertaken that include reviewing emissions monitoring and permit compliance. These should be provided to NRW by the 31 March 2022.

As a result of the calibration functions not being applied correctly the emissions data submitted for the majority of 2021 is incorrect.

Action 5: Resubmit all 2021 emissions data following the input of the correct calibration

function onto the CEMS DAHS by the 28 February 2022.

Any emissions breaches will be dealt with separately following resubmission of the data.

Issues were identified with the sampling platform. The unsealed ports and debris on the platform from nearby duct works should be rectified. **This has been scored a CCS4 breach of Condition 2.10.10.1.**

Action 6: Ports shall be fitted with covers to ensure an effective seal. Evidence showing this has been completed should be submitted to NRW by the 31 March 2022.

Advice & Guidance: It is recommended that the Operator introduce routine platform inspections before monitoring activities take place and ensure the platform remains clear of debris.

Further recommendations and details of the audit can be found in the accompanying OMA audit report.

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.

What are suspended scores?

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 and Waste action criteria (used in section 1 and 2):**A: Permitted activities**

- A1 Specified by permit

B: Infrastructure

- B1 Infrastructure – Engineering for prevention and control of emissions
- B2 Infrastructure – Closure and decommissioning
- B3 Infrastructure – Site drainage engineering (clean and foul)
- B4 Infrastructure – Containment of stored materials
- B5 Infrastructure – Plant and equipment

C: General management

- C1 General management – Staff competency/training
- C2 General management – Management system and operating procedures
- C3 General management – Materials acceptance
- C4 General management – Storage, handling, labelling and segregation

D: Incident management

- D1 Incident management – Site security
- D2 Incident management – Accidents, emergency and incident planning

E: Emissions

- E1 Emissions – Air
- E2 Emissions – Land and groundwater
- E3 Emissions – Surface water
- E4 Emissions – Sewer
- E5 Emissions – Waste

F: Amenity

- F1 Amenity – Odour
- F2 Amenity – Noise
- F3 Amenity – Dust/fibres/particulates and litter
- F4 Amenity – Pests/birds and scavengers
- F5 Amenity – Deposits on road

G: Monitoring and records, maintenance and reporting

- G1 Monitoring and records, maintenance and reporting – Monitoring of emissions and environment
- G2 Monitoring and records, maintenance and reporting – Records of activity, site diary/journal/events
- G3 Monitoring and records, maintenance and reporting – Maintenance records
- G4 Monitoring and records, maintenance and reporting – Reporting and notification to Natural Resources Wales

H: Resources efficiency

- H1 Resource efficiency – Efficient use of raw materials
- H2 Resource efficiency – Energy efficiency

Enforcement response

Any permit condition non-compliance 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 20 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 – 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.