



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

Site	Emerald Biogas Energy Park EA/EPR/BP3133TC/A001			Permit Ref	BP3133TC		
Operator/ Permit holder	WARRENS EMERALD BIOGAS LTD						
Date	18/02/2026			Time in	12:15	Out	14:15
What parts of the permit were assessed	Odour control, general management, site inspection						
Assessment	Site Inspection	EPR Activity:	Installation	X	Waste Op	Water Discharge	
Recipient's name/position	Site Manager, SHEQ Manager North						
Officer's name	Brian Raun, Paul Whitehill, Tony Roberts			Date issued		06/03/2026	

Section 1 - Compliance Assessment Summary

This is based on the requirements of the permit under the Environmental Permitting Regulations (EPR). A detailed explanation and any action you may need to take are given in the Detailed Assessment of Compliance (section 2) and the Actions (section 4). This summary details where we believe any non-compliance with the permit has occurred, the relevant condition and how the non-compliance has been categorised using our [Compliance Classification Scheme](#) (CCS). CCS scores can be consolidated or suspended, where appropriate, to reflect the impact of some non-compliances more accurately. For more details of our CCS scheme, contact your [local office](#).

Permit Conditions and Compliance Summary			Condition(s) breached
a) Permitted activities	1. Specified by permit	A	
b) Infrastructure	1. Engineering for prevention & control of pollution	N	
	2. Closure & decommissioning	N	
	3. Site drainage engineering (clean & foul)	N	
	4. Containment of stored materials	A	
	5. Plant and equipment	N	
c) General management	1. Staff competency/ training	N	
	2. Management system & operating procedures	C3	1.1.1;
	3. Materials acceptance	N	
	4. Storage handling, labelling, segregation	N	
d) Incident management	1. Site security	N	
	2. Accident, emergency & incident planning	N	
e) Emissions	1. Air	N	
	2. Land & Groundwater	N	
	3. Surface water	N	
	4. Sewer	N	
	5. Waste	N	
f) Amenity	1. Odour	C3	3.3.1;
	2. Noise	N	
	3. Dust/fibres/particulates & litter	N	
	4. Pests, birds & scavengers	A	
	5. Deposits on road	N	
g) Monitoring and records, maintenance and reporting	1. Monitoring of emissions & environment	N	
	2. Records of activity, site diary, journal & events	N	
	3. Maintenance records	N	
	4. Reporting & notification	A	
h) Resource efficiency	1. Efficient use of raw materials	N	
	2. Energy	N	

KEY: C1, C2, C3, C4 = CCS breach category (* suspended scores are marked with an asterisk),

A = Assessed (no evidence of non-compliance), **N** = Not assessed, **NA** = Not Applicable, **O** = Ongoing non-compliance – not scored

MSA, MSB, TCM = Management System condition A, Management System Condition B and Technically Competent Manager condition which are environmental permit conditions from Part 3 of schedule9 EPR (see notes in Section 5/6).

Number of breaches recorded	2	Total compliance score (see section 5 for scoring scheme)	8
If the Total No Breaches is greater than zero, then please see Section 3 for details of our proposed enforcement response			

Section 2 – Compliance Assessment Report Detail

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

- the part(s) of the permit that were assessed (e.g. maintenance, training, combustion plant, etc)
- where the type of assessment was 'Data Review' details of the report/results triggering the assessment
- any non-compliances identified
- any non-compliances with directly applicable legislation
- details of any multiple non-compliances
- information on the compliance score accrued inc. details of suspended or consolidated scores.
- details of advice given
- any other areas of concern
- all actions requested
- any examples of good practice.
- a reference to photos taken

This report should be clear, comprehensive, unambiguous and normally completed within 14 days of an assessment.

Emerald Biogas Energy Park EPR/BP3133TC

EA - Installations Officer TR, Installations Officer BR, Waste Team Leader PW. On site 18/02/2026 between 12:15hrs – 14:15hrs

Emerald Biogas – SHEQ Manager North, SHEQ Adviser, Assistant Site Manager, Site Manager (closing meeting).

