

Compliance Assessment Report

Report ID:
CAR_NRW0035234

This form will report compliance with your permit as determined by an NRW officer

Site	Bryn Pica AD Plant EPR/SP3537VQ		Permit Ref	SP3537VQ	
Operator/Permit holder	Biogen Bryn Pica Ltd				
Regime	Installations				
Date of assessment	11/06/2019	Time in	13:00	Out	14:00
Assessment type	Audit				
Parts of the permit assessed	De Gritting operation				
Lead officer's name	Taylor, Richard				
Accompanied by					
Recipient's name/position	Ufuoma Ilaya/ Regional Compliance manager	Date issued	12/06/2019		

Section 1 – Compliance Assessment Summary

This is based on the requirements of the permit under the Environmental Permitting Regulations or the licence under the Water Resources Act 1991 as amended by the Water Act 2003. A detailed explanation is captured in "Compliance Assessment Report Detail" (Section 2) and any actions you may need to take are given in the "Action(s)" (section 4). This summary details where we believe any non-compliance with the permit has occurred, the relevant condition and how the non-compliance has been categorised using our Compliance Classification Scheme (CCS). CCS Scores can be consolidated or suspended where appropriate, to reflect the impact of some non-compliances more accurately. For more details of our CCS scheme, contact your local office.

Permit conditions and compliance summary	CCS Category	Condition(s) breached
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KEY: See Section 5 for breach categories, suspended scores will be indicated as such.

A = Assessed or assessed in part (no evidence of non-compliance), **X** = Action only,

O = Ongoing non-compliance, not scored.

Number of breaches recorded	0	Total compliance score (see section 5 for scoring scheme)	0
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If the Number of breaches recorded is greater than zero, please see Section 3 for our proposed enforcement response

Section 2 – Compliance Assessment Report Detail

This section contains a report of our findings and will usually include information on:

- The part(s) of the permit that were assessed (eg. Maintenance, training, combustion plant, etc)
- Where the type of assessment was 'Data Review' details of the report/results triggering the assessment
- Any non-compliances identified
- Any non-compliances with directly applicable legislation
- Details of any multiple non-compliances
- Information on the compliance score accrued inc.
- Details of advice given
- Any other areas of concern
- Any actions requested
- Any examples of good practice
- A reference to photos taken

Permit SP3537VQ Biogen Bryn Pica Limited

Site visit 11th June 2019

Present; Ufuoma Ilaya, (Biogen Regional compliance manager), Stuart Gordon (Biogen Regional manager), Leigh Hawkins (Biogen Site Manager), Kirsty Lewis (NRW Officer), Richard Taylor (NRW Site Officer).

The purpose of the visit was a follow up to recent site maintenance issues. Site previously informed NRW on 20th May 2019 of the plan to carry out routine de gritting on its x2 main tanks. NRW raised several queries regarding site protection regarding the operation which site satisfactorily answered.

NRW Concern	Site Answer
Tank 1 port to be reprioritised as highest priority	The digestate tank needs to be lowered down and the tank de-gritted to allow for the port to be rectified.
Failing this, we would need to see the risk assessments and the method statements for this operation, so we can assess it prior to the works being carried out	Site sent method statement on 10 th June which covers the de gritting process satisfactorily.
We see an increased risk of in odour from the site which would have the knock-on effect of an increase in pest activity. (flies, scavengers, seagulls, rats etc) So we need to see this issue addressed as well as mitigation measures put in place	The material to go in the skip in the event of contingency is fully pasteurised and screened material (currently stored in the skip in the open fronted separator building), this material has less potential for odour and will be covered. It is unlikely that this results in any off-site odours. This is for contingency should the receiving site not be able to keep up with the production and to minimise the length of time to get the tank levels down to enable effective repair. In addition to the external pest control contractor, the site conducts daily pest checks and will continue to do so through this period, increasing

	the frequency if necessary)
We also need for you to assess the volume, and waste type you intend to store.	15 tonnes maximum of pasteurised, screened material and only if required for contingency only)
We do not want you to store the material outside overnight, even under a temporary cover. The material would have to be locked down to minimise odour and access by pests. If this cannot be secured, you need to remove the material each day.	Pasteurised and screened material and only as a contingency, also storage will be covered, monitored and will increase pest control checks – as this is contingency, it is unlikely we could guarantee its collection the same day, however the material is fully pasteurised and stabilised, so it has low potential (it's end use is for restoration). If the contingency was utilised and identified as an issue then we would make suitable arrangements to remove it from site, however this is unlikely as this material currently resides in an open skip in an open fronted building. We are proposing to sheet it).
We need you to confirm the start date and duration for the intended operation	level of tank is lowered from now and de-grit starts on the 24 th June and last around 3 weeks maximum). Please note the contingency skip is required only during the lowering of the digester tank liquid level and not throughout the entire de-grit.

