

## Biofertiliser Certification Scheme Operators' Forum

Minutes for the meeting on 26<sup>th</sup> May 2021

### Online

#### Attendees:

Mark Baker	Re Food
Jo Chapman	Shropshire Biogas
Rebecca Taylor	Advantage Biogas
Sophie Swan	Adapt Biogas
Lucy Owen	Marches Biogas
Simon Walgate	GWE Biogas
Paul Chatterton	Merrivale Energy
Molly Rogers	REAL
Georgia Phetmanh	REAL
Gaynor Hartnell	Chair

### 1. Welcome and Introductions

GH welcomed everyone to the forum and initiated a roundtable introduction. GP gave a brief introduction to REAL and outlined the aim of the Forum. The Forum is not intended to duplicate the role of the TAC, but to take any issues raised at the Forum to the TAC. There were no questions on the role of the Forum and all attendees were happy with the minutes from the last meeting in October.

### 2. Actions from the last meeting

GP and MR provided updates on actions not covered during the meeting.

- *REAL to consider obtaining operator feedback to feed into CB tender evaluation process*

The next tender process will be run in 2022. REAL agreed that obtaining feedback from operators will be useful during that process and will ask for input nearer the time.

- *REAL to consider further analysis of datasets obtained from the environmental regulators*

REAL are going through this process and putting together the 2020 annual report. For Scotland, Wales, and NI, it is likely that there will be no further opportunity to look into this, but REAL will look to gain more information from the regulators for this to be possible.

- *REAL to update the BCS position on technical requirements to a clean version*

GP noted that this has been done with the revised draft of the next version, which is currently going through a consultation process with the CBs.

**ACTION: REAL to consider sending marked-up version (showing latest changes), along with clean version when updated BCS Position document is disseminated**

- *REAL to provide a recommendation to the labs that they provide interim reports*

This was actioned. It is not a requirement for the labs to do this, as it is a customer request, but it was well received. Some of the labs typically provide interim reports for several scheme tests.

- *REAL to review section in BCS Position document re declaration note for Scottish sites*

The Scottish Code of Good Practice for Prevention of Environmental Pollution from Agricultural Activity has been added as a recommendation in the new draft version.

### 3. Updates on the BCS

MR reported that as of May 2021, there were 99 certified plants on the BCS. 73 were in England, 12 in Scotland, 7 in Wales and 7 in Northern Ireland. There have been 8 plants added to the Scheme since the October 2020 Forum. There is approximately 5.1 MT per annum of throughput. 67 sites produce whole digestate, 41 separated liquor, and 26 separated fibre.

#### Cost comparison

REAL published an updated cost comparison paper, which shows the average CB renewal fees, annual research fees, and average lab testing fees for the full PAS 110 suite. The fees included for waste deployment were the annual permit subsistence charge, the deployment charge, and two waste samples per year. This comparison is indicative, and the paper was verified by an external consultant.

Operators suggested that a fairer comparison should include gate fees in the analysis and costs for spreading should be considered. As these costs will vary, it was agreed that a clarification note be added to the comparison document in future. JC will review the suggested text.

**ACTION: REAL to consider adding note in cost comparison document to inform that the gate fees have not been included in the calculations**

**ACTION: JC to review draft text for cost comparison document**

#### BCS Website / Database Integration

The REAL BCS database has now been integrated with the website. As part of this integration, REAL have recently launched a new Producers page. Features include a postcode search function and Operator / Company Name search engines. The postcode search function allows people to locate a plant which is geographically close to the postcode entered within the search.

### Sampling Guidance

The BCS sampling guidance was revised in 2020. Technical changes included a reduced number of incremental samples and removal of sample transit times.

### Scheme Rules

REAL consulted on its Scheme Rules in 2020 which resulted in an update (Version 6) published on 1<sup>st</sup> March 2021 with a two-month transition period. Key changes to the rules include removal of the 'QA' certification category, reference to the EA's QP review outcome, and display of certificate and contact information on the BCS website. Other changes include a requirement for operators to notify their certification body on receipt of a product complaint and once the investigation has been carried out. The audit checklist was updated and will be in use by the CBs from 1<sup>st</sup> May.

