

Compliance Assessment Report CAR_NRW0039272

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 carried out: Unknown, Reason: Incident Response (Incident number 2108992).

On 04/11/2021.

Parts of permit assessed: Other

NRW Lead Officer: Rebecca Harwood.

Report sent to: Helder Daravano, Operations Director on 16/02/2022.

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

Part of permitted activity assessed (criteria)	Assessment result	Permit condition
G4 - Monitoring and Records, Maintenance and Reporting - Reporting and notification to Natural Resources Wales	C4 No impact	Condition 4.3.2
C1 - General Management - Staff competency/training	C3 Minor	Condition 1.1.1
B3 - Infrastructure - Site drainage engineering (clean and foul)	Action only (X)	
G2 - Monitoring and Records, Maintenance and Reporting - Records of activity, site diary/journal/events	Action only (X)	
A1 - Specified by permit	Action only (X)	

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

Total number of non-compliances recorded	Total non-compliance score
2	4.1

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
G4	See Actions 1 & 2 below	28/02/2022
C1	see Actions 3 & 4 below	31/03/2022
B3	See Action 5 below	31/03/2022
G2	See Action 6 below	31/03/2022
A1	See Action 7 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.

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 CAR follows a fire at the HDU facility on 4th November 2021.

The NWFRS notified NRW that they were called to a fire at the Tradebe Wrexham site.

A Schedule 5 notification was received on 1 December 2021 following several requests by NRW officers. **The delay in submitting the notification has been scored a CCS4 breach of Condition 4.3.2.**

Action 1: Review reporting procedures and ensure that all notifications relating to the facility are reported in accordance with Section 4.3 of the permit.

Action 2: Ensure appropriate staff are trained on the reporting requirements of the permit.

It is understood that the fire was a result of thermal heating fluid igniting in the emptied holoflite which was warming up for restart following maintenance. However, during a site visit on 19 January 2022 there was a discussion indicating that there may have been some waste material within the holoflite that may have caught alight during the start up.

Safe Working Procedure 1.2 (HDS Start Up & Shut Down) has been provided to NRW. This is dated 2019 and is due a review in 2024. It is unclear whether this procedure was followed. The procedure does not detail to check for any leaks or residual rubbish that could cause an issue during start up.

The training matrix supplied for the two staff in charge of the plant at the time of the fire have a competence level of 2 and 3 (out of 5) for the Start up and Shut down of the HDU. There are also a number of maintenance activities detailed in the matrix that are lacking any competency level details. The training matrices are not dated so it is not possible to tell when these were last reviewed.

The lack of robust procedures and training has been scored a CCS3 breach of Condition 1.1.1

Action 3: Review and update SWP 1.2. This should be submitted to NRW by 31.03.2022.

Action 4: Ensure adequate training is provided to operatives operating the HDU especially during periods of start up / shut down and provide evidence that this has been completed by 31.03.2022.

The initial notification states "all cooling water was contained within the building". The Operator has subsequently stated that the firewater was contained within the HDU bund and collected by Enviroclear, along with waste from the bin wash sump.

Following discussions with the Operator since the fire, NRW officers have been given conflicting information regarding the drainage. The drainage plan dated 04.01.2021 indicates that the sump pump linked to the bin wash goes to the foul sewer, and, water within the building would also drain to foul sewer via the bin wash.

Action 5: Please confirm the capacity of the HDU bund and bin wash sump. Confirm whether the water within the bin wash sump is manually or automatically pumped to sewer and how the water within the bin wash sump is isolated.

NRW have been provided with a Controlled Waste Transfer Note and a Hazardous Waste Regulations Consignment Note for the water removed by Enviroclear. Part B of the consignment note provided states 25,000kg of liquid was removed, but Part E shows the amount received as 4,180kg on 09.11.2021.

Action 6: Please confirm how many loads were removed from site, how much water was removed from site and where it was held between collection and disposal.

Advice & Guidance: The Emergency and Incident Response Plan is due a review at the end of 2022, however as a result of this fire and the number of personnel changes over the last couple of years I suggest it is reviewed immediately.

Fire Prevention and Mitigation Plan (FPMP)

A draft FPMP was submitted to NRW as part of Improvement Condition 29 and is linked to Condition 3.7. The FPMP should reflect any learning from the recent fire at the HDU and the fire at Bellshill Transfer Station in Scotland. Currently the submitted document does not adequately address the requirements of NRW's Guidance Note 16 - Fire Prevention & Mitigation Plan Guidance - Waste Management [Guidance No. 16 Fire prevention and mitigation plan - waste management \(cyfoethnaturiol.cymru\)](https://www.naturalresourceswales.gov.uk/guidance/guidance-no-16-fire-prevention-and-mitigation-plan-waste-management). This guidance note should be reviewed and the Operator should ensure that all points are addressed within its FPMP as it stipulates the fire prevention standards the Operator must follow when formulating a site specific FPMP.

Action 7: Review and resubmit the FPMP to NRW by 31.03.2022.

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.