

## Compliance Assessment Report CAR\_NRW0039281

**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:** Report/Data Review, Reason: Routine.

On 30/12/2021.

Parts of permit assessed: Monitoring returns

**NRW Lead Officer:** Rebecca Harwood.

**Report sent to:** Helder Daravano, Operations Director on 18/02/2022.

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

Part of permitted activity assessed (criteria)	Assessment result	Permit condition
E1 - Emissions - Air	C3 Minor	2.2.1.3
E1 - Emissions - Air	C3 Minor	2.2.1.3
E1 - Emissions - Air	C3 Minor	2.2.1.3
B5 - Infrastructure - Plant and equipment	C3 Minor	2.3.5
G1 - Monitoring and Records, Maintenance and Reporting - Monitoring of emissions and environment	C4 No impact	2.10.4
C1 - General Management - Staff competency/training	C3 Minor	2.3.2
C2 - General Management - Management system and operating procedures	Action only (X)	
G4 - Monitoring and Records, Maintenance and Reporting - Reporting and notification to Natural Resources Wales	C3 Minor	5.1.1.6
B5 - Infrastructure - Plant and equipment	Action only (X)	
G2 - Monitoring and Records, Maintenance and Reporting - Records of activity, site diary/journal/events	Action only (X)	
H1 - Resource Efficiency - Efficient use of raw materials	Assessed (A)	
H2 - Resource Efficiency - Energy efficiency	Assessed (A)	
G4 - Monitoring and Records, Maintenance and Reporting - Reporting and notification to Natural Resources Wales	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
7	24.1

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
E1	See Action 1 below	28/02/2022
E1	See Action 1 below	28/02/2022
E1	See Action 1 below	28/02/2022
B5	See Action 2 below	31/03/2022
G1	see Actions 3 & 4 below	31/03/2022
C1	see Action 5 below	31/03/2022
C2	see Actions 6 & 7 below	31/03/2022
G4	See Actions 8 & 9 below	28/02/2022
B5	See Action 10 below	04/03/2022
G2	see Action 11 below	04/03/2022
G4	See Action 12 & 13 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 compliance assessment report follows the submission of 2021 monitoring and performance data with the exception of the CEMS data. The 2021 CEMS data will be reviewed separately once resubmitted.

### **1. Biannual Air Emissions Monitoring**

Condition 2.2.1.3 requires that emissions to air will not exceed levels set out in Table 2.2.2. Bi-annual monitoring from emission point A1 was undertaken in June and November 2021.

There were no ELV breaches during the June 2021 monitoring.

A Schedule Notification was received on 16 December 2021 relating to elevated emissions and breaches of ELVs following the 6 monthly extractive monitoring undertaken on 4 November 2021.

**Mercury - 0.2 mg/m<sup>3</sup> against an ELV of 0.05 mg/m<sup>3</sup> - this has been scored a CCS3 breach of permit Condition 2.2.1.3.**

**Heavy metals - 4.5 mg/m<sup>3</sup> against an ELV of 0.5 mg/m<sup>3</sup> - this has been scored a CCS3 breach of permit Condition 2.2.1.3.**

**Dioxins & Furans - 0.21 ng/m<sup>3</sup> against an ELV of 0.1 mg/m<sup>3</sup> - this has been scored a CCS3 breach of permit Condition 2.2.1.3.**

**Action 1:** Retest completed, please forward results on receipt.

The Operator stated that an immediate plant inspection revealed a failure of the carbon screw shaft key. The control screen was displaying as working satisfactorily, however the signal that demonstrated this came from the motor rather than the screw. Carbon consumption was checked and this was equivalent to previous year usage suggesting that the screw malfunction was a short term failure. **Based on the information provided it appears that the root cause of the ELV breaches relates to the maintenance and inspection of the plant. This has been scored a CCS3 breach of permit against Condition 2.3.5.**

The Operator stated that an upgraded carbon delivery indication would be fitted to the carbon screw at the shutdown scheduled for early January.

**Action 2:** Please confirm that the works identified above were completed and that regular routine checks are now being undertaken on the carbon dosing system. Please forward check sheets and records demonstrating compliance and the procedure linked to these checks to NRW by 31.03.2022.

## **2. Bottom Ash & APC residues**

Bottom Ash TOC sampling was undertaken in accordance with Conditions 2.2.8.1 and 2.6.6. Ash composition for all quarters remained below the 3% TOC limit.

Bottom Ash sampling was undertaken in accordance with Conditions 2.10.4.

**APC residues sampling was missed in Q4. This has been scored a CCS4 breach of Condition 2.10.4.**

**Action 3:** The Operator has stated that they have sent off a sample of APCr for testing. Please submit these results when they are received and ensure that separate samples are submit for Q1 2022.

