



## Summary Notes from the joint meeting of the Technical Advisory Committee for the Biofertiliser Certification Scheme and Compost Certification Scheme

**Thursday 25<sup>th</sup> June 2020**

Online

**Chair:** Stephen Nortcliff

### **Attendees**

Georgia Phetmanh	REAL
Molly Rogers	REAL
Thomas Aspray	REAL
Jo Chapman	BCS Operators' Representative
Gregor Keenan	CCS Producers' Representative
Roy Lawford	OF&G
Sophie Arguile	NSF
Nicholas Johnn	ACL
Sarah Pitcher	Laboratories' Representative
Alison McKinnie	ZWS
Fiona Donaldson	SEPA
Eugene Kelly	NIEA
Kathy Nichols	EA
Janet Gascoigne	UKAS
Cath Lehane	Red Tractor
Philippa Arnold	NFU

## 1) Welcome and Introduction

SN welcomed everyone to the meeting and initiated a roundtable introduction.

## 2) Minutes and Actions from the last meeting

All TAC members were happy with the minutes and actions from the last meeting (30<sup>th</sup> October 2019).

GP to send previous TAC minutes to LARAC.

- There was a representative from LARAC at the October TAC meeting and these were provided to the contact. Going forward LARAC will be invited to TAC meetings.

REAL to correct outdated reference to PAS 110 in section 6 of CCS Position.

- This has been updated and all references to PAS 110 are up to date.

Environment Agency to consider mechanism of informing local authorities of the loss of certification.

- This action was for KN to consider a mechanism for local authorities to let the EA know if certificates have been withdrawn. KN informed GP that this action is ongoing.

REAL to find out from Nick more details about the RBP test issue with the withdrawn certificate.

- Nick informed MR that this operator's certificate was withdrawn as they had difficulty passing the RBP test. The feedstock that the operator used was poultry litter, so had a high nitrogen content, acting as an inhibitor for the digestate and the material did not pass the RBP. This operator's certificate was withdrawn last year for separated liquor, but they reapplied and have now been issued a new certificate this year for separated fibre.

REAL to look at BAS guidance for digestate sampling that DR will forward.

- This was discussed at the October TAC meeting. The BAS guidance was updated and there is useful information in this document. The REAL BCS sampling guidance is currently being updated and will be completed in the year.

REAL to discuss with CBs their contribution to the laboratory approval scheme.

- The CB's will contribute to the LAS through commenting on issues related to the labs and testing through monthly calls, which have been taking place since the beginning of 2020. When the T&C's are reviewed the CB's will be invited to comment and there will be a meeting at the end of the year for reappointment for 2021.

KN to chase EA officer about concerns raised with OF&G regarding two compost sites.

- GP informed that KN understands this action related to two hub and satellite model sites and not every site was sampled. The advice for the operator was to get in contact with their local officer to consider a solution at a local level.

KN to follow up with local officers about complaint concerning the lagoons.

- This action is regarding an OF&G complaint and KN understands this has been actioned.

- RL noted OF&G still have the previous as an open complaint [the hub and satellite sites] and they were not informed that this had been dealt with. At the last inspection the site sampled according to PAS. The compost is shredded at one site and then sampled at the farm where the product will be used. The EA was not happy that each site was not sampled separately each year, but it was noted that each site does not have a load each year.

REAL to send another reminder about the use of compost and digestate analysis request forms.

- This has been completed and was sent to all operators in REAL's bi-monthly updates.

NRM to consider adding request forms to boxes.

- SP reported that this is too problematic to implement operationally but there is a persistence on insisting the right form is being sent to NRM.

REAL to finalise accreditation requirements and communicate deadlines to labs for applying.

- These accreditation requirements are for the approved labs and the deadline is for the labs to have this in place by the end of 2020.

REAL to check T&Cs are aligned with scheme rules for the supply of test results to the CB's.

- This has been done and is implemented in new T&C's.

REAL to set implementation timeframes for changes to CCS/BCS Position docs.

- REAL set a timeframe of 3 months to comply with the BCS position on PC testing for physical contaminants, which is in line with UKAS procedures. Implementation timeframes will be specified for any updates to the position docs affecting all operators.

