

Notice of variation and consolidation with introductory note

The Environmental Permitting (England & Wales) Regulations 2016

Creative Foods Europe Holdings Limited

Burton Plant
76 Mosley Street
Burton-upon-Trent
Staffordshire
DE14 1DS

Variation application number

EPR/CP3105BD/V002

Permit number

EPR/CP3105BD

Burton Plant

Permit number EPR/CP3105BD

Introductory note

This introductory note does not form a part of the notice

Under the Environmental Permitting (England & Wales) Regulations 2016 (schedule 5, part 1, paragraph 19) a variation may comprise a consolidated permit reflecting the variations and a notice specifying the variations included in that consolidated permit.

Schedule 1 of the notice specifies the conditions that have been varied and schedule 2 comprises a consolidated permit which reflects the variations being made. All the conditions of the permit have been varied and are subject to the right of appeal.

Burton Plant is located in Burton-upon-Trent, Staffordshire and covers approximately 2.8 hectares. This site is accessed from Mosley Street and the central National Grid reference for the site is SK 24276 23115. There is a mix of land uses/sensitive receptors surrounding the site: to the north is a brewery, depots, a railway and some residential. To the east is a brewery and some residential. To the south is primarily residential. To the west is a railway and station, a depot, a business park, 'works' and some residential. The primary residential areas are to the north, north-west and south. There is an Air Quality Management Zone about 110m to the north-west.

There are several non-statutory sites within 2km of the installation: two Local Nature Reserves, eight Local Wildlife Sites and three Ancient Woodlands. There is a designated site within 10km of the site. This site is the River Mease Special Area of Conservation (SAC) and the nearest point of the SAC is located approximately 9.6km south-west from the site.

The site is located within several inner source protection zones (Zone 1). It's within 125m of five potable water supply boreholes one of which is within 20m. The underlying Mercia Mudstone bedrock is not designated as an aquifer. The overlying Superficial Deposit is designated as a high vulnerability Secondary aquifer. The site is within a nitrate vulnerable zone. The closest surface water feature is Shobnall Brook about 125m to the south-west of the site. This is where the brook appears at the head of a culvert by the railway so it is not known if the brook runs in the culvert under or closer to the site. Peel's Cut is about 940m to the south-east and linked to the River Trent which is about 1.1km to the east. The Trent and Mersey Canal lies approximately 1km to the west. The site is at low risk of flooding from rivers.

This variation seeks to

- Change the current list activity S6.8 A (1) d(i) to S6.8 A (1) d(iii)
- The addition of a new effluent treatment plant under S5.4 A (1) a(ii)
- The addition of a new bulk ingredient storage facility comprising of six 30 tonne bulk storage tanks for oil and vinegar.
- Changes to the directly associated activity for raw material storage to take account of the additional manufacturing processes and final products.
- Changes to the directly associated activity for packaging to take account of additional packaging types for final products.
- Changes to the directly associated activity for refrigeration to take account of a new CO2 refrigeration system.
- Change to the effluent discharge point from the new treatment facility. (S1 no longer used to discharge.)

The schedules specify the changes made to the permit.

The status log of a permit sets out the permitting history, including any changes to the permit reference number.

Status log of the permit		
Description	Date	Comments
Application EPR/BO5314IU/A001	27/08/2004	
Request for further information – landspreading certification	25/11/2004	Response received 26/11/2004 and 09/12/2004.
Request for further information – historical polluting substances	26/11/2004	Response received 27/11/2004.
Request for further information – trace contaminants	30/11/2004	Response received 06/12/2004.
Request for further information – oven size and fuel type	02/12/2004, 03/12/2004	Response received 02/12/2004 and 03/12/2004.
Permit determined EPR/BO5314IU	24/12/2004	Permit issued to Kerry Foods Limited.
Application BO5314IU/V002(variation and consolidation)	Duly made 28/08/2019	Application to vary and update the permit to modern conditions. Addition of one 1.877MWth input gas fired engine (MCP and SG).
Response to request for further information.	28/08/2019	Revised site plan, M5 stack emission monitoring, revised H1, boilers-CHP operational configuration.
Variation determined EPR/CP3105BDBO5314IU (billing ref: AP3137QV)	19/09/2019	Varied permit issued.
Application EPR/CP3105BD/V002 (full transfer of permit EPR/ BO5314IU)	Duly made 18/11/19	Application to transfer the permit in full to Creative Foods Europe Holdings Limited.
Transfer determined EPR/CP3105BD	05/12/19	Full transfer of permit complete.
Application CP3105BD/V002 (variation and consolidation)	Duly made 09/01/2020	Application for a change in listed activity to allow new products, a new effluent treatment plant and changes to raw material storage and packaging DAAs.
Additional information submitted	26/03/2020	Email confirming refrigeration changing from ammonia to CO ₂ .
Additional information submitted	30/07/2020	Email containing revised risk assessment RA- 22110-20-123 Rev B, July 2020
Variation determined	19/08/2020	

End of introductory note.

Notice of variation and consolidation

The Environmental Permitting (England and Wales) Regulations 2016

The Environment Agency in exercise of its powers under regulation 20 of the Environmental Permitting (England and Wales) Regulations 2016 varies

Permit number

EPR/CP3105BD

Issued to

Creative Foods Europe Holdings Limited (“the operator”)

whose registered office is

10 Watchmoor Park Riverside Way

Camberley

Surrey

GU15 3YL

company registration number 08493072

to operate a regulated facility at

Burton Plant

76 Mosley Street

Burton-upon-Trent

Staffordshire

DE14 1DS

to the extent set out in the schedules.

The notice shall take effect from 19/08/2020.

