



CCS & BCS Winter 2024 TAC Meeting Minutes

Wednesday, 6th November 2024, Online

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|---------------------------|----------------------------------|----------------------|-------------------------|
| Stephen Nortcliff (SN) | Chair | Fiona Donaldson (FD) | SEPA |
| Georgia Phetmanh (GP) | REAL | Kathy Nicholls (KN) | EA |
| Oliver Dunn (OD) | REAL | Alison McKinnie (AM) | Zero Waste Scotland |
| Duncan Craig (DC) | REAL | Sarah Pitcher (SP) | Labs' Representative |
| Megan Muller-Girard (MMG) | REAL Research Hub | Roy Lawford (RL) | OF&G |
| Thomas Aspray (TA) | REAL Technical Advisor | Rob Evans (RE) | NSF |
| Gregor Keenan (GK) | CCS Producers' Representative | Dave Roberts (DR) | NSF |
| Jo Chapman (JC) | BCS Operators' Representative | Nicholas Johnn (NJ) | ACL |

1. Welcome and Apologies

Stephen Nortcliff (SN) opened the meeting at 11:00 am and welcomed all attendees. Apologies were noted (specific names not provided in the draft).

2. Actions from Previous Meetings

REAL to discuss internally how to use the final version of the WRAP 2013 RBP review report
TA reported that the publicly available version was still a draft. The best ultimate home for the report would be the Hub Library, and REAL needed to talk to WRAP to find a suitable location for the report. SN agreed that this seemed like a sensible idea. TA mentioned that they just needed to get approval for this action. SN commented that they had seen this document and was pleased to see the final version.

REAL to share update with the TAC later regarding the new working group development, intended to focus on issues related to plastic contamination

GP reported that there was no concrete update to share yet, but it was still their intention to proceed with this initiative. GP announced that they had decided to push this into next year, with hopes of having a full update to share in March.

SN inquired about the composition of these working groups, asking if they would be formed from members of the TAC or if they would include external participants. GP responded that they imagined it would include both TAC members and external experts, but this was yet to be determined.

KN to revisit discussion around plastic limits for mobile plant permits with Mat Davis at the EA
KN reported that the mobile plant permits would be going out for consultation, and this issue would be part of the consultation process. It was noted that Mat's intention was to have the same level of scrutiny, ensuring there would be no "back door slip in."

TAC to share any ideas with MMG on whether developing the Hub's GHGP project into a tool for industry would be beneficial (composting and AD operators)

MMG reported that at the last TAC meeting, she had asked for feedback on whether the report could become a user-friendly tool. While no one had provided specific feedback, the general response was overwhelmingly positive about its usefulness. MMG confirmed that they were working on a plan to take this forward.

SN commended the carbon budgeting tool, describing it as a powerful report with a great amount of detail that addresses problems facing both large and small companies. SN noted that when they started in the field, most of the work was focused on multinationals, whereas now smaller businesses were receiving more support.

MMG acknowledged that it was a complicated subject with many factors to consider, and their goal was to make it approachable for smaller producers.

TAC to share any ideas with MMG on how the Hub could further the project impact work (reviewing the Hub's achievements against its objectives, considering policy implication of outcomes, etc.)

MMG reminded the TAC about the ongoing effort to further the project impact work. She reiterated that they were trying to showcase how the results from the Research Hub projects could contribute to practical developments.

KN to check progress of the final draft revised QPs with the aim for them to have a quick turnaround time for publishing

SN noted that this topic would be addressed later in the meeting.

GK to check the remoteness of sites with producers who raise issues around courier collections and share information with REAL to aid investigation

GK reported that they had asked producers at the forum about this issue. While it was a small snapshot, the majority of people held the opinion that they had experienced issues regardless of location. Problems included couriers not turning up and cancelling collections. GK noted that the issue seemed quite widespread and was not limited to labs.

JC added that this topic had come up in the last meeting and was also discussed at the BCS forum, particularly with respect to remote sites. JC mentioned that the issue was seasonally worse over the summer holidays due to cover staff. One operator had experienced three missed collections in a row, and there didn't seem to be a mechanism to find this site.

TA acknowledged the efforts of the labs in providing information about these issues. TA suggested that providing advice and information about taking samples to depots could be helpful, especially for remote sites where the sample is very valuable. This topic had come up in a webinar the previous week, and TA noted that while it was difficult to understand the issues beyond remoteness, there might be more they could do to address the problem.

SN observed that there seemed to be a lack of understanding about the importance of timing in these collections.