### BCS position- RBP result validity

REAL published a position statement concerning RBP test result validity based on duplicate measurements. It also includes information on a review – the next PAS 110 review will provide an opportunity to consider this sentence in more detail and clarify its meaning.

### Appointment of BCS CBs

Following a tender process, REAL reappointed OF&G, NSF, and ACL as certification bodies for the BCS. REAL created an open invitation for organisations to tender for this role. Four tender submissions were received and following a period of careful examination, the three existing certification bodies were successful in securing these positions once again and new contracts were issued. Both the BCS and CCS contract term end dates are 31<sup>st</sup> December 2022.

### Audits/ Covid-19

REAL hold regular meetings with the certification bodies and environmental regulators, regarding remote auditing, and whether the position on remote audits should be extended or changed. A third extension was agreed earlier in 2021, allowing for both remote inspections from January 31<sup>st</sup> and on-site inspections where it is possible, following a Covid risk assessment. Remote inspections take place where the auditor or site cannot comply with guidance, there are local or national lockdowns or issues affecting the ability to carry out a physical audit. The current positions are in place in England until 31<sup>st</sup> May (to align with the QP review) and in Northern Ireland, Scotland and Wales until 31<sup>st</sup> July.

### Laboratory Approval Scheme

The laboratory Terms and Conditions were reviewed in 2020. The review involved the certification bodies (CBs) in the consultation, as part of the LAS. Letter agreements are in place with each of the labs which include the terms and conditions. Technical changes introduced into the T&C's are the introduction of the maximum timeframe for non-conformance with corrective actions (input from the CBs) and requirements for labs re sample couriers. V5 of the T&C's is available on the REAL website. All three labs were re-appointed against these T&C's and they will be independently audited later in 2021.

### Proficiency Testing (PT) Programme

REAL are looking to develop a PT programme for scheme specific tests. Last year, an 'expressions of interest' document was circulated to help assess the viability of running a PT programme. Interest was expressed and REAL decided to proceed to an open tender. However, the tender process was concluded in February as REAL received no submissions. There have been internal discussions to explore how to proceed now that there is no external contractor available to run this programme.

#### RBP Testing- Inoculum Inhibition

- *Action from the last meeting: REAL to consider guidance for operators if samples are unsuitable for the RBP test*
- *Action from the last meeting: REAL to consider changes to request form and reporting template when own inoculum is used*

Some sites have been receiving invalid RBP results due to inoculum inhibition. REAL has been investigating this and has gathered data from the laboratories where operators have reported this problem. REAL has also requested both labs and operators contact REAL if an invalid RBP result is given / received. This investigating is ongoing.

RT reported that their site received three failures last September, March and April. She had seen an email and had a conversation with Jo, who advised that she also had issues. Operators discussed and agreed that the way the lab notifies of this issue should be improved. If this had been picked up before, the auditor would have assessed the test results and the site would have received a NC.

The lab should notify the producer clearly that this result is invalid. When the RBP sample doesn't produce gas in 5 days, the test is not valid and cannot be used. After 5 days, the lab will know if the test is not responding in the right way and the operator should be notified.

The solution that many operators find is to send their own inoculum in and the test produces gas. JC informed the group of the proposal she submitted to the Research Hub. The project would explore alternatives to the test to overturn the current issues and look at tests where results might come back quicker. She noted that once you are aware of the patterns and see how the invalid results present on the printout, you are able to analyse the results, but it can be missed.

**ACTION: REAL to instruct laboratories to alert operators if RBP test is not valid and the implications with respect to their certification (ideally by phone call)**

Questions were raised as to whether there is a case for REAL releasing a comms update on this, so it is flagged as a potential problem. Additionally, REAL could look at whether it is happening more, if there is a pattern or if this can be linked to certain months? External comms is under consideration, but it is too soon at the moment. The number of total sites this has impacted is less than 10 from when this issue was first raised at the TAC meeting. Patterns in results are being looked at.