**Action 4:** Ensure sampling is undertaken in accordance with the permit and that any monitoring schedules reflect all monitoring requirements within the permit.

**Failure to identify that the monitoring had been missed until the results were**

**requested by NRW has raised a competency and training issue and has been scored a CCS3 breach of Condition 2.3.2**

**Action 5:** Review and update sampling procedures to ensure monitoring is undertaken in accordance with the permit and operatives and are aware of their responsibilities. Provide update to NRW by 31.03.2022.

Having reviewed the data for Q1 - Q4, further analysis of the data is required by the Operator. Although no ELVs are set for the emissions, the results vary considerably over the quarters. Eg the Zinc concentration in the APC residues in Q2 is reported at 16,794mg/kg which is considerably higher than usually reported; the Thallium concentration in the Bottom Ash is reported at 2.9mg/kg in Q3 again higher than usually reported.

**Action 6:** Provide current sampling procedures for Bottom Ash and APC residues to NRW by 04.03.2022.

**Action 7:** Demonstrate what actions are taken when anomalies or extremes are identified. The Audit and Inspection Policy previously supplied does not cover any review of monitoring data or subsequent validation of this data. Provide update to NRW by 31.03.2022.

### **3. Emergency Relief Vent (ERV)**

NRW were notified 11 times during the course of 2021 regarding the ERV opening. 8 were called through to NRW's Incident Communications Centre at the time and a further 3 incidents that were sent directly to NRW officers after the event. Notifications should be submitted in accordance with Condition 5.1.1.6. All but one of the reports was submitted on the day of the ERV opening.

Due to the number of openings notified, and the fact that there were none notified prior to June 2021 a review of the April - June Daily Shift Logs was undertaken. It is noted that:

- 11.04.2021 plant trip 23:40 - it is unclear whether the ERV opened as a result
- 12.04.2021 plant trip 06:00 - it is unclear whether the ERV opened as a result
- 17.04.2021 vent opened at 15:20 - no further details
- 27.05.2021 plant trip 04:37 - power failure - historic information suggests the ERV opens when there is a power failure
- 07.06.2021 vent open 22:00 - no further details

**These examples suggest that there were further ERV opening events that NRW were not notified of. This has been scored a CCS3 breach of Condition 5.1.1.6.**

**Action 8:** Ensure all occurrences of the ERV opening are notified to NRW in accordance with Condition 5.1.1.6 and that procedures are reviewed and updated as necessary to reflect this. This should be implemented immediately.

**The root cause of the lack of notifications relates to staff competency and training. This has been scored a CCS3 breach of Condition 2.3.2 (consolidated with failure to**

**sample breach above).**

**Action 9:** Ensure adequate training is provided to staff so that all ERV openings are notified to NRW and logged as part of abnormal operations. This should be implemented immediately.

Please note that the ERV opening is included as part of abnormal operations. Any hours where the ERV is open should be logged on the abnormal operation log and count towards the 60hours allowed within the permit (Condition 2.1.12).

The number of occasions when the ERV opened is significantly more than is expected. Having reviewed the notifications it appears that the majority of the ERV openings relate to issues with the boiler.

**Action 10:** Investigate the boiler operation and why repeat issues are occurring causing the ERV to open. Please confirm what works were undertaken, if any, to the boiler during the January shutdown. Provide an update to NRW by 04.03.2022.

Condition 2.1.7 states that waste must cease being charged if the ERV is open.

**Action 11:** Please provide evidence that waste was not charged during these times by 04.03.2022.

#### **4. Annual performance reporting**

Condition 4.1.3 of the permit requires a report on the performance of the permitted activities over the previous year to be submitted. This report was received on the 28 January 2022.

Annual water, energy, waste and performance parameter data for the Incinerator has been reviewed and is summarised below:

**WUI** - Water usage has again increased slightly compared with 2020.

**E1** – Energy use has increased despite the use of Heliex. CO2 per tonne processed has also increased.

**RI** – APC residue tonnage is slightly increased from 2020 and Bottom Ash tonnages have reduced.

**P1** – Overall tonnages have dropped by around 7% compared to 2021, however there has been a significant increase in the Mass of Bottom Ash.

**Action 12:** Confirm the Bottom Ash tonnages reported on forms R1 and P1 and investigate the anomaly. Provide an update to NRW by 31.03.2022.

#### **5. Reporting**

Condition 4.1.6 requires the Operator to provide a summary report of the previous years progress against the EMS targets set. This has not been received.

**Action 13:** Submit Annual Improvement Targets Report by 31.03.2022.

## **6. Waste returns**

Waste returns were submitted for all quarters.

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](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.