Name	Date
Daniel Timney	19/08/2020

Authorised on behalf of the Environment Agency

Schedule 1

The following conditions were varied as a result of the application made by the operator:

- Condition 2.5 (Pre operational condition) and table S1.4 has been added to require the installation of a drain bladder as a transitional measure.
- Table S1.1 has been amended to reflect a change in listed activity from S6.8 Part A d) i) to S6.8 Part A d)iii; the addition of a new S5.4 activity for the treatment of process effluent through a new effluent treatment plant; the addition of a new directly associated activity for the storage of bulk ingredients in double lined tanks; amendment to 2 directly associated activities to take account of a change in raw material and packaging due to new processes and final products and a change in the directly associated activity for refrigeration from an ammonia system to a CO₂ system.
- Table S1.2 as referenced in condition 2.3.1 has been amended to include relevant documents provided with the variation application.
- Table 1.3 as referenced in condition 2.4.1 has been amended to increase the deadline for completion of the noise improvement condition to six months from the date of issue of this permit.
- Table 1.3 as referenced in condition 2.4.1 has been amended to an improvement condition (no.11) requiring the installation of an automatic surface water shutoff valve.
- Table 3.3 as referenced in conditions 3.3 and 3.5 has been amended to take account of the new effluent treatment plant and the change in discharge point for the process effluent.
- Table 4.1 as referenced in condition 4.2 has been amended to remove reference to discharge point S1 and refer to discharge point S2 only.
- Table 4.2 as referenced in condition 4.2 has been amended to take account of the new products being produced from this facility.

Schedule 2 – consolidated permit

Consolidated permit issued as a separate document EPR/CP3105BD/V002.

Permit

The Environmental Permitting (England and Wales) Regulations 2016

Permit number

EPR/CP3105BD

This is the consolidated permit referred to in the variation and consolidation notice for application EPR/CP3105BD/V002 authorising,

Creative Foods Europe Holdings Limited (“the operator”),

whose registered office is

**10 Watchmoor Park Riverside Way
Camberley
Surrey
GU15 3YL**

company registration number 08493072

to operate an installation at

**Burton Plant
76 Mosley Street
Burton-upon-Trent
Staffordshire
DE14 1DS**

to the extent authorised by and subject to the conditions of this permit.

Name	Date
Daniel Timney	19/08/2020

Authorised on behalf of the Environment Agency

Conditions

1 Management

1.1 General management

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; and
- (b) using sufficient competent persons and resources.

1.1.2 Records demonstrating compliance with condition 1.1.1 shall be maintained.

1.1.3 Any person having duties that are or may be affected by the matters set out in this permit shall have convenient access to a copy of it kept at or near the place where those duties are carried out.

1.2 Energy efficiency

1.2.1 The operator shall:

- (a) take appropriate measures to ensure that energy is used efficiently in the activities;
- (b) review and record at least every four years whether there are suitable opportunities to improve the energy efficiency of the activities; and
- (c) take any further appropriate measures identified by a review.

1.3 Efficient use of raw materials

1.3.1 The operator shall:

- (a) take appropriate measures to ensure that raw materials and water are used efficiently in the activities;
- (b) maintain records of raw materials and water used in the activities;
- (c) review and record at least every four years whether there are suitable alternative materials that could reduce environmental impact or opportunities to improve the efficiency of raw material and water use; and
- (d) take any further appropriate measures identified by a review.

1.4 Avoidance, recovery and disposal of wastes produced by the activities

1.4.1 The operator shall take appropriate measures to ensure that:

- (a) the waste hierarchy referred to in Article 4 of the Waste Framework Directive is applied to the generation of waste by the activities; and
- (b) any waste generated by the activities is treated in accordance with the waste hierarchy referred to in Article 4 of the Waste Framework Directive; and
- (c) where disposal is necessary, this is undertaken in a manner which minimises its impact on the environment.

1.4.2 The operator shall review and record at least every four years whether changes to those measures should be made and take any further appropriate measures identified by a review.

2 Operations

2.1 Permitted activities

2.1.1 The operator is only authorised to carry out the activities specified in schedule 1 table S1.1 (the “activities”).

2.2 The site

2.2.1 The activities shall not extend beyond the site, being the land shown edged in green on the site plan at schedule 7 to this permit.

2.3 Operating techniques

2.3.1 The activities shall, subject to the conditions of this permit, be operated using the techniques and in the manner described in the documentation specified in schedule 1, table S1.2, unless otherwise agreed in writing by the Environment Agency.

2.3.2 If notified by the Environment Agency that the activities are giving rise to pollution, the operator shall submit to the Environment Agency for approval within the period specified, a revision of any plan or other documentation (“plan”) specified in schedule 1, table S1.2 or otherwise required under this permit which identifies and minimises the risks of pollution relevant to that plan, and shall implement the approved revised plan in place of the original from the date of approval, unless otherwise agreed in writing by the Environment Agency.

2.3.3 Any raw materials or fuels listed in schedule 2 table S2.1 shall conform to the specifications set out in that table.

2.3.4 The operator shall ensure that where waste produced by the activities is sent to a relevant waste operation, that operation is provided with the following information, prior to the receipt of the waste:

- (a) the nature of the process producing the waste;
- (b) the composition of the waste;
- (c) the handling requirements of the waste;
- (d) the hazardous property associated with the waste, if applicable; and
- (e) the waste code of the waste.

2.4 Improvement programme

2.4.1 The operator shall complete the improvements specified in schedule 1 table S1.3 by the date specified in that table unless otherwise agreed in writing by the Environment Agency.

2.4.2 Except in the case of an improvement which consists only of a submission to the Environment Agency, the operator shall notify the Environment Agency within 14 days of completion of each improvement.

2.5 Pre-operational conditions

2.5.1 The activities shall not be brought into operation until the measures specified in schedule 1 table S1.4 have been completed.

3 Emissions and monitoring

3.1 Emissions to water, air or land

- 3.1.1 There shall be no point source emissions to water, air or land except from the sources and emission points listed in schedule 3 tables S3.1, S3.2 and S3.3.
- 3.1.2 The limits given in schedule 3 shall not be exceeded.
- 3.1.3 Total annual emissions from the emission point(s) set out in schedule 3 tables S3.1, S3.2 and S3.3 of a substance listed in schedule 3 table S3.4 shall not exceed the relevant limit in table S3.4.
- 3.1.4 Periodic monitoring shall be carried out at least once every 5 years for groundwater and 10 years for soil, unless such monitoring is based on a systematic appraisal of the risk of contamination.