DR inquired about the possibility of a premium service offered by couriers, such as guaranteed next-day delivery. SP responded that unfortunately, a next-day guarantee was not actually a guarantee, and they were unable to demand more from the couriers for that service.

REAL to collaborate with the Approved Labs to understand the courier collection issues

This action was addressed in the previous discussion about courier collection issues.

REAL to consider whether there is a need for a test result appeal process in the event that a challenged result is investigated by the lab but remains as originally reported

GP reported that REAL had considered this further internally and obtained information from the Certification Bodies (CBs) and views from UKAS. The CBs were not aware of similar processes in other schemes, so there wasn't a model to follow from other sectors. UKAS advised that these issues were best dealt with through the labs, and that REAL, as the scheme owner, should only get involved if the issue remained unresolved after the lab's investigation.

GP explained that if an operator complains, the lab should try to deal with it directly and only escalate to REAL if they are unable to resolve the issue. This process aligns with the approach taken with the complaint about sharps analysis earlier in the year. GP had spoken to UKAS the previous week at an event, and they cautioned against introducing a standardised process for challenging results, deeming it potentially dangerous.

Based on this advice, REAL decided not to introduce a scheme-wide process and instead deal with issues on a case-by-case basis. GK agreed with this approach, noting that if a formal process were set up, operators might query every result. SN concurred that this was probably the right solution.

JC to advise operators to raise any complaints with labs directly for them to investigate

It was agreed that JC would advise operators to raise any complaints with labs directly for them to investigate.

REAL to consider feedback from the TAC about how or whether to accommodate investigative samples

TA reported that after discussions with the labs, it was determined that creating a system to indicate parameters with a code for non-certification testing would likely add confusion. The feedback from the labs was that if a producer is looking for investigative work, they should talk directly to the labs and explain what they want. Using the analysis request form for this purpose would only complicate matters, and there was no need for REAL to be involved in that process.

REAL to address inconsistency across the CBs in terms of scheduling audits

GP reported that the individual CB had implemented or were in the process of implementing changes in their systems to ensure consistent audit scheduling. Improvements were expected going forward.

REAL to circulate comms to producers around changing contact details and raise awareness at forums

OD confirmed that a communications piece had been released to producers about the importance of updating contact details.

DR mentioned that they were trying to get at least two contacts for every participant to improve communication.

REAL to consider collating data on subsequent batch test results for the *E. coli* investigation risk assessment and look at *E. coli* results taken for ABP approval at a different point in the process GP provided an update on the *E. coli* investigation and risk assessment. REAL had moved forward with the relevant operators to collect data on subsequent batch test results and look at *E. coli* results taken for ABP approval at different points in the process. GP mentioned that they would provide a more detailed update later in the afternoon.

REAL to investigate the potential for producers to have retested a new sample for *E. coli* from the same batch

GP reported that this was discussed with the CBs, and they didn't have any concern that producers may have retested a new sample for *E. coli* from the same batch. None had been identified. A further update on the investigation will be given later.

SP to check if non-certified samples were also impacted by this *E. coli* issue e.g., ABP samples, and confirm to REAL for use in risk assessment

SP confirmed that she had fed back to GP that the *E. coli* issue had affected solid samples and wasn't specific to the PAS schemes.

CCS & BCS Updates

Scheme Updates

OD presented the current scheme numbers, including new applicants and withdrawals.

CCS Statistics

OD informed the TAC of the latest Compost Certification Scheme statistics. There were 173 certified processes, with 133 located in England, 20 in Scotland, 13 in Wales, and 6 in Northern Ireland. Additionally, there was 1 certified process in the Republic of Ireland. The total volume of inputs processed was approximately 4.0 million tonnes per annum, resulting in the production of around 2.0 million tonnes per annum of quality compost.

BCS Statistics

OD also provided the TAC with the latest Biofertiliser Certification Scheme statistics. There were 108 certified processes, comprising 80 in England, 12 in Scotland, 8 in Wales, and 8 in Northern Ireland. The total volume of inputs processed was approximately 5.8 million tonnes per annum, reflecting an increase of 0.2 million tonnes. This led to the production of around 5.1 million tonnes per annum of certified digestate, also representing an increase of 0.2 million tonnes per annum.

Research Hub Updates

MMG provided an update on the recent Research Hub activities:

Plastic Report

The plastic method project report had been finished and circulated internally. It would be published externally with communications about a webinar scheduled for December. The webinar would showcase the results of this project and put it in context for how it will impact the schemes.

PRT Project

The PRT spring barley project was underway, with Audrey Litterick of Earthcare Technical contracted to work as the technical coordinator. She was working with the labs to initiate the lab work. This project was expected to run for at least the next year.