Site inspection in response to recent odour reports

Introduction

Warrens Emerald Biogas Ltd located at Emerald Biogas Energy Park, Hurworth Road, Aycliffe Industrial Estate, Newton Aycliffe, County Durham, DL5 6UD has the Environmental Permit EPR/BP3133TC issued 15th August 2025 to operate an Anaerobic Digestion facility.

The permit was first issued 17th February 2011 the last variation application EPR/BP3133TC/V008 resulted in a consolidated variation reflecting the inclusion of the new waste reception building with associated odour abatement and changes to the site drainage and surface water run-off management and extension of the installations boundary.

On the 18th of February 2026 boundary odour monitoring of the site was conducted by EA Officers between 10:54hrs and 12:15hrs. The weather at the time of the odour monitoring was noted as overcast; 7/8 cloud cover, a moderate wind from the SE at 16 mph gusting to 28mph and a temperature of 3 degrees Celsius.

EA Officers entered the site at 12:15pm, signed in and met with the Assistant Site Manager, SHEQ Manager North and SHEQ Adviser. Officers identified themselves with personal authorisation cards and advised of the intention to conduct a site inspection in relation to recent odour reports and the boundary odour monitoring conducted that morning.

Photographs were taken during the inspection.

Subsequent to the on-site inspection, a meeting was held in the site office and an Environment Agency Form EA 33 Notice of Powers and Rights reference EA09488 was issued. This Compliance Assessment Report (CAR) is an assessment of odour controls on the site observed during the site inspection in response to odour detected during boundary odour monitoring of the site by Environment Agency staff on 18th February 2025 between 10:54hrs and 12:15hrs.

ODOUR MONITORING

Location: At site perimeter with aspect to new and old reception buildings observed Bay 1 door of old building open and one door of new reception building open. At 10:54hrs

Location: INEOS service road ///because, forge, embers, just off School Aycliffe Lane. At 11:03hrs Distinct 3/6 odour persistent for 2 minutes recognised as digestate odour. Odour reoccurred at 11:07hrs.

Location: At site perimeter with aspect to new and old reception buildings observed Bay1 door of old building open and one door of new reception building open. At 11:12hrs – 11:18hrs.

Location: At entrance to Main Site. Distinct 3/6 odour recognised as digestate. At 11:30hrs.

Location: At entrance to Husqvarna an upwind location no odour detected. At 11:35hrs

Location: At entrance to Main Site. Distinct 3/6 odour recognised as digestate persistent odour. Visible on site a tanker at Post Digester 2 (vehicle registration noted) At 11:38hrs to 11:48hrs.

Location: At site perimeter with aspect to new and old reception buildings observed Bay 1 door of old building open and one door of new reception building open. At 11:54

Location: After entering site signing in and showing authorisations. At Post Digester 2. No tanker in place. A very faint 1/6 odour recognised as digestate.

Location: At Post Digester 2. tanker loading. Noted this was the same tanker as previously noted. A distinct 3/6 odour recognised as digestate noticeable in car park area and in immediate vicinity of tanker. The vent cap on the tanker could be seen to wave as tanker air was displaced during the filling operation. The operator advised the filling operation was typically 9 minutes.

After loading was complete it was noted no digestate was spilled onto the ground however the filling umbilical from the Post Digester 2 – was noted as not having any sealing cap or being washed.

Non-compliances.