3.2 Emissions of substances not controlled by emission limits

- 3.2.1 Emissions of substances not controlled by emission limits (excluding odour) shall not cause pollution. The operator shall not be taken to have breached this condition if appropriate measures, including, but not limited to, those specified in any approved emissions management plan, have been taken to prevent or where that is not practicable, to minimise, those emissions.
- 3.2.2 The operator shall:
 - (a) if notified by the Environment Agency that the activities are giving rise to pollution, submit to the Environment Agency for approval within the period specified, an emissions management plan which identifies and minimises the risks of pollution from emissions of substances not controlled by emission limits;
 - (b) implement the approved emissions management plan, from the date of approval, unless otherwise agreed in writing by the Environment Agency.
- 3.2.3 All liquids in containers, whose emission to water or land could cause pollution, shall be provided with secondary containment, unless the operator has used other appropriate measures to prevent or where that is not practicable, to minimise, leakage and spillage from the primary container.

3.3 Odour

- 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.

3.4 Noise and vibration

- 3.4.1 Emissions from the activities shall be free from noise and vibration 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 noise and vibration management plan to prevent or where that is not practicable to minimise the noise and vibration.
- 3.4.2 The operator shall:
 - (a) if notified by the Environment Agency that the activities are giving rise to pollution outside the site due to noise and vibration, submit to the Environment Agency for approval within the period specified, a noise and vibration management plan which identifies and minimises the risks of pollution from noise and vibration;
 - (b) implement the approved noise and vibration management plan, from the date of approval, unless otherwise agreed in writing by the Environment Agency.

3.5 Monitoring

- 3.5.1 The operator shall, unless otherwise agreed in writing by the Environment Agency, undertake the monitoring specified in the following tables in schedule 3 to this permit:
- (a) point source emissions specified in tables S3.1, S3.2 and S3.3;
 - (b) annual limits specified in table S3.4.
- 3.5.2 The operator shall maintain records of all monitoring required by this permit including records of the taking and analysis of samples, instrument measurements (periodic and continual), calibrations, examinations, tests and surveys and any assessment or evaluation made on the basis of such data.
- 3.5.3 Monitoring equipment, techniques, personnel and organisations employed for the emissions monitoring programme and the environmental or other monitoring specified in condition 3.5.1 shall have either MCERTS certification or MCERTS accreditation (as appropriate), where available, unless otherwise agreed in writing by the Environment Agency.
- 3.5.4 Permanent means of access shall be provided to enable sampling/monitoring to be carried out in relation to the emission points specified in schedule 3 tables S3.1, S3.2 and S3.3 unless otherwise agreed in writing by the Environment Agency.

3.6 Pests

- 3.6.1 The activities shall not give rise to the presence of pests which are likely to cause pollution, hazard or annoyance outside the boundary of the site. The operator shall not be taken to have breached this condition if appropriate measures, including, but not limited to, those specified in any approved pests management plan, have been taken to prevent or where that is not practicable, to minimise the presence of pests on the site.
- 3.6.2 The operator shall:
- (a) if notified by the Environment Agency, submit to the Environment Agency for approval within the period specified, a pests management plan which identifies and minimises risks of pollution from pests;
 - (b) implement the pests management plan, from the date of approval, unless otherwise agreed in writing by the Environment Agency.

4 Information

4.1 Records

- 4.1.1 All records required to be made by this permit shall:
- (a) be legible;
 - (b) be made as soon as reasonably practicable;
 - (c) if amended, be amended in such a way that the original and any subsequent amendments remain legible, or are capable of retrieval; and
 - (d) be retained, unless otherwise agreed in writing by the Environment Agency, for at least 6 years from the date when the records were made, or in the case of the following records until permit surrender:
 - (i) off-site environmental effects; and
 - (ii) matters which affect the condition of the land and groundwater.
- 4.1.2 The operator shall keep on site all records, plans and the management system required to be maintained by this permit, unless otherwise agreed in writing by the Environment Agency.

4.2 Reporting

- 4.2.1 The operator shall send all reports and notifications required by the permit to the Environment Agency using the contact details supplied in writing by the Environment Agency.
- 4.2.2 A report or reports on the performance of the activities over the previous year shall be submitted to the Environment Agency by 31 January (or other date agreed in writing by the Environment Agency) each year. The report(s) shall include as a minimum:
- (a) a review of the results of the monitoring and assessment carried out in accordance with the permit including an interpretive review of that data;
 - (b) the annual production /treatment data set out in schedule 4 table S4.2; and
 - (c) the performance parameters set out in schedule 4 table S4.3 using the forms specified in table S4.4 of that schedule.
- 4.2.3 Within 28 days of the end of the reporting period the operator shall, unless otherwise agreed in writing by the Environment Agency, submit reports of the monitoring and assessment carried out in accordance with the conditions of this permit, as follows:
- (a) in respect of the parameters and emission points specified in schedule 4 table S4.1;
 - (b) for the reporting periods specified in schedule 4 table S4.1 and using the forms specified in schedule 4 table S4.4; and
 - (c) giving the information from such results and assessments as may be required by the forms specified in those tables.
- 4.2.4 The operator shall, unless notice under this condition has been served within the preceding four years, submit to the Environment Agency, within six months of receipt of a written notice, a report assessing whether there are other appropriate measures that could be taken to prevent, or where that is not practicable, to minimise pollution.

4.3 Notifications

- 4.3.1 In the event:
- (a) that the operation of the activities gives rise to an incident or accident which significantly affects or may significantly affect the environment, the operator must immediately—
 - (i) inform the Environment Agency,
 - (ii) take the measures necessary to limit the environmental consequences of such an incident or accident, and
 - (iii) take the measures necessary to prevent further possible incidents or accidents;
 - (b) of a breach of any permit condition the operator must immediately—
 - (i) inform the Environment Agency, and
 - (ii) take the measures necessary to ensure that compliance is restored within the shortest possible time;
 - (c) of a breach of permit condition which poses an immediate danger to human health or threatens to cause an immediate significant adverse effect on the environment, the operator must immediately suspend the operation of the activities or the relevant part of it until compliance with the permit conditions has been restored.
- 4.3.2 Any information provided under condition 4.3.1 (a)(i), or 4.3.1 (b)(i) where the information relates to the breach of a limit specified in the permit, shall be confirmed by sending the information listed in schedule 5 to this permit within the time period specified in that schedule.
- 4.3.3 Where the Environment Agency has requested in writing that it shall be notified when the operator is to undertake monitoring and/or spot sampling, the operator shall inform the Environment Agency when

the relevant monitoring and/or spot sampling is to take place. The operator shall provide this information to the Environment Agency at least 14 days before the date the monitoring is to be undertaken.

