

Compliance Assessment Report CAR_NRW0040807

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 13/12/2022.

Parts of permit assessed: Improvement conditions

NRW Lead Officer: Mostyn Wall.

Report sent to: Kate Lister, Compliance Director on 16/12/2022.

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

Part of permitted activity assessed (criteria)	Assessment result	Permit condition
A1 - Specified by permit	Assessed (A)	
C2 - General Management - Management system and operating procedures	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
C2	Biogen to send in DSEAR reviews and risk assessments when they are available	28/02/2023

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

Improvement Conditions submission November and December 22

In November and December 2022 Biogen submitted further information on the improvement conditions listed in permit SP3537VQ-V002 and in response to CAR form NRW0040439.

Improvement Condition 2. 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

Biogen submitted to NRW the feedstock pre acceptance procedure, information on the Animal By-product Regulations material and waste separation. The pre-acceptance requires a 3-stage sign-off by a representative from the Operations, Compliance and Laboratory/Research team. Samples are requested and analysed where appropriate, this is done on a risk basis. For liquid wastes Biogen undertake extensive sampling to understand the composition of the liquid. Waste is sorted using visual inspection, but Biogen are undertaking trials on another AD facilities where metal detectors are used to detect unwanted material.

This meets the improvement condition.

Improvement Condition 3. 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 have provided further information on the carbon filtration system and the sampling. 6 monthly samples are taken from the carbon media and sent for absorption capacity testing. The CTC (Carbon Tetrachloride Activity) level is measures the pore volume of the activated carbon. A trigger level of less than 10% shows that the carbon filter is spent and needs replacing.

This meets the improvement condition.

Improvement Condition 3. 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

Biogen have submitted an inventory of the waste gas stream and testing of the inlet and outlet stack emissions of the carbon filter at Bryn Pica. The carbon filter tested for Ammonia and Hydrogen Sulphide using the methods described by permit condition Table 3.1. The test was also done for Dimethyldisulphide, Toluene and p-Isopropyltoluene that make up the waste gas stream. The ammonia testing was measured at 0.61 mg/m³ meeting the permit condition (Permit limit of 20 mg/m³). Hydrogen sulphide has no emission limit. Odour was also tested on the 24th November using standard BS EN 13725. Biogen also submitted to NRW the installation Odour Abatement Maintenance Procedure that details the checks and maintenance carried to ensure high level performance of the odour abatement equipment and to prevent odours leaving the site. Extensive checklists detail the work to be undertaken at daily to 6 monthly / yearly checks.

This meets the improvement condition.

In respect of flammability, UEL and LELs, Biogen has appointed specialist consultants to conduct DSEAR reviews and risk assessments and they consider all aspects of the site's operation in these reviews.

ACTION – Biogen to send in DSEAR reviews and risk assessments when they are available.

Improvement Condition 4. *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*

Biogen submitted further information on the waste acceptance and storage capacity. Local authority waste is under contract and is a predictable volume. Additional waste is supplemented by the Biogen commercial team and only approved waste is accepted on site. Biogen has 14 AD sites and serve as a contingency for one another during periods of downtime, allowing waste to be diverted. Tank levels have level sensors and high-level probes. Level sensors for the raw waste balance tank are displayed on the SCADA system.

This meets the improvement condition.

Improvement Condition 5. *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.*

Biogen's Board of Directors set an annual target for operational energy efficiency (OEE) for each site, and this is then fed through into the financial budget. Biogen has a weekly OEE spreadsheet, this incorporates on a daily basis, the tonnes, target tonnes, % liquids, RWBT level and includes the reasons for any generation losses. The OEE performance is circulated weekly and a MTD performance calculated by site, this is shared with the relevant teams and provides for a comparison against all of our operational facilities. The variance to target is captured monthly by site and then all plants combined to give clarity on plants where greater focus is needed.

Biogen's The Commercial Director also has a target for sourcing higher KWOT (kilowatt per organic tonne) feedstock.

Biogen are looking to gain accreditation to ISO 14064 for Carbon Reduction in 2023, this will generate some additional actions/KPIs relating to carbon reduction.

A review of the annual Energy 1 report form which stipulates the energy usage will be reviewed as part of the 4-yearly review.

This meets the improvement condition.

Improvement Condition 7. *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. Biogen to comment how long each process parameter data will be saved or archived*

Biogen have submitted a list detailing the operational process parameters, trigger levels and actions to be taken once a trigger level is met or exceeded. All laboratory data is kept

for a minimum of 6 years as required by the permit. The process data is kept in the plant monitoring spreadsheet.

This meets the improvement condition.

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.