On arrival at the site, the work had commenced. The temporary storage of digestate was seen to be a contingency measure only. The storage hall was seen to be under negative pressure to further contain the release of odorous material and deter attraction to scavengers and pests.

The control of waste digestate was checked. A master sheet was seen with waste transfer reference numbers which were checked back to the log for completeness of recording.

In summary of the operation was seen to be low risk to the environment. The measures seen in place and the management of the operation was seen to minimise risk.

End.

EPR Compliance Assessment Report

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Operator/Permit holder	Biogen Bryn Pica Ltd	Date	11/06/2019

Section 3 – Enforcement Response

You must take immediate action to rectify any non-compliance and prevent repetition.

Non-compliance with your permit conditions constitutes an offence and can result in criminal prosecutions and/or suspension or revocation of a permit. Please read the detailed assessment in Section 2 and the steps you need to take in Section 4 below.

Other than the provision of advice and guidance, at present we do not intend to take further enforcement action in respect of the non-compliance identified above. This does not preclude us from taking enforcement action if further relevant information comes to light or advice isn't followed.

Section 4 – Action(s)

This section summarises the actions identified during the assessment along with the timescales for when they will need to be completed.

Criteria Ref.	CCS Category	Action required/advised	Due Date
See Section 1 above			

Section 5 – Compliance notes for the Operator

To ensure you correct actual or potential non-compliance we may

- Advise on corrective actions verbally or in writing
- Require you to take specific actions verbally or in writing
- Issue a notice
- Require you to review your procedures or management system
- Change some of the conditions of your permit
- Decide to undertake a full review of your permit

Any breach of a permit condition is an offence and we may take legal action against you

- We will normally provide advice and guidance to assist you to come back into compliance either after an offence is committed or where we consider that an offence is likely to be committed. This is without prejudice to any other enforcement response that we consider may be required.
- Enforcement action can include the issue of a formal caution, prosecution, the service of a notice and/or suspension or revocation of the permit.

See our Enforcement and Civil Sanctions guidance for further information

This report does not relieve the site operator of the responsibility to

- Ensure you comply with the conditions of the permit at all times and prevent pollution of the environment
- Ensure you comply with other legislative provisions which may apply

Non-compliance scores and categories

CCS category	Description	Score
C1	A non-compliance that could have a major environmental effect	60
C2	A non-compliance which could have a significant environmental effect	31
C3	A non-compliance which could have a minor environmental effect	4
C4	A non-compliance which has no potential environmental effect	0.1

Operational Risk Appraisal (Opra) - Compliance assessment findings may affect your Opra score and/or your charges. This score influences the resource we use to assess permit compliance.

Section 6 – General information

Data protection notice

The information on this form will be processed by the Natural Resources Wales (NRW) to fulfil its regulatory and monitoring functions and to maintain the relevant public register(s). The NRW may also use and/or disclose it in connection with:

- Offering/providing you with its literature/services relating to environmental matters
- Consulting with the public, public bodies and other organisations (eg. 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 its service
- Freedom of Information Act/Environmental Regulations request

The NRW may pass it on to its agents/representatives to do these things on its behalf. You should ensure that any persons named on this form are informed of the contents of this data protection notice.

Disclosure of information

The NRW will provide a copy of this report to the public register(s). However, if you consider that any information contained in this report should not be released to the public register(s) on the grounds of commercial confidentiality, you must write to your local area office within fifteen working days of receipt of this form indicating which information it concerns and why it should not be released, giving your reasons in full.

Customer charter

What can I do if I disagree with this compliance assessment report?

If you are unable to resolve the issue with your site officer, you should firstly discuss the matter with officer's line managers using the informal appeals procedure. If you wish to raise your dispute further through our official Complaints and Commendations procedure, phone our general enquiry number 0300 065 3000 (Mon to Fri 08.00 – 18.00) and ask for the Customer Contact team or send an email to enquiries@naturalresourceswales.gov.uk. If you are still dissatisfied you can make a complaint to the Public Services Ombudsman for Wales. For advice on how to complain to the Ombudsman phone their helpline on 0845 607 0987.

Welsh Language

If you would like this form in Welsh please contact your Regulatory Officer.