4.3.4 The Environment Agency shall be notified within 14 days of the occurrence of the following matters, except where such disclosure is prohibited by Stock Exchange rules:

Where the operator is a registered company:

- (a) any change in the operator's trading name, registered name or registered office address; and
- (b) any steps taken with a view to the operator going into administration, entering into a company voluntary arrangement or being wound up.

Where the operator is a corporate body other than a registered company:

- (a) any change in the operator's name or address; and
- (b) any steps taken with a view to the dissolution of the operator.

In any other case:

- (a) the death of any of the named operators (where the operator consists of more than one named individual);
- (b) any change in the operator's name(s) or address(es); and
- (c) any steps taken with a view to the operator, or any one of them, going into bankruptcy, entering into a composition or arrangement with creditors, or, in the case of them being in a partnership, dissolving the partnership.

4.3.5 Where the operator proposes to make a change in the nature or functioning, or an extension of the activities, which may have consequences for the environment and the change is not otherwise the subject of an application for approval under the Regulations or this permit:

- (a) the Environment Agency shall be notified at least 14 days before making the change; and
- (b) the notification shall contain a description of the proposed change in operation.

4.3.6 The Environment Agency shall be given at least 14 days notice before implementation of any part of the site closure plan.

4.4 Interpretation

4.4.1 In this permit the expressions listed in schedule 6 shall have the meaning given in that schedule.

4.4.2 In this permit references to reports and notifications mean written reports and notifications, except where reference is made to notification being made "immediately", in which case it may be provided by telephone.

Schedule 1 – Operations

Table S1.1 Activities			
Activity reference	Activity listed in Schedule 1 of the EP Regulations	Description of specified activity	Limits of specified activity
AR1 – Food production process.	S6.8 Part A(1) (d): treatment and processing, other than exclusively packaging, of the following raw materials, whether previously processed or unprocessed, intended for the production of food or feed (where the weight of the finished product excludes packaging) – <ul style="list-style-type: none"> iii) animal and vegetable raw materials (other than milk only), both in combined and separate products, with a finished product production capacity in tonnes per day 75 tonnes per day greater than: <ul style="list-style-type: none"> aa) 75 if A is equal to 10 or more. 	Production of chilled & ambient cooked sauces, sous vide products and sandwich fillings	From receipt of raw materials and fuels onto site to despatch of finished product and associated process, production and cleaning wastes from site.
AR2 – Effluent treatment facility.	S5.4 Part A(1) (a): disposal of non-hazardous waste in a facility with a capacity exceeding 50 tonnes per day by: <ul style="list-style-type: none"> ii. physico-chemical treatment. 	Treatment of process effluent, involving physico-chemical treatment in an effluent treatment plant by dissolved air flotation (DAF)	From the receipt of raw effluent to discharge of effluent to public sewer.
Activity reference	Directly Associated Activity	Description of specified activity	Limits of specified activity
AR3	Raw material storage.	Fresh, frozen and cooked forms of meats, rice, veg and noodles. Oils. Tinned fruit. Seasonings and dry powders. Liquids. Cleaning and water dosing chemicals.	From receipt and storage of production raw materials, cleaning and water dosing chemicals to transfer into the production process or for cleaning purposes.
AR4	Packaging storage.	Trays, film, lids, sleeves, cases, dip pots, bottles, buckets, pallets/IBC, bags and labels.	From receipt on site to packaging of final product for transfer off of site.
AR5	Bulk Ingredients Storage	Oil and vinegar storage within 6 x 30 tonnes silos.	From receipt and storage of production materials, to transfer into the production process.
AR6	Waste storage.	Food, oil, inks, solvents and general wastes.	From receipt of waste from packing, site works, fat traps, interceptors and food production to transfer and disposal off site by a suitably licenced waste carrier.

Table S1.1 Activities			
Activity reference	Activity listed in Schedule 1 of the EP Regulations	Description of specified activity	Limits of specified activity
Activity reference	Directly Associated Activity	Description of specified activity	Limits of specified activity
AR7	Steam raising for use in the on-site cooking and cleaning processes.	Two 5.7MWth input existing natural gas fired boiler plant.	From receipt of natural gas to release of combustion products to air to production of steam and associated wastes removed from site. Only one boiler is to be operational at any one time.
AR8	Refrigeration.	Refrigeration plant and ice production.	From receipt of refrigeration gas to chilling of raw materials and final product, and ice production to the transfer of chilled product and associated wastes off of site. A CO ₂ system will be utilised on site.
AR9	Medium Combustion Plant for the production of electricity for use on-site.	Operation of one spark ignition natural gas engine with a thermal rated input not exceeding 1.877MWth.	From receipt of natural gas to release of combustion products to air to production of heat and electricity and associated wastes removed from site. Annual operating hours not restricted.

Table S1.2 Operating techniques		
Description	Parts	Date Received
Application EPR/BO5314IU/A001	The response to questions 2.1 and 2.2 given in Sections 2.1 and 2.2 of the application.	27/08/2004
Application EPR/BO5314IU/V002	Application Part C3 Q3a: Technical Standards. Kerry Foods Limited Environmental Risk Assessment for Application to Vary Permit BO5314IU at Burton Food Products Plant No1.	28/05/2019
Additional information	Response to further information request ref: JER1523, August 2019.	28/08/2019
Variation Application EPR/CP3105 BD/V002	Application Part C3 Q3a: Technical Standards.	09/01/2020
Application documents	BAT assessment - Food, drink and milk industries Document ref: Attachment C3.2.	09/01/2020
	How to comply: The food and drink Sector (EPR 6.10) Document ref: Attachment C3.2 (C3.3 as referenced on Edrm).	09/01/2020
	Odour management plan. Document ref: Attachment C3.4	09/01/2020
	CO2 refrigeration details email	26/03/2020
Additional Information	Revised risk assessment – document reference RA-22110-20-123 REV B	30/07/2020