The following non-compliance with your permit has been identified:

Criteria: F1 – Amenity Odour

CCS Category: Category 3

Permit Condition Breached: 3.3.1

“3.3.1 Emissions from the activities shall be free from odour at levels likely to cause pollution outside the site, as perceived by an authorised officer of the Environment Agency, unless the operator has used appropriate measures, including but not limited to, those specified in any approved odour management plan, to prevent or where that is not practicable to minimise the odour”

Reason for breach: During the boundary odour monitoring odour was detected off site, this odour was discounted as coming from upwind of the site (see odour monitoring summary). During the period of persistent odour a tanker (the vehicle registration of which was recorded) was visible loading with digestate from a tank labelled Post Digester 2)

Accompanied by Site Management, the Environment Agency officers witnessed a subsequent digestate loading operation (by the same vehicle) and in close proximity to the vehicle were able to locate the tanker venting port and detect the same odour that has been detected offsite, and which was rated as distinct 3/6 and persistent. The operator advised the loading operation was typically 9 minutes and during the meeting on site the operator showed records outlining that between 7 am and 3pm weekday's typically 16 to 18 such operations are undertaken.

Action 01/0593446: The operator advised they have engaged with a supplier of a standalone drum-based abatement units which can be attached to the tanker during loading of digestate and abate the vented air. The operator has committed to keeping the Environment Agency updated of developments. The operator is requested to have this system implement at the earliest opportunity and certainly by the action deadline or provide reasonable explanation and further updates to any delay.

Deadline: 26/05/2026

The following is considered the root cause of the above breach, which if not addressed will likely

result in further breaches.

Criteria: C2 – Management Systems and Operating Procedures:

CCS Category: Category 3

Permit Condition Breached: 1.1.1(a)

“1.1.1 The operator shall manage and operate the activities:

(a) in accordance with a written management system that identifies and minimises risks of pollution, including those arising from operations, maintenance, accidents, incidents, non-conformances, closure, and those drawn to the attention of the operator as a result of complaints;”

Reason for breach: You are not operating in accordance with your Integrated Management System, namely your housekeeping and hygiene procedures, document control no. EB-0515 dated: Sept 2024.

On page 2, it states “This procedure is minimise/eliminate the health, safety and environmental risks associated with poor housekeeping”.

On page 2, it also states “Blocked drainage systems, poor waste storage, spills which are not cleaned up and other poor housekeeping can result in environmental issues”.

The loading of trucks with free venting at an average frequency of 2.25 every hour (16 – 18 every weekday (7am to 3pm (8hrs)) mean that every 26 minutes for a duration of up to 9 minutes odorous emissions are being made from this loading point. It reasonably foreseeable that this odorous plume is problematic off-site particular on days when dispersion is reduced because of low wind speeds or other atmospheric conditions.

When inspecting the new waste reception hall, officers observed the concrete push walls. The operator explained that a gap of around 30cm behind the push walls, separating them from the building cladding. And that food waste had in the past fallen into this gap and breached the bottom of the building cladding.

During a walkaround of the outside of the building, officers observed waste which had escaped from the bottom of the building cladding onto unmade ground below. This was from the location of the gaps behind the push walls.

During the boundary odour monitoring of the site, it was recorded that the new waste reception building door was left open for a duration of 1 hour with no demonstrable access/egress activity. From these observations, it is evident that waste has not been stored appropriately within the new waste reception hall. Waste has over-topped the push walls and accumulated in the gaps resulting in a loss of containment from the building and the building doors were left open for a protracted period, increasing the environmental risk through pollution to ground and in terms of amenity through odour and pests.

Therefore, housekeeping procedures in Document EB-0515 are not being followed as “the health, safety and environmental risks associated with poor housekeeping” are not being minimised because there is “poor waste storage” within the new reception hall.

It is reasonably foreseeable that without corrective measures to improve housekeeping there will be a continued risk to the environment through emissions to land, odour pollution and the potential for flies to cause on and off-site impacts. On this occasion you have been scored a Compliance Classification Scheme (CCS) CAT 3 minor non-compliance.

Action 02/0593446: Ensure all areas to which food waste could be deposited are cleaned and maintained to prevent further environmental risk from odour, pests, and the escape of waste.

Action 03/0593446: Submit a schedule of improvements to be made to the new reception hall to prevent waste accumulating on and behind the push walls or advise of a new date and the reason for the delay.

Deadline: 23/03/2026

Action 04/0593446: Follow your housekeeping and hygiene procedure (document no. EB-0515) in your integrated management system and update, if necessary, with interim mitigation procedures.