KN to supply list of wastes the Agency has turned down for the QP reviews.

- GP reported that it should be possible for the EA to supply this. KN is working on this now and is retrieving a review summary from 2010.

REAL to consider how to ensure important emails are read by operators.

- We changed the structure of our updates and send specific emails out through our individual staff mailboxes. We are also considering using Twitter as a platform for sharing updates.

REAL to set up TWG to focus on plant response test issues raised at CCS Forum.

- REAL have appointed members of the group to represent producers and are awaiting confirmation of representation from the regulators before the first meeting of the working group. Terms of reference have been drafted for the group.

KN to provide REAL with Ian Martin's contact details for TWG.

- KN has not been able to discuss in detail with Ian whether he could sit on the group. REAL is waiting for confirmation from the Environment Agency.

KN and GP to discuss the certification of dried digestate fibre after TAC.

- Following the TAC meeting in October, the EA confirmed dried digestate is not covered with a designated market in the ADQP. Operators and CB's were notified of this. During the current ADQP review, adding dried digestate can be considered in the review period.

REAL to consider advice from TAC to send letters to retailers advising them to change their disposal instructions for compostable packaging.

- This was discussed internally following the October meeting. No letters have been sent yet as REAL are focusing on the development of the Compostable Materials Certification Scheme. Once the scheme has been launched, the action will be taken forward.
- Members of the TAC noted that home compostable bags are misleading as they take years to decompose in compost bins.

REAL to continue working on PSD data analysis and guidance for CBs with a plan to issue guidance next year.

- TA completed work on PSD data from the database and analysed the data in regard to compost grades. This data was presented to CB's at the roundtable meeting in March and guidance will be put together to help CB's with evaluating compost grades.

FN to provide REAL with more information about one lab not notifying an operator of an e. coli failure for four weeks.

- This was followed up with Tom and there was not a sufficient sample, which was not communicated back to the operator. This action has now been dealt with.

REAL to discuss the development of the QAS with the environmental regulators.

- The BCS and CCS were open to any producer to join the QAS which enables waste status compost/digestate producers to join the Quality Assurance Schemes. Concerns were raised regarding potential damage to schemes and markets at the TAC and at MDWG.
- The scheme rules will be revised to restrict this category of certification to only producers of 'non-waste' status compost/digestate and a consultation period will be announced soon.

March teleconference

AM to report back to TAC following discussion with Scottish government about COVID-19 contaminated feedstock.

- AM reported that feedstock should not be contaminated, but if feedstock comes from a contaminated household it should be held for 72 hours.
- COVID is a risk for hand pickers but PPE should be provided, and consequently this should not be a problem. Contaminated feedstock should therefore not be an issue.

SA and KA to pick up discussion regarding certification transfer and permits

- SA and KA spoke after the meeting and KN was going to look into what was acceptable, and if the site could work under someone else's permit. This has not been concluded and the contract defines that they are able to work under the contract.

### 3) Scheme Updates

#### Scheme Numbers

As of June 2020, there were 177 processes on the CCS. 139 in England, 20 in Scotland, 12 in Wales and 6 in Northern Ireland. There are approximately 3.83 MT per annum of inputs and 1.92 MT per annum of quality compost produced. The BCS had 89 certified AD plants 66 in England, 11 in Scotland, 8 in Wales and 4 in Northern Ireland. There are approximately 4.67 MT per annum of inputs.

#### Scheme Developments

There were no questions on the update paper.

#### Sampling workshops and webinars

REAL hosted a half-day sampling workshop near Edinburgh in October. The workshop was based on REAL's CCS sampling guidance. The aim of the workshop was to guide operators to take representative samples of their compost and ensure consistency of sampling between operators.

The workshop had a three-part structure; a run through of CCS sampling guidance, practical sampling demonstration, and developing SOPs. REAL intend to hold more sampling workshops at different locations in the UK when possible.

In April 2020, REAL held a sampling webinar for operators. The webinar had a similar structure to the workshop in Edinburgh. REAL received positive feedback from the webinar and will be holding another sampling webinar for operators in July/September 2020. A webinar will be held for CB's and inspectors in the week following the meeting.

