

Compliance Assessment Report CAR_NRW0048905

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: Audit,

Reason: Routine.

On: 17/07/2025 between 09:30 and 11:20.

Parts of permit assessed: See Report.

NRW Lead Officer: Kathryn Bradshaw.

Report sent to: Regional Compliance Manager, Regional Compliance Manager, on 23/07/2025.

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

Part of permitted activity assessed (compliance criteria)	Assessment result	Permit condition
IR1A - Installations - Management - General Management	Assessed (A)	
IR2A - Installations - Operations - Permitted activities	Assessed (A)	
IR2B - Installations - Operations - The site	Assessed (A)	
IR2C - Installations - Operations - Operating techniques	Assessed (A)	
IR3E - Installations - Emissions and monitoring - Monitoring	Assessed (A)	
IR4A - Installations - Information - Records	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 following a pre-arranged site inspection and Operator Monitoring Assessment (OMA).

OMA Air Audit

All air emissions monitoring for A1, the gas engine is carried out by suitably qualified MCERTS accredited external contractor. Air emissions monitoring for A5 is carried out by the operators Technical Competent Manager (TCM) who is certified MCERTS Level 2 and analysed by a MCERTS accredited laboratory.

The site's management system of air emissions monitoring is of a high standard.

The site achieved an overall score of 100% for the OMA audit for air. No recommendations were made.

Please refer to the full OMA audit report for more details.

Site Inspection

The site is still undertaking the de-gritting process and have now moved on to the final digester tank. Waste grit was being stored in a bay in the waste reception building. The building is under negative pressure and the doors were shut. There was a moderate ammonia type odour as well as food waste odour within the building but this could not be detected outside around the site. The digester tank was cordoned off whilst the tank was being de-gritted. The site is still accepting waste as the second digester is continuing to run.

During the site inspection the discharge point W1, surface water that can be discharged to an unnamed stream following visual checks was viewed. The penstock on this discharge is permanently closed and only discharged following a visual check and the site also tests for ammonia to ensure it is below 0.3ppm. Generally the site re-uses surface water for jet washing and use in the process tanks. A site diary was viewed showing the last discharge was on 1st April 2024 with no visible solids, oils or greases and an ammonia level of 0.1ppm.

Schedule 5

A Schedule 5 Part A and B was received on 27th April 2025 following a spill of approximately 5 tonnes of pre-digested material from the Raw Waste Buffer Tank (RWBT) on 19th April 2025. The spill was fully contained within the bunded area and there were no off site odour impacts. As the sites drainage system was isolated there was no pollution and the spill was cleaned on the same day. The root cause of the issue was found to be a clamp that had opened on the temporary by-pass pipework which had been set up for the scheduled de-gritting of the tank. The site immediately implemented the following measures;

- Daily integrity inspection of the bypass pipework
- Bypass pipework is taken offline at the end of each operating day with all valves closed and capped under a documented Permit to Work system

The site has now completed the de-gritting of the RWBT.

Periodic Groundwater and Soil Monitoring

Permit Condition 3.1.3 states;

Periodic monitoring shall be carried out at least once every 5 years for groundwater and 10 years for soil, unless such monitoring is based on a systematic appraisal of the risk of contamination.

In response to permit condition 3.1.3 Biogen submitted to NRW a Groundwater and Soil Monitoring Systematic Appraisal on 9th April 2025.

The report details the sites background, geology and nearest surface waters.

The report details the installations construction of the bunding and hardstanding which was constructed at the time compliant with CIRIA 164 which was superseded by CIRIA C726 in 2014. Containment at the site is detailed in table 1 and a source pathway receptor assessment is detailed in table 2. This details the contaminants, volume, the containment used at the site. Table 2 details the pathway, receptor and risk for each contaminant at the site.

The report documents that the sites construction and containment eliminate any pathways for pollution to enter the groundwater and soil and that the risk of any contamination of the facility is very low.

A site daily checklist was viewed showing recent visual checks made of the concrete bund, concrete apron and process tanks. These checks are conducted daily and any issues found would be raised through the sites Environment Management System (EMS). The site also has weekly meetings with the central compliance team where issues can be discussed. The bunded area and concreted area were checked during the site inspection although de-gritting of the digester was ongoing at the time so not all areas could be viewed in detail.

Biogen's submission of the Periodic groundwater monitoring and site condition report plus site inspection and audit on the management system meets the requirements of permit

condition 3.1.3. No groundwater or soil sampling is required in the current 5 year review as the sites containment captures any pollution and the risk of pollution entering the groundwater and soil is low. NRW will review the groundwater monitoring and risks in 2030.

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.