Table S1.3 Improvement programme requirements		
Reference	Requirement	Date
1	The operator shall submit a report detailing proposed methods for gathering monitoring data for NOx, SOx and CO for the emissions from the stacks of the two steam raising boilers (release points A1 and A2), the Echo Ovens (release points A6 and A7) and the Rack Oven (release point A8). The report shall take into account the requirements of the Agency Technical Guidance Notes M1 July 2002 version 2 and M2 October 2004 version 3. The operator shall undertake a monitoring exercise following the monitoring programme approved by the Agency and shall submit a written report summarising the results to the Agency.	Completed
2	The operator shall submit a H1 assessment based on the results of the monitoring required by IC1.	Completed
3	The operator shall carry out an assessment of the options available for monitoring emissions to sewer. The assessment will take into account the requirements of Section 2.10 of the Agency Guidance Note IPPC S6.10 August 2003. A written report summarising the findings shall be submitted to the Agency including a timescale agreed with the Agency for the implementation of any improvements.	Completed
4	The operator shall assess the efficiency of the primary effluent treatment system, taking into account the requirements of Section 2.2.2 of the Agency Guidance Note IPPC S6.10 August 2003. A written report summarising the findings shall be submitted to the Agency along with a timetable for any improvements identified.	Completed
5	The operator shall undertake an assessment of the surfacing and containment measures on site. The assessment will take into account the requirements of Section 2.2.5 of the Agency Guidance Note IPPC S6.10 August 2003. A written report summarising the findings and a timescale for implementation of any improvements shall be submitted to and agreed with the Agency.	Completed

Table S1.3 Improvement programme requirements		
Reference	Requirement	Date
6	The operator shall carry out an assessment of the options available for dealing with process wastes. In accordance with Section 2.6 of the Agency Guidance Note IPPC S6.10 August 2003. A written report summarising the findings shall be submitted to the Agency along with a timetable for implementing improvements and this shall be agreed in writing with the Agency prior to implementation.	Completed
7	<p>The operator shall submit a comprehensive noise assessment by an experienced and suitably qualified person (i.e.: a noise consultant with an appropriate qualification accredited by the Institute of Acoustics).</p> <p>In accordance with the procedures given in BS4142:1997 (rating industrial noise affecting mixed residential and industrial areas) and BS7445:2003 (description and measurement of environmental noise). Any noise source(s) identified as exhibiting tonal contributions shall also be quantified by means of frequency analysis. The report shall quantify and predictions relating to the likelihood of the decay of sound associated with increased distance from the installation boundary. Noise attenuation attributed to the intervention of suitable barrier(s). The cumulative effect of different items of plant and equipment working concurrently. The report shall also draw comparisons with the background levels in the locality and any potential impact that the installation is likely to have upon identified sensitive receptors.</p> <p>On completion of the assessment a copy of the survey shall be submitted to the Agency in the form of a report with an interpretation of the results and conclusions drawn. Where specific recommendations are made in the report to pursue improved noise attenuation measures and associated management/inspection/monitoring/maintenance regimes, a suitable timescale for implementation and periodic review shall be included.</p> <p>Such improved noise attenuation measures and regimes shall be demonstrated to be compliant with the requirements of BAT for this type of installation and will require the written agreement of the Agency prior to adoption.</p>	Within 6 months of the date of this variation.
8	The operator shall produce an Energy Efficiency Plan having regard to the Agency Guidance Note IPPC S6.10 August 2003 Section 2.7.2. This plan shall be submitted to the Agency in writing.	Completed
9	The operator shall develop and implement a documented system of environmental management techniques having regard to the Agency Guidance Note IPPC S6.10 August 2003 Section 2.3.	Completed
10	The operator shall develop a Site Closure Plan with regard to the requirements set out in Section 2.11 of the Agency Guidance Note IPPC S6.10 August 2003. Upon completion of the plan a summary of the document shall be submitted to the Agency in writing.	Completed
11	The automatic surface water shutoff valve detailed in document ref RA-22110-20-123 Rev B, July 2020 shall be installed and written confirmation shall be submitted to the Agency to confirm it is operational and working to the parameters set out in this document.	Within 2 months of the date of this variation.

Table S1.4 Pre-operational condition requirements		
Reference	Requirement	
1	Prior to the commencement of operations on site, a portable drain bladder shall be installed as a transitional measure prior to completion of improvement condition no.11 in Table S1.3. The operator shall submit written confirmation that these transitional measures have been installed are working to prevent any contamination of surface water.	

Schedule 2 – Waste types, raw materials and fuels

Table S2.1 Raw materials and fuels	
Raw materials and fuel description	Specification
---	---

Schedule 3 – Emissions and monitoring

Table S3.1 Point source emissions to air – emission limits and monitoring requirements						
Emission point ref. & location	Source	Parameter(s)	Limit (incl. unit)	Reference period	Monitoring frequency	Monitoring standard or method
A1 as shown on site plan in schedule 7	Low NOx burner - steam raising boiler No.1	NOx, SOx, CO	---	---	---	---
A2 as shown on site plan in schedule 7	Low NOx burner - steam raising boiler No.2	NOx, SOx, CO	---	---	---	---
A3	Emergency relief valve - Boiler No.1	---	---	---	---	---
A4	Emergency relief valve - Boiler No.2	---	---	---	---	---
A5	Char-grill oven	Odour and VOCs	---	---	---	---
A6	Echo Oven	NOx, SOx, CO	---	---	---	---
A7	Echo Oven	NOx, SOx, CO	---	---	---	---
A8a	Rack Oven	NOx, SOx, CO	---	---	---	---
A8b	Rack Oven	NOx, SOx, CO	---	---	---	---
A9	Filtered product extract flue	---	---	---	---	---
A10	Echo/Rack product extract flue	---	---	---	---	---
A11 as shown on site plan in schedule 7	Natural gas spark ignition engine (MCP and SG)	Oxides of Nitrogen (NO and NO ₂ expressed as NO ₂)	190mg/m ³ (Note 1)	Hourly Average	Within 4 months of issue date of variation EPR/BO5314IU/V002 or the start date of the operation, whichever is later, and then thereafter once every 3 years	As agreed in writing by the Environment Agency (Note 2)
		Carbon monoxide	No limit set			

Note 1: 95mg/m³ isn't applicable as per note 7 in the relevant MCPD emission limit table "190mg/Nm³ for dual fuel engines in gas mode", where dual fuel is defined as "an internal combustion engine which uses compression ignition and operates according to the Otto cycle when burning gaseous fuels", where the Otto cycle is defined as "thermodynamic cycle describing a spark ignition piston engine when gas is burnt as a fuel".