#### COVID-19

Audits are carried out remotely with the use of real time video conferencing facilities. Spot inspections will be carried out for initial audits when it is safe and possible to do so.

Temporary certificates are only considered if there is an urgent need and requests will be considered on a case by case basis. Technical issues are discussed with the CB's and environmental regulators e.g. time stamped photos and video footage will be taken if there are issues with live stream quality.

There is a temporary agreement with the regulators for a change in the CCS and BCS schemes rules which has a review date of 31<sup>st</sup> July 2020. Operators will be informed regarding audits as any change to the scheme position is made.

REAL were made aware of courier problems due to COVID, which impacted laboratories meeting maximum start times. REAL agreed to relax the start times with all CB's in the Laboratory Approval Scheme meetings between REAL, the laboratories and Certification Bodies. REAL set a temporary limit based on information relating to the effects of cold storage parameters and knowledge about specific issues being experienced. These limits are; 4 days for microbial pathogens from 48 hours and 9 days

for other parameters from 7 days. These rules are relaxed until the 14<sup>th</sup> June to coincide with the DoT relaxation and courier social distancing rules. Extensions have been reviewed on a weekly basis.

### Laboratory Approval

The laboratories will be audited against a new set of T&C's, which includes UKAS accreditation for the standard scheme test methods. Audits will focus on scheme specific test methods.

The Open University has been appointed to conduct the audits. Graham Howell (who is leading the audits) is aware of the relaxation of start times and an introductory meeting took place between the labs and the auditor. The audits have now commenced and REAL will schedule a meeting with the CB's to involve them in the decision-making process for the re-appointment of the laboratories for 2021.

### UKAS Accreditation

UKAS have now launched the pilot programme for CCS and the CB's have been invited to apply for the programme. Objectives of the programme are:

- To determine the feasibility of accrediting the certification products under the CCS;
- To assess the competence and impartiality of certification bodies against the requirements of ISO/IEC 17065:2012 and the CCS;
- To define and publish an acceptable approach to assessment and accreditation;
- To develop competence of UKAS to assess and accredit certification bodies providing certification to the CCS.

An introductory meeting took place between REAL, UKAS, and the CB's on the 19<sup>th</sup> June and the first accreditations are expected in March 2021.

### Update on the MDWG

The third meeting of the MDWG took place in January 2020. The fourth meeting is aimed to be used as a platform for engagement with industry around the QP reviews. This was explored further with the chair of the MDWG. The fourth meeting has been postponed whilst the MDWG wait for the announcement of the EA's initial review of the call for evidence outcome.

### Update on the Research Hub

NNFCC has been appointed as the contractor to carry out the first project: 'The development of a Research Library for the Organics Recycling Industry'. The aim of this project is to compile all research done in composting and AD industries to date and create an online library of this research. NNFCC will be carrying out a literature review of all research that has been conducted across the compost and AD industries. It is NNFCC's intention to categorise this research and produce 'thematic summaries' (to be displayed within the digital library) to introduce each topic/research area identified.

As part of the literature review, NNFCC will engage with Operators in an 'Industry Needs Assessment' to gauge opinions on what areas they perceive to be lacking in research/need driving forwards. The results of the literature review and the gap analysis will be incorporated within the website. The project is due to start in June and expected to finish in January 2021.

REAL ran a second call for proposals from 24<sup>th</sup> January to 4<sup>th</sup> March. The Research Panel met in March to evaluate the proposals and 3 projects were shortlisted to go through a second round of evaluation

by the panel. SN noted that there were only 5 proposals submitted in the call for proposal period, three of which were shortlisted. SN talked with the proposers to develop their project briefs. During these discussions, a major problem arose; the proposers had anticipated that if successful they would be asked to undertake the research, which was not REAL's position. REAL's RH policy is for the selected project to go to tender. Following the discussions only one proposal was proceeded with and presented to and approved by the Research Panel. This will be a data pack on the content, qualities of digestate. The RP discussed this project on the 24/06/20 and the tender document will be drafted.

The lack of proposals in this most recent call has been discussed by SN and OF and there has been a suggestion of a different format in 2021 whereby operators would be invited to generate short statements of research ideas. It is probably necessary to provide support to ensure producers are more actively involved in the identification of areas for future research.

