



Operators Forum Meeting Minutes

Wednesday 29 May 2019

SloanePoint, 6-8 Market Place, Reading, RG1 2EG

Attending:

Georgia Phetmanh	REAL
Gaynor Hartnell	Chair
Jo Chapman	BCS Operators' Representative
Daniel Langton	Langage Farm
Gary Jones	Langage Farm
Nicola Frost	Andigestion

1. Welcome and introductions

GH introduced herself as the Chair of the BCS Operators' Forum going forward and welcomed everyone to the sixth meeting. The meeting started with a quick roundtable introduction and was attended by JC, the BCS Operators' Representative. One individual was relatively new to the industry, having joined the company five months ago. Another individual worked for a company that was consistently represented at BCS Operators' Forum meetings.

GP introduced the aim of the Forum; to provide producers with the opportunity to raise, discuss, and submit for the BCS Oversight Panel issues associated with the scheme. An organogram was also presented, showing the relationships between different bodies contributing to scheme development. The Forum can feed into the Research Hub, as operators put forward ideas and comments on Hub developments and research project proposals.

Individuals at the Forum enquired what will happen with new research project ideas or proposals submitted; will they be pooled/banked for the next round of voting? GP understood that this is the case and we will accept new ideas/proposals after this first round but will check with her colleagues.

A 'Decision Making Tree' was presented, which shows the process for how technical enquiries are dealt with if escalated by a Certification Body (CB). If producers have any enquiries related to clarification on the interpretation of a requirement, they should contact the relevant CB directly. If the CB is unable to address the enquiry, REAL will facilitate a discussion with all three CBs and when necessary, involve members of the TAC to assist, in order to reach an agreement.

2. Notes from previous meeting

GP ran through the summary notes and actions from the last Operators' Forum meeting and most actions had been addressed. The summary notes can be found [here](#).

- *REAL to consider gaining more insights into NNFCC data*

GP explained that REAL was looking to gain further insights into the official AD/biogas dataset held by the NNFCC, to explore which waste-fed plants and farm-fed plants may join the scheme under the new 'categories of certification'. GP explained that we had started analysing the dataset, but it was challenging based on the data descriptors. We have started liaising with NNFCC as part of our ongoing industry engagement work, and we hope to use this opportunity to explore whether it would be possible to analyse their data more systematically.

Operators enquired where the NNFCC is obtaining their data on feedstocks. Is it coming from standard rules permitting? Will it be possible to record all the feedstocks processed by these plants? The 'waste-fed' plants may be permitted to process certain wastes but are not taking it. Manure is a waste material but if spread to land after digested, as it would be otherwise, then it is not regulated as a waste. We hope to discuss this with NNFCC to identify whether it would be possible to identify which 'waste-fed' plants are not producing a digestate regulated as 'waste'.

Operators enquired about those plants that would need to pasteurise if they import waste from elsewhere. GP informed that there are exemption clauses in the standard but after checking during the meeting, it was not clear what would happen with the inputs if brought from outside the farm. Operators enquired whether the exemptions could be extended during any revision of PAS 110, to cover these scenarios. The BCS QAS should consider this; for digestate exported elsewhere, also. If these plants joined the scheme, this could have significant impacts on the landbank.

GH suggested that JC joins the REAL meeting with the NNFCC to discuss their AD/biogas dataset. GP informed that REAL is waiting to hear back from NNFCC in relation to several queries, but will invite JC to a meeting, when it has been scheduled.

- *REAL to provide clarification following meeting on proposals in the consultation document*

GP explained what this action related to – the proposals regarding the use of certified/approved spreading contractors in the BCS Scheme Rules consultation document were considered not to have been clear – these were highlighted to Forum attendees following the last Forum meeting.

- *REAL to consider timeframes for 'unannounced spot checks' if requirements are added*

GP explained that the requirement for annual unannounced spot checks for all plants was removed in light of the consultation responses.

- *REAL to consider liaising with EA regarding data on digestate pollution incidents*

GP explained that REAL has now begun liaising with the Agency regarding data on digestate pollution incidents to determine whether the incidents relate to product/PAS 110 certified digestate.

- *REAL to consider how Defra's Clean Air Strategy consultation outcomes will be disseminated*

GP informed that the consultation outcomes and Strategy document were shared in the winter newsletter. REAL had been engaging with Defra about the consultation.

