

## Compliance Assessment Report CAR\_NRW0044247

**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:** Site Inspection,

**Reason:** Routine.

**On:** 09/05/2024 between 10:00 and 11:05.

**Parts of permit assessed:** See report.

**NRW Lead Officer:** Kathryn Bradshaw, accompanied by Ian Thomas2.

**Report sent to:** Stephen Roberts, General Manager, on 14/05/2024.

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

Part of permitted activity assessed (compliance criteria)	Assessment result	Permit condition
IR2A - Installations - Operations - Permitted activities	Assessed (A)	
IR2B - Installations - Operations - The site	Assessed (A)	
IR2C - Installations - Operations - Operating techniques	Assessed (A)	
IR1A - Installations - Management - General Management	Assessed (A)	
IR3C - Installations - Emissions and monitoring - Odour	Assessed (A)	
IR3F - Installations - Emissions and monitoring - Pests	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 form has been raised following a pre-arranged site inspection. This was a site familiarisation visit by the new regulating officer for the site, Kathryn Bradshaw accompanied by Ian Thomas from the Waste Regulation Team.

A full site tour was provided by the Environmental Permitting Manager and Site Manager. They explained the process from waste reception to digestate removal. The waste reception area was viewed which was all in good condition with the doors shut and a quarantine area for any non-conforming wastes. The waste reception hall and fibre separation room are both under negative pressure, with extracted air passed through dedicated carbon filters to remove odour prior to discharge to atmosphere.

The bunded area surrounding the digesters and associated storage and process tanks were in good condition. The new pasteuriser tank has been installed and had recently been sealed and once the curing time had passed it would be pressure and water tested. It is due to be back in operation in approximately 2 weeks. Unpasteurised waste is currently being sent to 2 other Biogen sites for pasteurisation.

Two IBC's which dose Ferric chloride and a nutrient were stored on secondary containment in between the 2 digester tanks.

No significant odours were noticed on site (external areas). There was a limited, localised odour from the biogas holder which has its own carbon filter. No odour was detected off site along Holywell Road. The results from the most recent monitoring of the carbon filter, 20th March 2024, was provided and was within the emission limit values (ELV's) for ammonia.

The SCADA system was viewed which monitors flows, tank levels, temperature, gas production and composition and the amount of electricity that is being generated. High level alarms are installed on all the tanks which if the high level was reached would stop the process. Waste reception occurs 8am – 5pm Monday to Friday and during these periods the plant is fully manned. Out of hours there is a Duty Manager rota, whereby by a member of staff attends the site at weekends to ensure the plant is operating normally. Plant telemetry / controls (SCADA) and CCTV is accessible remotely via mobile phone 24hrs/day. Alarms have been built into the system (to alert staff on duty), including CHP failure, site power loss and floods. In the event of an engine failure the flare will cut in

automatically as required. This also raises an alarm. The site has an emergency generator to ensure biogas can be managed safely in the event of a power cut.

Laboratory tests are undertaken three times a week on the digestate tanks for pH, alkalinity and hydrogen sulphide. These results are submitted centrally who will then advise of any actions to take.

The system that manages incoming wastes is done through a system called waste matrix. Every vehicle is weighed with driver details and vehicle registrations logged on the system at the reception area. Contracts for incoming wastes are managed centrally and approved before they arrive on site. The home screen on this system shows the annual permitted limit for the site and a current running total, which was demonstrated by the site manager. These figures can be examined in more detail through other screens. Paper copies of waste transfer notes are also kept on site.

### **Technical Competence**

Biogen has a companywide EU skills certificate, and all managers and engineers are trained to this level of competence. The site manager and engineer were on site at the time of the visit and are part of the duty manager rota as explained above. Copies of the EU skills certificate and most recent audit have been provided.

### **Q1 2024 Waste Returns**

The Q1 2024 waste returns were submitted in compliance with permit condition 4.2.5. The waste returns were reviewed, and no issues found.

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](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.