Risk Assessment Project

DC would cover this project later in the meeting. It was a piece of work agreed upon following the T&FG discussion. The assessment would inform the final RFs, which were expected to come fully into force within the next couple of years. The deadline for this was Friday, 6th December, and there had already been some interest expressed.

New Projects

MMG announced that this year they were commissioning three projects, up from their previous record of two: 1) Appraisal of screen size and its impact on the process as a whole (whether full revalidation is required), 2) End of waste case information for digestate-derived products, building on the digestate valorisation report from an earlier Research Hub project, 3) Alternative control growing media for REAL CCS plant response test, finding an alternative to peat.

MMG expressed excitement about starting these projects. Due to the increased workload, they had engaged a contract project manager who would be working with them until March of the following year.

SN commended the strength of these three projects and noted that they were all strongly supported. SN emphasised the need for help from the wider community on the project management team, stressing the importance of researchers liaising with the project management team to ensure the projects answered the questions posed from the outset.

Update on Resource Frameworks

DC provided an update on the work with Resource Frameworks. The final T&FG meeting had taken place a couple of weeks prior. As far as they knew, all work had been completed or was being completed by the EA. The document was going through EA legal and publishing processes. REAL had been informed that they would receive a publication date in advance to allow for preparation.

REAL was planning to host a couple of webinars, one for each scheme, ideally before the publication date. DC noted that aside from high-level changes between the QP and RF, the formatting would be quite different as they would be published on the .gov website, which had restrictions on visual elements. Key changes included:

- a) Digestate would now be allowed to go to horticultural markets. The risk assessment would determine if horticulture was a safe space for digestate. It was currently unclear how this would work for operators and how the BCS reputation would be secured if problems arose.
- b) The reduced plastic limit was included, which was seen as positive news.
- c) The plastic limits would be addressed through the RPS published alongside the RF, but other changes would be effective from the day of publication.
- d) Significant changes would need to be complied with, and REAL was planning meetings with the EA to clarify these. They were also working on a communications plan.

- e) The point at which end of waste was met had been clarified. The new RF states that material meets end of waste when dispatched to the end-user.
- f) The schemes had been mentioned in regard to the appointment of certification bodies.
- g) The list of specific designated market sectors had been removed. As long as the material or the market complied with the waste codes, it should be acceptable.
- h) The 99 codes had been removed from both waste codes for clarity.
- i) Sludges had been added back into the ADRF, including alcoholic and non-alcoholic sludges.
- j) Treated wood had been removed from both RFs.

DC noted that they were still awaiting confirmation on whether a document explaining the changes could be shared prior to the official publication.

JC inquired about any updates on glycerol. DC confirmed that glycerol had been added to the list of acceptable inputs.

JC raised a concern from the BCS forum regarding EWC codes and the potential impact on existing contracts if changes needed to happen from day one. There was significant concern about how quickly these changes might need to be implemented. KN addressed these concerns, stating that the waste codes shouldn't be too significantly affected apart from 99 codes and construction demolition waste. They emphasised that the main focus was on improving quality and addressing nutrient management issues, particularly for whole digestate.

GP reported that there was no update on UKAS accreditation, but there were no concerns around maintenance of accreditation in relation to the Compost RF review. Everything seemed to be progressing smoothly. UKAS had provided some comments to the EA, but nothing significant. They had been provided with both drafts and expressed no concerns about potential impacts.

RL inquired about the possibility of the CBs seeing the draft before publication, noting that they were receiving questions from producers who seemed to know more about the changes than they did. KN agreed to circulate the draft to the entire group.

DC mentioned that while the final frameworks shouldn't be shared, they were unsure if a document explaining the changes could be distributed. JC emphasised the importance of the webinars in addressing concerns, particularly around the implementation timeline for any changes.

KN highlighted the increased focus on nutrient management in the new frameworks. They explained that while it might appear to be a subtle change, the requirement for a nutrient management plan and supply chain contingency was significant, especially for whole digestate. KN stressed the need to have proper steps in place to address potential pinch points at certain times of the year and the importance of establishing firm supply chains, acknowledging the challenges involved when contractors are part of the process.

Update from Certification Bodies

NJ reported no significant updates, though they are actively working to recruit a full-time auditor.

DR similarly noted no major updates but mentioned efforts to expand their assessor pool by bringing on an independent contractor.

RL shared that while there were no significant changes, two new inspectors had been trained recently.