- *REAL to consider how to inform operators that the samplers' personal data might be stored*

GP informed that personal data will not be uploaded to our database when it is up and running.

- *REAL to find out when the ADQP is likely to be reviewed*

This was a key update for the Forum and was covered later in the meeting.

- *REAL to note discussion on exemption for PC testing during review of PAS 110*

This has been recorded but a review of the standard may not result in a revision.

- *REAL to consider looking at CCS SR for the BCS SR re the Contract of Supply*

On the agenda for this meeting.

- *GP/JC to ask OF&G/EA for feedback on plastic contamination complaint at Oversight Panel*

The investigation into this product complaint was ongoing. JC and GP explained that this complaint was the result of a chain of events. The source of the contamination and digestate was not clear and the investigation has not been concluded. The final report should be presented at the next Oversight Panel meeting, which is taking place in a few weeks' time.

- *REAL to consider guidance for clarification on separation and screening digestate*

This was discussed with the CBs and a proposal will be presented at the Oversight Panel meeting.

- *REAL to consider whether there are any potential impacts on digestate quality as a result of using various product additives e.g. different anti-foaming agents*

GP explained that we are looking into the use of additives under the scheme, as it is not currently possible to assess whether specific additives are acceptable/should be acceptable. Under CCS, PAS 100 has requirements for the use of additives and one of the minimum quality tests may indicate the effect of additives on compost quality. We do not have an equivalent for BCS and digestate testing. This work is ongoing and REAL will present work carried out to date at the Oversight Panel meeting.

Operators commented that additives are best dealt with in HACCP and the minimum quality testing should show whether additives have any adverse impacts on quality. Additives are mentioned with respect to this, in the HACCP course. JC recommended that we speak to the contacts she referred to us, to discuss anti-foaming agents. GP will check with her colleagues whether this was discussed.

3. Scheme developments

a) Scheme numbers

GP presented figures on the status of BCS. There were 85 plants certified under the scheme, processing over 4.5 MT per annum of feedstock annually. 61 plants were producing certified whole digestate, 30 separated liquor, and 16 fibre, with many producing multiple certified fractions.

Two applications had been submitted to the scheme since the beginning of the year with one plant having achieved certification and the other going through validation now. No certificates had been suspended or withdrawn from the scheme since January.

b) BCS Scheme Rules

GP presented the latest Scheme developments, including updates on the Scheme Rules, the Market Development Working Group, and the REAL Certification Schemes' Research Hub.

The previous version was revised with respect to UKAS' comments, previous comments collated on the rules, the Research Hub development, the introduction of a quality assurance scheme, and the CCS Scheme Rules. This version is accompanied by the BCS Position on Technical Requirements, and both the consultation responses document and updated audit checklist are available on the website.

Key changes to the rules include the introduction of the BCS quality assurance scheme or 'Quality Assurance' category of certification. Other changes to the rules include the introduction of a new 'derogation' clause and the option for an inspector to request/witness sampling of digestate.

Operators were not aware of the new QP derogation clause in the Scheme Rules and wondered whether this could be used as a vehicle to assess new wastes for consideration during the review of the ADQP. They enquired what the process is for applying for a derogation and suggested REAL put together a document outlining the procedures. GP will explore this possibility after a discussion with the Agency. JC reminded GP that an operator at a previous meeting had said they would like to accept various wastes that are not currently permitted and would be happy with this development, if they were aware of this change of this addition to the Scheme Rules.

GP presented the BCS Position on Technical Requirements document, which provides the scheme's interpretation of various technical requirements and clarification on some of these requirements. This document replaces the BCS detailed guidance for operators and FAQs. Two sections had been added recently on food waste soup as an input material and dispatch information. Operators suggested that this document is given a date, version number, and summary of updates/changes.

The section on dispatch information includes the same requirements taken from the CCS Scheme Rules and details that when digestate is dispatched directly to a third-party contractor for spreading, a Contract of Supply or Product Information Sheet should be supplied, containing clear terms and conditions for storage and use. This should be accompanied by a Declaration Form.

Operators checked whether this only applies when supplying directly to a third-party contractor, or also when supplying directly to a farmer and the farmer uses a contractor. GP confirmed that this only applies when the BCS operator supplies directly to a spreading contractor.

REAL recommends that operators use assured / certified contractors that have been independently audited and certified to a quality standard for land-based contractors. One scheme recognised is the NAAC's scheme for agricultural contractors, although operators queried whether auditing takes place under this scheme. GP understood that audits do take place but will check.

