

Compliance Assessment Report CAR_NRW0040439

Permit being assessed: SP3537VQ.

For: Bryn Pica AD Plant EPR/SP3537VQ, held by Biogen Bryn Pica Ltd

At: Bryn Pica Landfill Site , Aberdare, Rhondda-Cynon-Taff, CF44 0BX.

Type of assessment carried out: Report/Data Review, Reason: Routine.

On 22/09/2022.

Parts of permit assessed: Improvement conditions

NRW Lead Officer: Mostyn Wall.

Report sent to: Kathryn Dunham , Regional Compliance Officer on 22/09/2022.

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

Part of permitted activity assessed (criteria)	Assessment result	Permit condition
A1 - Specified by permit	Action only (X)	
A1 - Specified by permit	Action only (X)	
A1 - Specified by permit	Action only (X)	
A1 - Specified by permit	Action only (X)	
A1 - Specified by permit	Action only (X)	
A1 - Specified by permit	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
0	0

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
A1	IC2. Biogen to send further information on waste segregation. The procedures that identify when and where wastes are stored, and when the mixing of waste is allowed and how it is carried out. Further information is required, particularly with reference to Animal-by-Products Regulations (ABP) wastes which are accepted on site.	31/10/2022
A1	IC3. Biogen to provide further information (description or performance information) on the waste gas treatment process of the carbon filtration system; how does Biogen sample the carbon and what are the trigger levels and sample intervals?	31/10/2022
A1	IC3. Biogen to send in an inventory of the waste gas stream of the activate carbon filtration system and the results of the	31/10/2022

Criteria	Action needed	Complete by
	periodical Biogen testing of the carbon.	
A1	IC4. Biogen to provide further details on how the maximum waste storage capacity is not exceeded and how storage capacity is monitored in the Reception hall and Raw Waste Balance Tank.	31/10/2022
A1	IC5. Biogen to provide further information on the planed periodic improvement targets for improving energy efficiency. Give examples of the site and companies KPI's. Detail the how Biogen will review and record at least every four years whether there are suitable opportunities to improve the energy efficiency of the activities.	31/10/2022
A1	IC7. Biogen to comment how long each process parameter data will be saved or archived	31/10/2022
A1	IC7. Biogen to include trigger levels for each of the parameters with associated procedures in place if trigger levels are exceeded. NRW is required to understand certain trigger levels that will indicate when the process is not stable.	31/10/2022

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.

At this time, we do not intend to take any further action.

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

Biogen Bryn Pica submitted a document on the 17.02.2022 detailing the response the improvement conditions from permit EPR/SP3537VQ/V002 issued on 14.01.2021.

Each improvement condition is discussed below.

IC1 BAT 1

Biogen has submitted documentation for the EMS system showing how it meets the BAT conclusions.

BAT 1 vii. Following the development of cleaner technologies: Biogen submitted a environmental policy that commits Biogen to continually reviewing and seeking to improve the environmental benefits generated from the performance of its operational AD and composting sites. This meets the improvement condition.

BAT 1 ix. Regular sectoral bench marking: Biogen are audited under ISO9001, ISO14001, ISO45001 and PAS 110. Biogen gives further detail on internal benchmarking within the

Biogen AD portfolio. This meets the improvement condition.

BAT 1 x. Waste stream management (and BAT 2): See IC2 BAT 2

BAT 1 xi. The inventory of waste gas stream (and BAT 3): See IC3 BAT 3

BAT 1 xii. Residues Management Plan: Biogen submitted a residues management plan that meets the improvement condition.

BAT 1 xiii. Accident Management Plan: Biogen submitted an environmental accident management plan and meets the improvement condition.

IC2 BAT 2 (a) Waste characterisation and pre-acceptance procedures (e) Waste segregation. Biogen has submitted a pre-acceptance procedure document that details the pre-acceptance procedure. The pre-acceptance document meets the BAT requirements for BAT 2 (a). However, no documents discussed part e of BAT 2.

Action: IC2. Biogen to send further information on waste segregation. The procedures that identify when and where wastes are stored, and when the mixing of waste is allowed and how it is carried out. Further information is required, particularly with reference to Animal-by-Products Regulations (ABP) wastes which are accepted on site.

IC3 BAT 3 (i)(a) -The existing process flow diagram requires updating to include the emissions sources and in particular the activated carbon filtration system outlet.

Biogen has submitted an updated process flow diagram meeting the improvement condition 3 (i)(a).

(i)(b) the waste gas treatment description (carbon filtration system) including performance information.

Biogen has not submitted a description of the waste gas treatment process.

Action: IC3. Biogen to provide further information (description or performance information) on the waste gas treatment process of the carbon filtration system; how does Biogen sample the carbon and what are the trigger levels and sample intervals?

Biogen to provide a waste gas inventory (BAT 3 (iii)). The main purpose of this BAT is to identify the composition and quantity of the waste gas streams and its possible impacts. Biogen have not sent in an inventory of the waste gas stream from the reception hall and activated carbon filtration system

Action: IC3. Biogen to send in an inventory of the waste gas stream of the activate carbon filtration system and the results of the periodical Biogen testing of the carbon.

IC4 BAT 4. Adequate storage capacity

Biogen has sent in an overview of the storage capacity at the site for each part of the AD process. The treatment process reduces the volume of waste via shredding, compaction and reduction of volume by extracting methane gas. Biogen has an external contract for storage of digestate once the process is finished.

Action: IC4. Biogen to provide further details on how the maximum waste storage capacity is not exceeded and how storage capacity is monitored in the Reception hall and Raw Waste Balance Tank.

IC5. BAT 23. a) Energy efficiency plan b) Energy balance record.

Biogen has sent in documentation detailing the energy efficiency targets for the site and how the company reviews the KPIs and performance targets on a quarterly basis. Dashboards are used to track energy generation and use, flaring and waste received against set targets. Internal company benchmarking is used to compare the efficiency of each site within the business.

Biogen has submitted an energy balance chart showing the heat energy distribution to the different process at the site and the resulting CHP electricity distribution. This meets the improvement condition for BAT 23 part b.

Action: IC5. Biogen to provide further information on the planned periodic improvement targets for improving energy efficiency. Give examples of the site and companies KPI's. Detail the how Biogen will review and record at least every four years whether there are suitable opportunities to improve the energy efficiency of the activities.

IC6. BAT 24. Residues management plan.

Biogen has submitted a residue management plan and meets improvement condition 6, BAT 24.

IC7. BAT 38. Methodology for meeting process parameters listed in table S3.3

Biogen has submitted processes monitoring methodologies. Biogen has not included the trigger levels for each process parameter

Action: IC7. Biogen to comment how long each process parameter data will be saved or archived.

Action: IC7. Biogen to include trigger levels for each of the parameters with associated procedures in place if trigger levels are exceeded. NRW is required to understand certain trigger levels that will indicate when the process is not stable.

IC8. BAT 19 – impermeable surface.

Biogen has submitted a certificate of quality assurance that states that the tank farm bund has been designed in accordance with Ciria R164: Design of containment systems for the prevention of water pollution from industrial accidents (current advice document at the time of construction) and BS EN 1992-3:2006: Design of Concrete Structures, Liquid Retaining and Containing Structures. The certificate of quality assurance is dated the 23rd March

2015 and signed by Andrew R Gayler BSc (Hons) ICIOB For and on behalf of Central Design Consultants. This meets the improvement condition. This meets improvement condition 8, BAT 19.

END.

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.