### [Update from Certification Bodies](#)

#### NSF

SA noted one product complaint in an Operators audit report around PC's. Following the complaint, litter picking occurred in the field in question which was noted in the report. There was a complaint regarding PC's in 10-40mm compost, which was raised and has gone through to regulators. The regulator visited site and there has been a spot check which raised a few NC's but the report was mainly inconclusive. A sample of the grade has been taken to investigate going forward.

#### OF&G

RL reported that there had been no new complaints since the last TAC. OF&G received one complaint about Compost Direct where OF&G logos were shown on their website despite the site not being certified. This issue is to be taken up with regulators if companies are using logos that they should not do, as this could lead to reputation damage to the Schemes.

#### ACL

No product complaints or other CB updates.

### [Update from the Laboratories](#)

SP reported the main issue from the laboratories has been courier delays. This issue hit the laboratories after a significant amount of time and is due to the lack of drivers and social distancing measures with less staff.

### [Updates from Regulators](#)

#### SEPA

FD reported that SEPA has seen impacts from COVID, but services are returning to normal. Some LA's stopped collection initially but collections are starting to return. SEPA are working with the Scottish Government to create a recovery group to move forward.

SEPA have sent a letter to GP regarding remote audits and there should be feedback at the end of the month regarding audits from the auditors. If there have been no problems and the situation still continues, there should be no problem with this position being extended.

AM reported that Scotland are finding that composters are surviving better but there has been a capacity issue. IVC's before COVID were at capacity and the volume of input material has not seen a substantial increase. Sites are working with LA's to stagger deliveries to cope with the load.

#### NIEA

The capacity of Northern Ireland's main food waste AD plant is down 1/3 as a result of the hospitality sector not being open which has had an impact on energy production. For garden waste composters, there was a dip in March and April as the waste streams were just households with municipal sites closed, but this has been stabilised. NIEA have not been inspecting in the past months but in the past week site inspections are picking up with PPE and social distancing.

#### EA

KN presented an update from the EA and reported that the EA has been impacted by COVID. The AD sector has been affected the most and there have been two threatened national power outages with low demand on the grid. The biggest challenge is enabling sites to take feedstock and storage issues.

The standard rules and QP reviews have been slowed, mostly due to technology and logistics.

#### [Update from the CCS representative](#)

GK reported the following issues that were raised by compost producers at the Forum in May:

- Producers would welcome more workshops and courses on SQCS requirements and asked if scheme templates could be reinstated in future. GP clarified that it has been agreed to circulate a SQCS template for this purpose once it has been developed and workshops have been pencilled in for August and September. In terms of other QMS templates, REAL do not intend to reinstate these. Operators questioned how they let auditors know if staff cannot get HACCP training due to COVID and if there is a relaxation of these rules. SA confirmed that individuals could do HACCP level 2 training online.
- Producers were in favour of filming webinars and sampling processes. It is REAL's intention to film the sampling aspect of the workshops when it is possible to do this.
- Producers would benefit from additional laboratories being on the scheme due to geographical coverage with sampling. REAL have not ignored that it would be beneficial to have more labs on the schemes and have liaised with Universities to join, but accreditation must be provided.
- Producers raised questions regarding the additional work that needs to be funded for the CQP review, who would carry out the work, and how money would be raised for the review. REAL have had internal discussions around funding and are aware that trade bodies are having these discussions too.
- GK raised a question over the plant response test at the labs where producers were affected with the growth trial due to the weather and the test was abandoned and done again. NRM have not had this brought to their attention.

#### [Update from the BCS representative](#)

JC received positive feedback from the BCS Forum and operators supported online meetings. There are now two individuals sharing the role of representative; JC and Nicola Frost from Andigestion.



JC reported the following issues that were raised by AD operators at the Forum in May:

- The ADQP review and likely outcomes were raised at the Forum. Operators raised questions surrounding practicality, timings and willingness to support the QP. Operators need guidance and coordination about how this can be fed into when the time comes.
- Dried digestate is an ongoing issue and there are several operators who have been previously certified for dried digestate but now this position has been withdrawn. Operators would like to support dried digestate in the QP review and would like to know the most effective way to go about this. Operators have asked the REA to support them in discussions with the EA regarding dried digestate and the changed position. GP provided Gaynor Hartnell (Chair of the Forums and REA staff) with contact information for the group of operators. GH is in the process of emailing the group to introduce colleagues at the REA.
- Operators showed concerns around the RBP test and TA noted this would be covered later on in the meeting.