Operators welcomed this document, but they had not come across it before. GP will circulate the document again in the next update for everyone on the scheme.

c) Approved Laboratories

GP provided an update about the Approved Laboratories, auditing of the labs, and the development of Proficiency Testing (PT) schemes for BCS and the Compost Certification Scheme.

Both BCS laboratories were reappointed this year on a new set of Terms & Conditions (T&Cs). The 2019 version introduces combined audits, which will take place in summer 2019.

The combined nature of these audits has freed up time and resource to explore the development of PT schemes for BCS and CCS. The PT schemes are beneficial to demonstrate competency and will allow for more frequent monitoring. The laboratories recognise the benefit of focussing on and developing PT schemes for scheme-specific tests, which are the PAS 110 physical contaminants and stability/RBP tests. These were the test methods developed specifically for PAS 110/BCS.

d) Winter newsletters

The BCS winter newsletter was issued at the beginning of the year and presents various scheme developments, including the introduction of three new conformity marks. We also shared the outcomes of Defra's Clean Air Strategy consultation after liaising with Defra.

e) UKAS accreditation

GP provided a quick update about the progress made towards setting up specific UKAS accreditation for the scheme. The certification bodies will gain accreditation for BCS to ISO/IEC 17065 and BCS certificates will become UKAS accredited. We have revised the BCS Scheme Rules and addressed UKAS' comments during the process and we will consider their comments during the review of PAS 110. The comments on the ADQP may be considered during the Agency's review.

4. Research Hub

GP presented an update from the inaugural meeting of the Research Panel, which took place on 10th April. The meeting provided the opportunity to consider and discuss the research project proposals submitted to REAL. There were 35 proposals submitted in total and 13 were shortlisted by the Panel. GP presented a table of those projects shortlisted by the Panel, which can be categorised into 'general' and 'test methods'. Eight of the 13 shortlisted projects related to digestate/AD.

GP asked whether all attendees had submitted a response to the RP survey and each individual either had or was planning to within the next few days. Operators commented that the project deliverables or aims were not very clear. One project was of particular interest; it sought to get proper value for digestate in agriculture, but it was not clear what the outputs of the research would be. The operators suggested that a tool, such as a calculator, to show farmers how they could save money with digestate would be very useful.

They suggested that we should define the scope of the projects and communicate this more clearly.

Operators asked whether the costs and period of research projects had been estimated. GP explained that this was due to be discussed at the next meeting of the Research Panel. However, there will be an open tender so the cost of the project may depend on which organisation secures the work. Operators would like to understand the term and scope of the projects.

Overall, operators were happy with the structure of the questionnaire/survey but expressed disappointment in the projects shortlisted for AD. For example, one of the projects related to the RBP test, but they are routinely passing this test so do not feel the need to review/revise it.

They think that the project related to plastic in feedstock would be more beneficial for compost producers than AD operators, as AD operators are coping with plastic in AD feedstock with machinery set up to de-package.

They did not think the terminology was clear in relation to 'scheme association' and questioned whether this relates to funds allocated. It does not make sense for one project to be 100% CCS and 50% BCS, for example. GP explained that the 'scheme association' percentages relate to how much that project is seen to benefit each scheme but may influence the allocation of funds.

Operators commented that with the incoming food waste to the AD sector, it would be beneficial and important to consider biodegradable plastics in AD feedstock and the AD process. Should we look at the biodegradability of these materials in soils?

Overall, operators think that the scope of the projects need to be better defined and the outputs and benefits need to be made clearer. However, there were no comments on the fees charged.

5. Review of PAS 110

GP presented a timeline for the PAS 110 review process and provided background to this process. This Forum meeting was used to seek further views from operators about whether there is a need to initiate a revision to PAS 110 in the near future or postpone a revision, taking into account various industry developments, such as the upcoming review of the ADQP.

There weren't many operators at the Forum, and it was suggested that we use webinars to include more operators in these discussions and during any consultations, as Ofgem do for the RO consultations. REAL will explore the use of webinars and consider this for future consultations.

The REAL PAS 110 survey was sent to all BCS operators, with 3 weeks for responses. REAL will analyse the survey results for the Oversight Panel meeting and if there is a need to engage more widely, another workshop will be held for everyone, including the environmental regulators

Forum attendees either had completed the survey or would over the next few days. However, they commented that it was difficult to know how to respond, as they were not aware what changes had previously been proposed, or which aspects of the scheme were under question.

