

Compliance Assessment Report CAR_NRW0041065

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 31/12/2022.

Parts of permit assessed: Annual Returns

NRW Lead Officer: Mostyn Wall.

Report sent to: Kathryn Dunham , Regional Compliance Officer on 10/02/2023.

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

Part of permitted activity assessed (criteria)	Assessment result	Permit condition
G1 - Monitoring and Records, Maintenance and Reporting - Monitoring of emissions and environment	Assessed (A)	
G1 - Monitoring and Records, Maintenance and Reporting - Monitoring of emissions and environment	C3 Minor	3.5.1

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

Total number of non-compliances recorded	Total non-compliance score
1	4

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
G1	Biogen to report to NRW when emission monitoring will be undertaken for A5. Biogen to use updated reporting forms that were issued on the 14th/01/22. Biogen to update its EMS to include emission monitoring from A5	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

Biogen Bryn Pica CAR form Annual Returns 2022

Annual production/treatment

In 2022 Biogen produced 3,071,362 m³ of biogas and treated 20,983.48 tonnes of waste.

Performance Indicators

Biogen reported their performance indicators for 2022. The 2022 reporting requirements follow the permit variation issued on the 14/01/2022.

The indicators can be seen below in the table

Reporting of other performance indicators for the year 2022 from 01/01/2022 to 31/12/2022

Parameter	Units
Power output – Electricity	8801.1 MWh
Energy efficiency	0.0026 MWh/m ³ biogas
Electrical energy exported to the grid	8083 MWh (Electricity Meter)
Electrical energy drawn from the grid	557 MWh
Energy usage	770.62 MWh
Water usage	2027 m ³
Surface water discharge (condition 3.5.1)	197 m³
Total raw material used	20,983.48 tonnes
Operational time of emergency flare	475 hours / 5.42% of operational time
Amount of biogas sent to emergency flare	269,126m³
Generation of residues	749.64 tonnes
Generation of waste water	0 m³
Amount of biogas combusted in the CHP unit per day	8414 m ³ /day
Operator's comments:	
<i>Information above includes water usage and energy usage required by S4.4</i> Items highlighted in bold are updated reporting requirements following the permit variation.	

Annual Environmental Report

The site submitted the annual environmental report on the 30/01/2023. The site has one CHP engine, 1,189 KWe Jenbacher CHP. The engine emissions test was carried out in November 2022.

The average methane content of the biogas during the reporting period was 60.7%. Biogen state that the methane content indicates the anaerobic digestion process is working well and producing a good quality biogas for combustion through the CHP, and is stable compared to last year's composition.

The site generated a total of 8801.1 MWh compared to 9837.7MWh (2021); a decrease on total generation year on year. This was due to the planned maintenance completed on the

CHP during the year which took the equipment offline for a period. Biogen state that the maintenance will improve the performance and longevity of the engine.

Emissions Monitoring

Biogen submitted emissions monitoring data on the 30th Jan 2023. The emissions to air for A1 CHP are compliant with the emission limit values.

Permit Number: EPR/SP3537VQ
Facility: Biogen Bryn Pica

Operator: Biogen (UK) Ltd
Form Number: Air1 16/01/14

Reporting of emissions to air for the period from 01/01/2022 to 31/12/2022

Emission Point	Substance / Parameter	Emission		Reference Period	Result ^[1]	Test Method ^[2]	Sample Date and Times ^[3]	Uncertainty ^[4]
		Limit Value						
A1 CHP Exhaust	Oxides of Nitrogen	500 mg/m ³	Hourly mean	258	BS EN 14792	24.11.22 9:50-10:50	+/- 14	
A1 CHP Exhaust	Carbon Monoxide	1400 mg/m ³	Hourly mean	663	BS EN 15058	24.11.22 9:50-10:50	+/- 35	
A1 CHP Exhaust	Sulphur Dioxide	350 mg/m ³	Hourly mean	27.6	BS EN 14791	24.11.22 9:50-10:50	+/- 1.8	
A1 CHP Exhaust	VOCs	1000 mg/m ³	Hourly mean	450	BS EN 12619:1999 or 13526:2002 depending on concentration	24.11.22 9:50-10:50	+/- 22	
A2 Flare Stack	Oxides of Nitrogen	150 mg/m ³	Hourly mean	N/A	BS EN 14792	N/A	N/A	
A2 Flare Stack	Carbon Monoxide	50 mg/m ³	Hourly mean	N/A	BS EN 15058	N/A	N/A	
A2 Flare Stack	VOCs	10 mg/m ³	Hourly mean	N/A	BS EN 12619:1999 or BS EN 13526:2002	N/A	N/A	

Biogen have not submitted emissions reporting for A5. Ammonia and Hydrogen Sulphide monitoring is required by the permit to be reported every 6 months from A5 using the forms issued to Biogen on the 14/01/2022.

Non-compliance: A category 3 non-compliance is given due to emissions monitoring for A5 has not been submitted. Monitoring is required to demonstrate the continued efficacy of their abatement equipment and that the environment is protected. This is a breach under condition 3.5.1. **It is an offence under Regulation 38(2) of the Environmental Permitting Regulations (consolidated 2016) to breach a permit condition or emission limit. Non-compliance score 4.**

Action. Biogen to report to NRW when emission monitoring will be undertaken for A5. Biogen to use updated reporting forms that were issued on the 14th/01/22. Biogen to update its EMS to include emission monitoring from A5.

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.