Note 2: Monitoring requirements are defined at a temperature of 273.15K, a pressure of 101.3kPa and after correction for the water vapour content of the waste gases at a standardised O₂ content of 15% for engines.

Table S3.2 Point Source emissions to water (other than sewer) and land – emission limits and monitoring requirements						
Emission point ref. & location	Source	Parameter	Limit (incl. unit)	Reference Period	Monitoring frequency	Monitoring standard or method
W1 on plan entitled emission point map and contained in 'Site Maps – Burton Plant' document reference C2.4 dated 9 January 2020.	Uncontaminated surface water (to the River Trent)	---	---	---	---	---
W2 on plan entitled emission point map and contained in 'Site Maps – Burton Plant' document reference C2.4 dated 9 January 2020.		---	---	---	---	---
W3 on plan entitled emission point map and contained in 'Site Maps – Burton Plant' document reference C2.4 dated 9 January 2020.		---	---	---	---	---

Table S3.3 Point source emissions to sewer, effluent treatment plant or other transfers off-site – emission limits and monitoring requirements						
Emission point ref. & location	Source	Parameter	Limit (incl. unit)	Reference period	Monitoring frequency	Monitoring standard or method
S2 on plan entitled emission point map and contained in 'Site Maps – Burton Plant' document reference C2.4 dated 9 January 2020.	Process effluent from effluent treatment facility	Cd (total)	0.01mg/l	---	Annually	Mass Balance Calculation
		Hg (total)	0.005mg/l	---		
		COD	---	---	Monthly	UKAS

Table S3.4 Annual limits		
Substance	Medium	Limit (including unit)
Mercury	Water (sewer)	0.1kg in a year (mass balance calculation)
Cadmium	Water (sewer)	0.02kg in a year (mass balance calculation)

Schedule 4 – Reporting

Parameters, for which reports shall be made, in accordance with conditions of this permit, are listed below.

Parameter	Emission or monitoring point/reference	Reporting period	Period begins
Emissions to air Parameters as required by condition 3.5.1	A11	Every 3 years	01 January
Emissions to water Parameters as required by condition 3.5.1	S2	Every 12 months	01 January

Parameter	Units
Production of Kitchen and sauce packs	tonnes
Production of protein cooking	tonnes
Production of sandwich fillings and salads	tonnes

Parameter	Frequency of assessment	Units
Water usage	Annually	tonnes
Energy usage	Annually	MWh
Total raw material used	Annually	tonnes
Waste disposal	Annually	tonnes
Cadmium release to sewer per tonne of product	Annually	Cd kg/t
Mercury release to sewer per tonne of product	Annually	Hg kg/t
Refrigerant consumption	Annually	kg
Total mass release of oxides of nitrogen as NO ₂	Annually	tonnes

Media/ parameter	Reporting format	Date of form
Air	Form air 1 or other form as agreed in writing by the Environment Agency.	19 September 2019
Sewer	Form sewer 1 or other form as agreed in writing by the Environment Agency.	19 September 2019
Water usage	Form water usage 1 or other form as agreed in writing by the Environment Agency.	19 September 2019
Energy usage	Form energy 1 or other form as agreed in writing by the Environment Agency.	19 September 2019
Waste return	Form waste return 1 or other form as agreed in writing by the Environment Agency.	19 September 2019
Other performance indicators	Form performance 1 or other form as agreed in writing by the Environment Agency.	19 September 2019

Schedule 5 – Notification

These pages outline the information that the operator must provide.

Units of measurement used in information supplied under Part A and B requirements shall be appropriate to the circumstances of the emission. Where appropriate, a comparison should be made of actual emissions and authorised emission limits.

If any information is considered commercially confidential, it should be separated from non-confidential information, supplied on a separate sheet and accompanied by an application for commercial confidentiality under the provisions of the EP Regulations.

Part A

Permit Number	
Name of operator	
Location of Facility	
Time and date of the detection	

(a) Notification requirements for any malfunction, breakdown or failure of equipment or techniques, accident, or emission of a substance not controlled by an emission limit which has caused, is causing or may cause significant pollution	
To be notified within 24 hours of detection	
Date and time of the event	
Reference or description of the location of the event	
Description of where any release into the environment took place	
Substances(s) potentially released	
Best estimate of the quantity or rate of release of substances	
Measures taken, or intended to be taken, to stop any emission	
Description of the failure or accident.	

(b) Notification requirements for the breach of a limit	
To be notified within 24 hours of detection unless otherwise specified below	
Emission point reference/ source	
Parameter(s)	
Limit	
Measured value and uncertainty	
Date and time of monitoring	
Measures taken, or intended to be taken, to stop the emission	

Time periods for notification following detection of a breach of a limit	
Parameter	Notification period

(c) Notification requirements for the detection of any significant adverse environmental effect	
To be notified within 24 hours of detection	
Description of where the effect on the environment was detected	
Substances(s) detected	
Concentrations of substances detected	
Date of monitoring/sampling	

Part B – to be submitted as soon as practicable

Any more accurate information on the matters for notification under Part A.	
Measures taken, or intended to be taken, to prevent a recurrence of the incident	
Measures taken, or intended to be taken, to rectify, limit or prevent any pollution of the environment which has been or may be caused by the emission	
The dates of any unauthorised emissions from the facility in the preceding 24 months.	

Name*	
Post	
Signature	
Date	

* authorised to sign on behalf of the operator

Schedule 6 – Interpretation

“accident” means an accident that may result in pollution.

“application” means the application for this permit, together with any additional information supplied by the operator as part of the application and any response to a notice served under Schedule 5 to the EP Regulations.

“authorised officer” means any person authorised by the Environment Agency under section 108(1) of The Environment Act 1995 to exercise, in accordance with the terms of any such authorisation, any power specified in section 108(4) of that Act.