GH said she had been involved in discussions on the survey format and that three options had been considered; a longer format looking at the merits suggested changes made since the last review, a very open-ended format, simply asking if a revision was necessary and in what respect, and finally whether the BCS should make a recommendation as to whether the scheme should be revised at this time and seek feedback. It had been challenging to come up with a format that was informative for the responders, without being leading. JC advised that some individuals like that style and it helps them to decide.

It was suggested that we could fine tune research hub project proposals, in order that they can gather data/evidence relevant to upcoming reviews/revisions of PAS 110.

One operator commented that they are happy with the scheme as it is with its fixed requirements. Regarding plastic, they are doing the most they can do to remove plastics in the 'current climate'. Standards are becoming more restrictive and lower limits would be an additional burden.

Once the survey had finished and survey results had been gathered for those that completed it, operators encouraged REAL to provide further explanation and context to industry, perhaps through a workshop, for those who may not know the background. This could take place later in the year. One question could be – are there limitations to the scheme? There are two options/questions – opportunities or limitations? There could be a better way of phrasing this, however.

There are various discussions around biodegradable plastics and the processing of these materials in the AD system. Is it more beneficial to process corn starch through the AD process or to remove conventional plastic prior to processing? Operators feel penalised because they must deal with the problem from upstream. Plastics should be dealt with further up the chain by the local authorities.

6. Review of the ADQP

GP provided an update from the EA regarding the upcoming reviews of the Quality Protocols. The EA has confirmed, and Defra has committed in the Resources & Waste Strategy, to prioritise the reviews of the ADQP and CQP. The ADQP will be reviewed within the next two years. However, a review might not result in an update (or revision).

If it is decided that the Quality Protocols require updating, then industry will be required to bring forward the evidence to support changes to the Protocols. Industry will be engaged with depending on the outcome of the reviews. A Briefing Note on the reviews will become publicly available soon.

7. Feedback from the Oversight Panel/TAC

JC informed everyone that we had a TAC teleconference in March, in between the face-to-face meetings, which provided a good opportunity to catch up on issues and developments that had taken place since. The MDWG meeting had also taken place earlier in the year – in January – these are rolling agendas. JC shared that the EA has concerns over the flood of food waste to the AD sector and the flood of digestate to the landbank. This may result in increased digestate pollution incidents related to spreading. The Agency is welcoming the MDWG and routes for digestate.

GP explained that REAL is hoping to collate data on digestate pollution incidents, as suggested by the operators at the last Forum. The publicly available dataset does not allow us to differentiate digestate from other materials and PAS digestate from non-PAS digestate.

Operators shared that the EA is encouraging some plants to audit spreading but how do they do this? There could be many causes and effects of pollution incidents e.g. stores collapsing, releasing ammonia, or watercourse pollution. The "perception" is that it is coming from the AD industry through digestate spreading activities.

8. Issues raised with BCS Operators' Representative

JC had been contacted by operators about the supply of biofertilizer to the organic market, but the GM issue has shut down this market. Material grown under intensive conditions is an ethical argument. The MDWG will soon be liaising with the Soil Association.

Another issue related to an operator hoping to seek an interim position as they dry their digestate. GP/JC will be liaising with the regulator about this at the next Oversight Panel meeting.

Some operators had asked about the potential supply of digestate to hydroponics. It could be used for fish and growing plants in a water-based system. Other operators had enquired about the possibility of supplying to garden centres for amateur horticulture.

One operator asked GP about whether any others had enquired about pelletising, but REAL was only aware of one and their proposal was not accepted. JC explained that this is because there was too much concern about plastic contamination. JC informed that the End of Waste Panel is now available for those looking to supply to new markets.

Close

Summary of key actions:

- REAL to check what whether new research project ideas or proposals can be submitted
- REAL to invite BCS Operators' Representative to a meeting with NNFC
- REAL to consider discussing the use of additives with industry contacts
- REAL to discuss new derogation clause in BCS Scheme Rules with the regulator
- REAL to add structure to BCS Technical Position document and disseminate
- REAL to check frequency of auditing/assessment under NAAC scheme
- REAL to explore use of webinars for future consultations and/or review processes
- REAL to continue liaising with EA about pollution incident data
- REAL/EA to consider interim position for operators drying digestate
- REAL to share digestate use ideas with the MDWG