#### 4) Technical Issues and RBP test results

TA reported that there was a challenge from an operator over the validity of a test failure based on an average derived from duplicate rather than triplicate measurements. TA provided a brief overview of the method for the TAC.

In the RBP test, a digestate sample is setup in triplicate with inoculum. Alongside this there are triplicate inoculum only and triplicate positive control vessels i.e. 9 vessels are needed to run one digestate sample. During the 28-day test, an issue may be identified with one vessel e.g. technical fault with gas collection/measurement or tubing. Alternatively, one vessel may appear to behave different from the others – the cause of the difference may not be identified. The RBP protocol is not explicit in the handling of vessel issues / inconsistencies. A proportion of the results have been reported (and accepted) to the scheme based on duplicates.

In the specific case brought to REAL, a technical issue was identified by the laboratory for one vessel containing digestate and inoculum. The issue in question causing the underreporting of gas. The laboratory therefore reported based on the other two vessels i.e. duplicate measurements. The result was a PAS110 failure and would have been if it was based on triplicate samples.

PAS 110 states 'assessment of RBP test pass or fail shall use the average of the triplicate RBP values that each sample test generates'. The operator used this line to challenge the result and the validity.

Since this challenge, REAL has held a number of separate discussions with the CB's and approved laboratories. The discussions have considered the current practice by laboratories and the above line found in the PAS110 standard. REAL is in the process of drafting a position statement although discussions with CBs and approved laboratories were not yet finalised.

Comments from the TAC were then invited.

SP reported that NRM assumed that the mention of triplicates takes into account that things may go wrong, especially in a 28-day test. It is a reasonable assumption that using 2/3 excluding outliers is the best thing to do and outliers can skew results either way (high or low). It is good scientific practice to

have replicates. Operators should have a greater understanding about what has happened when their test results fail and what the implications for this are, if any.

RL noted that if triplicate values are stated in the standard, it is hard to get round this.

The labs are effectively running samples in triplicate but using scientific judgement where outliers are concerned. SA highlighted that from a certification point of view, certification bodies have to follow the wording in the standard so it can be audited efficiently.

JG noted if a statement uses 'shall', it is not the fault of the CB's for following this wording. This issue should be fed into the revision of PAS 110 as the standard must be crystal clear.

Discussions with CBs would continue after the TAC. Once a position had been agreed the position statement would be circulated to the TAC before publication

### 5) QP Review Update

Richard Fairweather joined the meeting to give an update on the QP reviews. The EA's decision document should be published by the end of June, with potential for publication a week or two later due to legal delays. The position, as it stands, is that the EA withdraws their support for the QP's. The position document will outline why support has been withdrawn.

An offer will go out, as well as regulatory position statements, which will allow a period where operators can carry on as normal whilst the QP is revised. If the funding does not appear or if the revision does not progress, the RPS's will be withdrawn and waste regulatory controls will be introduced. The EA expect the process to last six months and would have a technical working group made up of REAL, administrations, and there would be a certain number of operators allowed to join to progress the revision process. The sixth month timeframe would begin from the publication of the outcome document and if funding is not given until the sixth month, the EA would extend the RPS's to allow for the revision process.

JG questioned the implications of Brexit and whether it affects the use of the QP's and waste framework directive. Richard clarified the EA does not expect any huge change on how the QP's are applied; the documents will be UK applicable and will not need to go to Europe to get them adopted.

### 6) AOB

There were no AOB's to note.

END.

Actions:

- REAL to consider update to CCS Position document for hub and satellite model sites
- GP and JG to further discuss the 'Quality Assurance' category of certification
- REAL to consider comms and notice period for withdrawal of agreement re COVID-19
- REAL to address complaint regarding 'Compost Direct'
- REAL to consider comms for announcement of Environment Agency initial QP reviews
- REAL to consider providing more information to BCS participants about tests
- SP to report to GK on recent weather associated PRT emergence issue