“background concentration” means such concentration of that substance as is present in:

- for emissions to surface water, the surface water quality up-gradient of the site; or
- for emissions to sewer, the surface water quality up-gradient of the sewage treatment works discharge.

“combined heat and power” (CHP) or Cogeneration means the simultaneous generation in one process of thermal energy and electrical or mechanical energy.

“EP Regulations” means The Environmental Permitting (England and Wales) Regulations SI 2016 No.1154 and words and expressions used in this permit which are also used in the Regulations have the same meanings as in those Regulations.

“emissions of substances not controlled by emission limits” means emissions of substances to air, water or land from the activities, either from the emission points specified in schedule 3 or from other localised or diffuse sources, which are not controlled by an emission or background concentration limit.

“first put into operation” means when fuel is first combusted in the MCP. The plant must have been fired with its design fuel up to its full load. This can be, but does not have to be, during commissioning.

“groundwater” means all water, which is below the surface of the ground in the saturation zone and in direct contact with the ground or subsoil.

“Industrial Emissions Directive” means DIRECTIVE 2010/75/EU OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL of 24 November 2010 on industrial emissions

“MCERTS” means the Environment Agency’s Monitoring Certification Scheme.

“Medium Combustion Plant” or “MCP” means a combustion plant with a rated thermal input equal to or greater than 1MW but less than 50MW.

“Medium Combustion Plant Directive” or “MCPD” means Directive 2015/2193/EU of the European Parliament and of the Council on the limitation of emissions of certain pollutants into the air from medium combustion plants.

“operating hours” means the time, expressed in hours, during which a combustion plant is operating and discharging emissions into the air, excluding start-up and shut-down periods.

“Pests” means Birds, Vermin and Insects.

“quarter” means a calendar year quarter commencing on 1 January, 1 April, 1 July or 1 October.

“specified generator” or “SG” has the meaning given in paragraph 2(1) of Schedule 25B of The Environmental Permitting (England and Wales) (Amendment) Regulations 2018.

“specified generator tranche A” means a generator with a rated thermal input equal to or greater than 1MWth and less than 50MWth and has the meaning given in paragraph 3(3) of schedule 25B of The Environmental Permitting (England and Wales) (Amendment) Regulations 2018. Tranche A will be classed as Tranche A if:

- it came into operation before 1st December 2016, or
- it is the subject of a capacity agreement arising from the 2014 or 2015 capacity auctions (whether or not the generator came into operation before 1st December 2016), or
- a Feed-in Tariff preliminary accreditation application was received by the Gas and Electricity Markets Authority before 1st December 2016.

“tranche B generator” is any generator that is not a Tranche A generator.

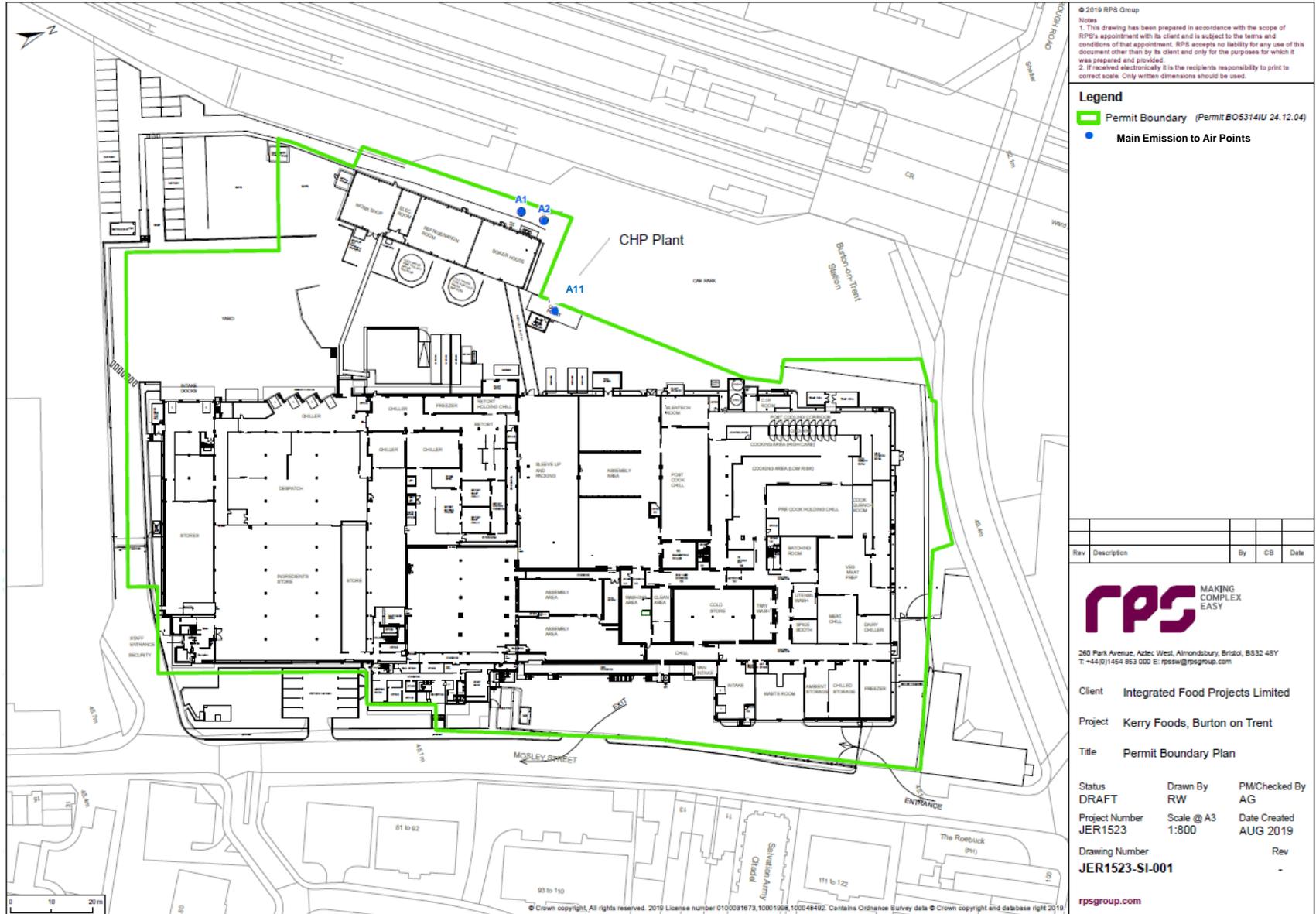
“year” means calendar year ending 31 December.