RT questioned if there was any way of doing it only with their own inoculum and any scope for flexibility for that? GP informed that this is something which is also currently being considered by REAL.

#### Other issues

MB questioned whether it was reasonable for testing to be required at 2.5-week intervals at his site. The site processes 140,000 tonnes and generates 120,000 tonnes per year. There is a retention time of about 2.5 weeks per sample. This means that multiple samples are taken in the same retention period. GP informed that REAL is working to the requirements of PAS 110 but this issue will be noted for consideration at the next review/revision of PAS 110.

**ACTION: REAL to consider whether it is necessary for multiple samples to be tested within the same retention period when conducting the next review of PAS 110**

### 4. MDWG Update

Since the last forum meeting, there have been two telecons and one meeting of the MDWG.

The first telecon was to explore whether there were any immediate market concerns to address. The second centred around a QP review webinar, on the topic of useful information to gather for the QP review. Key updates from the webinar were provided during this second telecon and there was exploration as to what evidence the group could collate for the reviews.

The MDWG also discussed researching the use of digestate as a flea beetle deterrent for a digestate marketing opportunity. The group was looking to obtain more information to support certain ideas, and other compost-specific workstreams. On the compost side, REAL MDWG submitted a research proposal to the Hub for new clear and concise marketing material for compost producers to sell into the horticulture/amenity gardening markets.

REAL held another MDWG meeting in May where the QP reviews were discussed in depth and attendees were informed that an event was planned for industry regarding the QP review on 10<sup>th</sup> June.

### 5. Updates on the Research Hub

MR reported that the first project of the Research Hub 'To develop a Research Library for the Organics Recycling industry' was live and open for users. As of 10<sup>th</sup> May 2021, the Hub had received 42 'Request Access' submissions and was in the process of developing a paper, which details the cost of access to the library for non-CCS/BCS participants. The content of the Research library is being reviewed by NNFC on a quarterly basis, to routinely identify and link new research into the library. Furthermore, to monitor use of and traffic through the site, user statistics are being reviewed and reported upon quarterly.

The second project of the Hub is titled 'To develop a 'data pack' on the properties, characteristics, and content of digestate that will provide context for the development of new uses of outputs from

Anaerobic Digesters'. Following a competitive tender process, Solidsense Ltd have been contracted to carry out the work. Solidsense Ltd are subcontracting AquaEnviro and Cambridge Eco Ltd to carry out specific elements of the project. The work is underway and will be completed in November 2021.

A call for research ideas was circulated on 11<sup>th</sup> January 2021 and ran for six weeks. Five Research Project Proposals were submitted in total, from both scheme operators and the wider industry. Stephen Nortcliff, Advisor to REAL, liaised with the submitters of the project proposals to obtain additional details where necessary. A SurveyMonkey was live at the time of the Forum and was circulated to operators, to gauge their opinions and collect scores on the submitted research ideas. The Research Panel will meet in two weeks' time to evaluate and shortlist the ideas, considering the SurveyMonkey results, and again in July to select at least one project to be taken forward for commissioning.

JC noted that all operators are welcome to submit a project to the Hub. There should also be a process for gathering information, even if this is anecdotal and not a full research proposal. Operators commented that if there was an ability to extend the use/application of digestate, it would be beneficial to farmers. Extending the spreading window might be a way to combat the issue of excess digestate, and there is evidence that this would not be detrimental to nitrate leaching.

**ACTION: REAL MDWG to consider capturing real world evidence/anecdotal information on the various benefits of digestate**

**ACTION: SW to talk to TB about use of digestate on OSR after frosting to take to the MDWG for discussion and exploring further**

## 6. Update on the ADQP review

GP provided an update on the ADQP review. The QP review outcome was published in December on the government webpage and the review outcome was that it needs revising. The current issues outlined in the QP review outcome were shared in the PP presentation.