Update from the Approved Laboratories

SP indicated there were no significant operational issues to report. They noted that annual audits had been completed and that they were awaiting the audit report to identify any potential concerns.

Update from the CCS Producers' Representative

GK had updated producers on several topics during the recent forum, including local authority contamination issues and the progress of the stones test methodology. They also raised the courier situation as a key point of feedback for the TAC, noting that while some complaints came from remote locations, others were from individuals who chose to transport samples to labs themselves. The limited number of couriers available for transporting biological samples continues to present challenges.

Producers raised concerns about *E. coli* testing, asking for clarification on procedures in place to ensure system robustness. GK suggested demonstrating the current procedures to maintain confidence.

SN praised the response to the *E. coli* concerns, commending the rapid and effective follow-up. GK agreed with the conclusions, and there were no further questions or comments.

Update from the BCS Operators' Representative

JC reported high attendance at the operators' group meeting and highlighted several issues:

Courier challenges were discussed, mirroring concerns raised by CCS producers. The removal of waste codes from the list raised questions among operators. Internal auditor qualifications varied across the schemes. JC recounted an instance where an operator could not conduct an internal audit due to not meeting qualifications, despite prior practice with support from a colleague. The BCS does not require the same standards as it is not UKAS accredited, but JC noted a need for clearer requirements or internal training opportunities for operators. Operators were asked for feedback on the practicalities of third-party samplers attending sites and related logistical issues. Digital waste tracking, featured prominently in a recent REA magazine article, was discussed, with potential impacts on waste operations noted.

SN invited comments from auditors regarding internal audits. GP mentioned subsequent discussions on the topic and indicated that potential developments for operators are under consideration, with details forthcoming.

Technical Issues

E.coli investigation completion

TA reminded the committee of the summary paper and risk assessment, then briefly summarised saying that during a 6-7 week period in March-May 2024, one of the labs that produces test reports for both

schemes was conducting compost and separated fibre *E.coli* tests improperly, resulting in invalid test results for a number of scheme participants across both schemes.

TA mentioned that REAL worked with the CBs, impacted scheme participants, and the lab to collect as much data as possible to inform the next steps. REAL was provided with data that showed 11 BCS processes and 32 CCS processes were given invalid test reports.

TA then explained the 3-tiered risk assessment approach taken by REAL. These risk tiers used previous process/matrix results, historic failure rates for each scheme as a whole, parallel valid sample test results, and post-invalid test results to establish the likelihood of the invalid tests being potential failures. The first tier, the lowest risk level, was given to processes with both no previous failures and post-invalid test results showing no failures; or in the case of BCS, if past and parallel tests were all passes. Only 2 BCS and 6 CCS processes did not meet the above lowest-risk criteria.

For the second tier, the question was whether any material had been dispatched, and if not, then that process could also be considered very low risk. If material had been dispatched, the remaining question was how much material and what the end-use of that material was. TA explained that silage production or agricultural land use will have additional processes such as drying that will function as pathogen controls, further mitigating risk. Another example given included grain crops that would undergo significant processing, compared to lettuces or other raw crops that might pose higher risks.

TA concluded by saying that the Laboratory T&Cs are being revised and there will be additional laboratory audits. TA commented that the value of the database in helping with this investigation was evident and allowed for much quicker investigation and response from REAL. TA did comment that the lack of dispatch data and end-use market slowed the investigation down towards the end, which could be improving going forward allowing for faster responses.

Conformity Marks

The group reviewed the current use of two conformity marks for BCS and CCS—one for Scotland and one for England, Wales, and Northern Ireland.

It was discussed that if NRW and NIEA adopt the RFs with the same End-of-Waste criteria as in England, Wales, and Northern Ireland, there may not be a need to create new certification marks. During the transition, products certified under the Quality Protocol (QP) and those certified under the RF could coexist on the market. However, since the current marks do not explicitly reference the QP or RPS, there would be no visible conflict.

OD raised the question of whether differing EoW criteria in Wales or Northern Ireland would require new marks. DC noted that it is not yet clear whether NRW and NIEA will adopt the RF in full, partially, or develop unique regulatory positions. If unique frameworks emerge, additional conformity marks, similar to the approach in Scotland, may be necessary.

NJ and GK advised avoiding changes to the marks unless absolutely necessary. JC agreed, pointing out that BCS marks are seldom used compared to CCS, which would limit the impact of keeping the same marks.

The TAC confirmed that the current marks do not reference QP or RF directly. This allows them to be applied under both frameworks unless regulatory differences mandate distinct new marks. Only if Northern Ireland and/or Wales adopt spirant positions would country-specific conformity marks be required.