Deadline: 27/02/2026

COMPLIANCE SUMMARY

A1. Specified activities.

The site activities are set out in Table S1.1 activities.

It is noted that the permitted site activities included AR10 Digestate storage and R13 Storage of Waste pending any of the operations numbered R1 to R12. The limits of specified activity and waste types being; from the receipt of process uncertified digestate produced from the onsite anaerobic digestion process to despatch for use off-site. The limits of specified activity and waste types being storage of processed uncertified whole digestate in one storage tank.

It is noted that digestate is only exempt from waste controls when it meets PAS110 and meets the new anaerobic digestate resource framework <https://www.gov.uk/guidance/anaerobic-digestate-resource-framework> (The Quality Protocol: anaerobic digestate was removed on 20th October 2025.) However, the Environment Agency has a duty to regulate odour from permitted industrial processes.

The following provides a summary of your activities which were assessed as compliant and our advice and guidance to ensure these activities continue to remain compliant with your permit.

WASTE RECEPTION BUILDINGS

B4 – Storage and containment of stored materials and F4 – Pests, birds, & Scavengers.

During this inspection, the new waste reception building was in use with observed waste stored within the building. The stockpile of reception waste awaiting debagging was low which the operator advised reflected normal seasonal variation. Additionally, the operator advised this food waste would typically be resident for no more than 1 day before entering the de-packer.

The old reception building was observed to not contain any reception waste, only grit from the degritting of one of the digester tanks. Waste transfer notes for the movement of some of this waste to date were viewed. The operator is reminded that the permit number of the receiving waste facility should be included in the waste transfer information with the introduction of the Digital Waste Tracking System briefly being discussed.

The operator advised that reception waste other than securely originally packaged food waste typically palleted food, would not be stored in the old waste reception building.

The operator committed to supplying an update on the refurbishment of the new waste reception building, and during the inspection showed consultant drawings and diagrams of the proposed shedding plate. The operator advised that interim arrangements pending the infrastructure works were.

- 1) an increased vigilance re: pest control, reporting that no significant increase in pest activity had been noted, and
- 2) Toolbox talks to operational staff on ensuring reception waste does not breach the push wall height

No significant odour was detected in either waste reception hall.

MEDIUM COMBUSTION PLANT

It is noted that Medium Combustion Plant Boilers (1-50MWth) will have the requirement to comply with new Medium Combustion Plant Directive (MCPD) legislation coming into effect.

The site has two combined heat and power (CHP) engines (3.9MW and 2.9MW) which run on the generated biogas. These will fall under the MCPD.

Medium combustion plant: when you need a permit - GOV.UK (www.gov.uk)

Permitting and compliance dates being as follows:

The boilers being between 1 MWth and less than 5 MWth, they will need to be permitted by 2029 and compliant by 2030.

G4 – Reporting and Notification:

Waste returns for Q4 2025 do not appear to have been submitted.

Compliance rating for the year.

The Environment Agency assesses compliance through a range of regulatory activities throughout the compliance year which runs from 1st January to 31st December. At the end of the year, each permitted site is given a compliance rating from Band A to Band F, with those sites in Band A-C being better performers and those in D-F being poorer performers.

To date (since 1st January 2026), 8 Compliance Classification Scheme (CCS) points have been accrued this compliance year, this equates to compliance Band B and means the subsistence fees for the following regulatory year (2027) will be 100%.

Last year the site was a Band B with 4 points.

More information on compliance rating can be found here.

<https://www.gov.uk/guidance/compliance-rating-guidance-environmental-permits>

Section 3- Enforcement Response

Only one of the boxes below should be ticked

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

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

**Non-compliance with MSA, MSB & TCM do not constitute an offence but can result in the service of a compliance, suspension and/or revocation notice.*

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

In respect of the above non-compliance you have been issued with a warning. At present we do not intend to take further enforcement action. This does not preclude us from taking additional enforcement action if further relevant information comes to light or offences continue.