The EA are happy to support a revision process, but industry will have to pay for their time. There is an estimated cost of £20-25K per QP and the revised documents will be renamed 'Resources Frameworks'. Assuming a revision process goes ahead, the QP can continue to be used until that process is concluded, and the EA will support the transition. The revision process will have a 'task and finish' group to advise, but final decisions will rest with the EA. REAL expects to be part of the group. The EA have since confirmed that following the commitment for funding, the QP will not be withdrawn at the end of May.

REAL's work in relation to the QP review(s) includes a call for evidence submission to the EA, discussions and evidence gathering with the MDWG, a letter to the EA outlining a funding proposal and request to sit on the Task & Finish Group, discussions with other UK environmental regulators, the Research Hub commissioning research projects which may inform technical discussions and decision-making, and engaging with Defra on implementation of the EU Fertilisers Regulation.

Operators questioned if sites not seeking to achieve end of waste status for their digestate will have the opportunity to feed into the QP revision process, or will they miss the opportunity to be consulted? This was a particular concern for farmers operating manure-only AD plants.

**ACTION: REAL to discuss with REA or EA whether manure-based digestate producers will be notified of the potential QP review outcome/change in waste status, and included in revision process**

**ACTION: REAL to notify REA that operators of manure based AD plants may not be aware of the implications of the QP review for the waste status of their digestate**

GP noted that the REA webinar would outline the likely inclusion for elements to be accepted and the evidence that needs to be included within the QP review. Any questions should be circulated to Jenny Grant at the REA ahead of the ADQP workshop.

**ACTION: REAL to inform REA of clash between TAC and ADQP review workshop and check if webinar could be recorded for the benefit of those unable to attend**

## 7. Feedback from the last Technical Advisory Committee meeting

JC did not have anything on her list which had not already been covered in the meeting.

## 8. Issues raised with BCS Operators' Representative

There were some issues raised by another operator (not RT) on RBP which were reported to JC, who spoke to TB on this. These issues were noted and brought to the Forum.

## 9. An opportunity to discuss other issues raised by operators

Operators discussed the possibility of collating information on real world evidence related to the various benefits of digestate. One operator shared knowledge of digestate use on OSR after frosting.

**ACTION: REAL MDWG to consider capturing real world evidence/anecdotal information on the various benefits of digestate**

**ACTION: SW to talk to TB about use of digestate on OSR after frosting to take to the MDWG for discussion and exploring further**

PC asked GP if she could circulate the QP review webinar recording.

**ACTION: GP to send January QP webinar recording to PC**

An operator reported that they had received odour complaints from the EA and council when their digestate was spread by third party contractors. They highlighted the importance of the duty of care for farmers to spread at the correct time and take in factors which will control the odour. The plant was doing ammonia scrubbing and ammonium sulphate as part of this. The EA had alerted that this would be a waste, so the site had a bespoke end of waste submission.

**ACTION: REAL MDWG to further discuss ammonium scrubbing/ammonium sulphate/acidification**

## 10. AOB

The date for the next meeting in October will be set and a Doodle poll will be sent round to operators.

**END**

### **Actions:**

- REAL to consider sending marked-up version (showing latest changes), along with clean version when updated BCS Position document is disseminated
- REAL to consider adding note in cost comparison document to inform that the gate fees have not been included in the calculations
- JC to review draft text for cost comparison document
- REAL to instruct laboratories to alert operators if RBP test is not valid and the implications with respect to their certification (ideally by phone call)
- REAL to consider whether it is necessary for multiple samples to be tested within the same retention period when conducting the next review of PAS110
- REAL to discuss with REA or EA whether manure-based digestate producers will be notified of the potential QP review outcome/change in waste status, and included in revision process
- REAL to notify REA that operators of manure based AD plants may not be aware of the implications of the QP review for the waste status of their digestate
- REAL to inform REA of clash between TAC and ADQP review workshop and check if webinar could be recorded for the benefit of those unable to attend
- REAL MDWG to consider capturing real world evidence/anecdotal information on the various benefits of digestate
- SW to talk to TB about use of digestate on OSR after frosting to take to the MDWG for discussion and exploring further
- GP to send January QP webinar recording to PC
- REAL MDWG to further discuss ammonium scrubbing/ammonium sulphate/acidification