

Compliance Assessment Report CAR_NRW0044109

Permit being assessed: DP3735NP.

For: Waen Anaerobic Digestion Site, **held by:** Biogen Waen Ltd

At: Holywell Road, St Asaph, Denbighshire, St Asaph, Clwyd, LL17 0DS.

Type of assessment: Report/Data Review,

Reason: Routine.

On: 25/04/2024.

Parts of permit assessed: Improvement Conditions.

NRW Lead Officer: Kathryn Bradshaw.

Report sent to: Richard Harris, Environmental Compliance Officer, on 25/04/2024.

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

Part of permitted activity assessed (compliance criteria)	Assessment result	Permit condition
IR2E - Installations - Operations - Improvement programme	Assessed (A)	

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

Total 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?

No action required.

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

This Compliance Assessment Report (CAR) has been raised in relation to the improvement conditions (IC) listed in Schedule 1 Table S1.3.

Documents pertinent to the IC's were received on 17/02/22, 22/09/22, 19/10/22 and 15/03/2024. Previous CAR forms have also referenced the IC's – NRW0040140 and NRW0043398 in more detail.

This is a summary report to list the documents provided in relation to all the IC's. Following a review of all the documents submitted it is deemed that IC's 1-7 are all satisfied and complete.

The table below summarises the documents relevant to each IC:

Requirement	Documents Submitted
IC1 - BAT 1 vii - Following the development of cleaner technologies, BAT 1 ix - Regular sectoral benchmarking, BAT 1 x - waste stream management, BAT 1 xi - the inventory of waste gas stream, BAT 1 xii - residues management plan, BAT Xiii - accident management plan	Summary document detailing how the company meets IC's 1 to 3 dated 19/10/22. Environmental Policy dated 19/10/22. Residues Management Plan (V1) ISO14001 Certificate (expires 01/10/24) Accident Management Plan (V3)
IC2 - BAT 2 a) - waste characterisation and pre-acceptance, BAT 2 e) - waste segregation	Residues Management Plan (V1) Feedstock Pre-acceptance Procedure (V12) Feedstock Pre-acceptance form (V12)
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, BAT 3 (i)(b) the waste gas treatment description (carbon filtration system) including performance information, BAT 3 (iii) establish an inventory of waste gas to collate the information in accordance with BAT Conclusion 3 of the Waste Treatment BREF document	Odour Abatement Maintenance Procedure (V15) HACCP plan (V11) HACCP process flow (V8) Delivery off-loading and JCB Operation Procedure (V3) Revised 2023 Annual Report (15/03/2024) Pasteuriser fill/Discharge Procedure (V18)
IC4 - BAT 4 b) adequate storage facility	Waen AD IC response document (V008) dated 17/02/22
IC5 - BAT 23 - Energy efficiency plan and energy balance record	Waen AD IC response document (V008) dated 17/02/22
IC6 - BAT 24 - Maximise the reuse of packaging as part of a residues management plan	Residues Management Plan (V1)

<p>IC7 - The operator shall submit for approval a methodology for meeting the process parameters listed in Schedule 3b Table S3.3 as per BAT 38 for the anaerobic treatment of waste</p>	<p>Operational Control Parameters (V10)</p> <p>Plant Monitoring Spreadsheet Procedure (V7)</p> <p>Determination of alkalinity and pH procedure (V5)</p> <p>Screenshot of lab monitoring spreadsheet (27/07/22)</p> <p>Summary document entitled IC7 (dated 22/09/22) which details all tests and frequencies of the process parameters detailed in Schedule 3b Table S3.3</p>
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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.

If your assessment result in Section 1 is suspended, what does this mean?

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 compliance criteria (used in section 1 and 2):

1. Management

- IR1A – General management
- IR1B – Finance (only applicable to Landfill)
- IR1C – Energy efficiency
- IR1D - Efficient use of raw materials
- IR1E - Avoidance, recovery and disposal of wastes produced by the activities
- IR1F - Multiple operator installations

2. Operations

- IR2A – Permitted activities
- IR2B – The site
- IR2C – Operating techniques
- IR2D – Technical requirements
- IR2E – Improvement programme
- IR2F – Pre-operational conditions
- IR2G – Landfill engineering (only applicable to Landfill)
- IR2H – Waste acceptance (only applicable to Landfill)
- IR2I – Leachate levels (only applicable to Landfill)
- IR2J – Closure and aftercare (only applicable to Landfill)
- IR2K – Landfill gas management (only applicable to Landfill)

3. Emission and Monitoring

- IR3A – Emissions to water, air or land
- IR3B – Emissions of substances not controlled by emission limits
- IR3C – Odour
- IR3D – Noise and vibration
- IR3E – Monitoring
- IR3F – Pests
- IR3G – Air quality management plans
- IR3H – Monitoring for the purposes of the Industrial Emissions Directive (this heading includes Large Combustion Plants)
- IR3I – Fire

4. Information

- IR4A – Records
- IR4B – Reporting
- IR4C – Notification

Enforcement response

Any non-compliance with a permit condition 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 twenty 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 to 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.