X

We will now consider what enforcement action is appropriate and notify you, referencing this form.

Section 4- Action(s)

Where non-compliance has been detected and an enforcement response has been selected above, this section summarises the steps you need to take to return to compliance and also provides timescales for this to be done.

Criteria Ref.	CCS Category	Action Required / Advised	Due Date
See Section 1 above			
C2	C3	Action 02/0593446: Ensure all areas to which food waste could be deposited are cleaned and maintained to prevent further environmental risk from odour, pests, and the escape of waste. Action 03/0593446: Submit a schedule of improvements to be made to the new reception hall to prevent waste accumulating on and behind the push walls or advise of a new date and the reason for the delay. Deadline: 23/03/2026 Action 04/0593446: Follow your housekeeping and hygiene procedure (document no. EB-0515) in your integrated management system and update, if necessary, with interim mitigation procedures. Deadline: 27/02/2026	20/03/2026
F1	C3	Action 01/0593446: The operator advised they have engaged with a supplier of a standalone drum-based abatement units which can be attached to the tanker during loading of digestate and abate the vented air. The operator has committed to keeping the Environment Agency updated of developments. The operator is requested to have this system implement at the earliest opportunity and certainly by the action deadline or provide reasonable explanation and further updates to any delay. Deadline: 26/05/2026	26/05/2026

Section 5 - Compliance notes for the Operator

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

- advise on corrective actions verbally or in writing
- require you to take specific actions in writing
- issue a notice
- require you to review your procedures or management system
- change some of the conditions of your permit
- decide to undertake a full review of your permit

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

- We will normally provide advice and guidance to assist you to come back into compliance either after an offence is committed or where we consider that an offence is likely to be committed. This is without prejudice to any other enforcement response that we consider may be required.
- Enforcement action can include the issue of a formal caution, prosecution, the service of a notice and or suspension or revocation of the permit.
- A civil sanction Enforcement Undertaking (EU) offer may also be available to you as an alternative enforcement response for this/these offence(s).

See our Enforcement and Civil Sanctions guidance for further information

A breach of permit condition **MSA, **MSB** & **TCM** is not an offence but may result in the service of a notice requiring compliance and/or suspension or revocation of the permit.*

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

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

Non-compliance scores and categories

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

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

MSA, MSB & TCM are conditions inserted into certain permits by Schedule 9 Part 3 EPR

MSA requires operators to manage and operate in accordance with a written management system that identifies and minimises risks of pollution.

MSB requires that the management system must be reviewed, kept up-to-date and a written record kept of this.

TCM requires the submission of technical competence information.

Section 6 – General Information

Data protection notice

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

- offering/providing you with its literature/services relating to environmental matters
- consulting with the public, public bodies and other organisations (e.g. Health and Safety Executive, local authorities) on environmental issues
- carrying out statistical analysis, research and development on environmental issues
- providing public register information to enquirers
- investigating possible breaches of environmental law and taking any resulting action
- preventing breaches of environmental law
- assessing customer service satisfaction and improving its service
- Freedom of Information Act/Environmental Information Regulations request.

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

Disclosure of information

The Environment Agency will provide a copy of this report to the public register(s). However, if you consider that any information contained in this report should not be released to the public register(s) on the grounds of commercial confidentiality, you must write to your local area office within 28 days of receipt of this form indicating which information it concerns and why it should not be released, giving your reasons in full.

Customer charter

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

If a permit holder disagrees with the CAR form, they should raise their concerns to the officer or team which issued the form. This must be done within 14 calendar days of receipt. If the response does not resolve the issue, a permit holder can request an appeal of the regulatory decision. This request must be made within 28 calendar days of receipt of the response. More details on our regulatory appeals process can be found at

<https://www.gov.uk/guidance/appeal-a-regulatory-decision-from-the-environment-agency>.

If you are still dissatisfied, you can make a complaint to the Ombudsman. For advice on how to complain to the Parliamentary and Health Service Ombudsman phone their helpline on 0345 015 4033.