Where a minimum limit is set for any emission parameter, for example pH, reference to exceeding the limit shall mean that the parameter shall not be less than that limit.

Unless otherwise stated, any references in this permit to concentrations of substances in emissions into air means:

- **for the two gas boilers:** in relation to emissions from combustion processes, the concentration in dry air at a temperature of 273K, at a pressure of 101.3kPa and with an oxygen content of 3% dry for liquid and gaseous fuels other than gas engines or gas turbines, 6% dry for solid fuels;
- **for the CHP gas engine:** in relation to emissions from gas engines or gas turbines, the concentration in dry air at a temperature of 273K, at a pressure of 101.3kPa and after correction for the water vapour content of the waste gases at a standardised O₂ content of 15% for engines and gas turbine MCPs.
- in relation to emissions from non-combustion sources, the concentration at a temperature of 273K and at a pressure of 101.3kPa, with no correction for water vapour content.

Schedule 7 – Site plan



© 2019 RPS Group
 Notes
 1. This drawing has been prepared in accordance with the scope of RPS's appointment with its client and is subject to the terms and conditions of that appointment. RPS accepts no liability for any use of this document other than by its client and only for the purposes for which it was prepared and provided.
 2. If received electronically it is the recipient's responsibility to print to correct scale. Only written dimensions should be used.

Legend
 Permit Boundary (Permit B05314IU 24.12.04)
• Main Emission to Air Points

Rev	Description	By	CB	Date

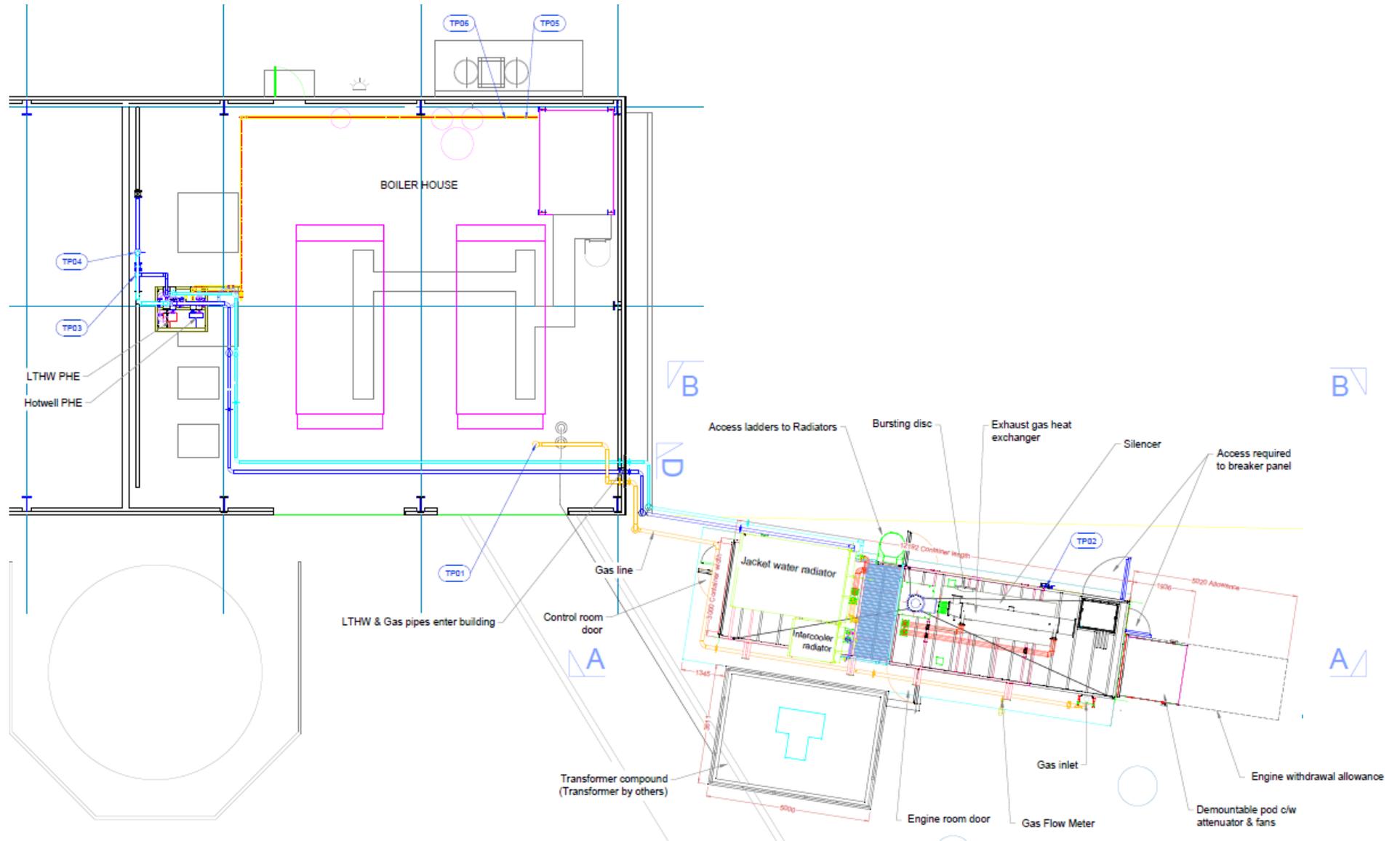
rps MAKING COMPLEX EASY
 260 Park Avenue, Aztec West, Almondsbury, Bristol, BS32 48Y
 T: +44(0)1454 853 000 E: rps@rpsgroup.com

Client Integrated Food Projects Limited
 Project Kerry Foods, Burton on Trent
 Title Permit Boundary Plan

Status DRAFT
 Drawn By RW
 PM/Checked By AG
 Project Number JER1523
 Scale @ A3 1:800
 Date Created AUG 2019
 Drawing Number JER1523-SI-001
 Rev -

rpsgroup.com

Detailed CHP Layout:



END OF PERMIT