AOBs

Thoughts/opinions/concerns on compost going to horticulture

DC opened the discussion by noting the increased focus on horticulture, driven partly by the peat bans. They highlighted the need to understand concerns and gather feedback about compost and digestate going to horticulture. A meeting with DEFRA and their peat and soils team had been held previously, and this discussion extended that conversation. DC encouraged attendees to share thoughts on making the transition to digestate and compost easier for the industry. KN emphasised the importance of responding quickly to these issues.

SN recalled past challenges with digestate, especially handling solid digestate, which they described as more difficult compared to compost. They shared a specific example from 25 years ago where a user abandoned digestate for peat due to its handling difficulties. KN noted that technology has advanced considerably since then, and current digestate products are much more stable. They suggested letting the market drive further improvements.

Contamination was a recurring concern. AM pointed out that contamination in fibres might limit digestate to niche uses, such as in farming or the whisky industry, where cleaner materials are required. They speculated that many in horticulture might avoid digestate if there is any perceived risk. GK added that food waste inputs inevitably include packaging, leading to contamination in digestate. However, they argued that creating a strong market could incentivise producers to improve cleaning processes.

KN and others agreed that the horticultural industry should be allowed to set its own standards and determine what works best for them. NJ raised the issue of perception, noting that CO₂ derived from waste faces scepticism even when it meets the same specifications as CO₂ from crop-fed sources.

DC enquired about Scotland's position on digestate use. AM explained that Scottish standards emphasise establishing a market rather than dictating specific uses. They cited a cleaner example from a distillery's AD plant, which produces digestate suitable for growing media. RL offered to track down information about this site.

The discussion moved to the "end-of-waste" designation. RL sought clarification on what constitutes "end-of-waste," particularly for materials in storage. KN explained that materials stored indefinitely without a clear end-use may revert to being classified as waste. They added that certainty of supply is key, and suggested operators should think more strategically about their supply chains.

DR asked about the auditing process and whether operators would be expected to verify nutrient management plans. KN clarified that while operators don't need to audit the plans, they should ensure that end users have one in place. GK argued that requiring producers to take responsibility for end-use might be excessive, as responsibility for appropriate use should ultimately rest with the end user. KN agreed but emphasised the importance of supply agreements specifying clear expectations.

Participants discussed the need for better oversight of supply chains. KN mentioned ongoing efforts to map supply and demand to avoid over-application or regional nutrient imbalances. They stressed the importance of including clear guidance in the regulatory framework while recognising the practical limitations faced by operators.

The group concluded that the market should be allowed to lead the development of standards, supported by clearer regulatory guidance. KN suggested further consultation to refine the frameworks and ensure they are practical for all stakeholders. Attendees were encouraged to submit any additional thoughts or concerns in writing to KN.

SN thanked all participants for their contributions and emphasised the importance of continued collaboration in navigating the upcoming changes in the industry. They encouraged TAC members to remain engaged with the various projects and initiatives discussed during the meeting.

Meeting adjourned.

Actions

The meeting concluded with a summary of action points and a look ahead to the next steps for the various initiatives discussed. These included:

- REAL to continue exploring potential option for operators/producers to take samples directly to a depot in order to avoid courier-related issues with sample collection on-site
- REAL to confirm to FD if any of the suspended/withdrawn certificates were for Scottish sites (and cc AM)
- REAL to confirm in future which countries the applicants/suspended/withdrawn sites are located in
- KN to email EA colleagues to request final draft RFs that can be shared with the CBs
- REAL to consider informing operators before or during the REAL RF webinars whether there are any changes to allowable waste inputs that may impact them
- REAL to circulate final draft RFs to all TAC members present at the meeting
- REAL to forward email to the EA regarding the RBP data request raising queries around the request
- REAL to consider sharing with producers/operators the safeguards that have been introduced to the schemes and work in the background to ensure the system is still robust (re E. coli investigation)
- REAL to consider sharing update with operators either during or before next forums about independent sampling and the information provided to REAL in terms of challenges getting on-site
- TAC to share any thoughts/opinions/concerns on compost going to horticulture with DC
- TAC to share any thoughts soon with KN about concerns over risks of digestate to horticulture or whether the market should set the standard
- REAL to confirm the name of the withdrawn Scottish site with SEPA
- RL to confirm the name of the site currently supplying digestate to horticulture with DC
- EA, CBs, and REAL to agree what records the CBs will need to check in terms of management of compost/digestate by the end user
- RL and other TAC members to feed back to KN if any clauses in the final draft RFs are unclear