Permitting decisions

Bespoke permit

We have decided to grant the permit for Huntworth Mill operated by Mole Valley Feed Solutions Ltd.

The permit number is EPR/AP3930WP.

We consider in reaching that decision we have taken into account all relevant considerations and legal requirements and that the permit will ensure that the appropriate level of environmental protection is provided.

Purpose of this document

This decision document provides a record of the decision making process. It:

- highlights key issues in the determination
- summarises the decision making process in the decision checklist to show how all relevant factors have been taken into account
- shows how we have considered the consultation responses.

Unless the decision document specifies otherwise we have accepted the applicant's proposals.

Read the permitting decisions in conjunction with the environmental permit. The introductory note summarises what the permit covers.

Key issues of the decision

Emissions to Air

There are seven point source emissions to air at the installation. Emission points A1 and A2 are linked to the process and fitted with abatement to minimise the release of particulates. Emission point A3 is the exhaust from the boiler. Emission points A4-A7 are vents on the tanks used for the storage of raw materials and fuels. We have listed emission points A4-A7 in the permit but we have not set emission limit values for these points as we don't consider that the emissions from storage of these materials are likely to have an impact on local air quality.

A key environmental risk from the installation is the potential to create particulate emissions. Particulate emissions from the site are controlled using local exhaust ventilation, cyclones and bag filters at different stages throughout the process. We are satisfied that these control measures represent Best Available Techniques (BAT) for the sector.

The solid conveyor systems are fitted with local exhaust ventilation (LEV) systems to minimise the release of particulate emissions. All raw materials are stored in sealed containers. The bulk raw mineral silos have LEV systems in place connected to a reverse jet bag filter. The raw material intake booth contains dust extraction units. Where medicines are added this is done in a dedicated extraction booth. Prior to despatch, all vehicles are sheeted. The dust collected by the abatement systems is added back into the product. The site yard is also cleaned using roadsweepers to minimise fugitive particulate emissions.

We consider that the use of a bag filter to abate the emissions from the grinder represents BAT. We consider the use of a cyclone to abate the emissions from the cooler combined with the particulate monitoring used also represents BAT.

Coolers

There are two coolers at the site. The cooling system involves passing ambient air over the hot pellets to cool them. This air is then ducted into one of two cyclones which removes particulates before being vented to atmosphere at emission points A1 and A2. Each cyclone has a dust monitoring alarm probe which links to the process control computer and also to an audible alarm to warn of a blockage. If the alarm is triggered, the process is automatically shut down until the blockage is cleared.

Grinders

One of the main components of the process which has the potential to create dust is the grinder, which is used to reduce the particle size of the raw materials. The grinder is situated above a collection hopper which is fitted with a reverse jet bag filter to control particulate emissions. Originally this vented to atmosphere but over the determination this was changed to vent internally. The fabric filters are inspected and replaced under the site preventative maintenance procedures.

Screening, Emission Limits and Monitoring

The Operator has undertaken screening of particulate matter emitted to air from the coolers using our H1 assessment tool to assess if the emissions can be screened out as insignificant. The screening was carried out using results from previous emissions monitoring and assessed emissions against PM_{10} Environmental Quality Standards (EQS). PM_{10} is Particulate Matter with a diameter of less than 10µm. The Operator's assessment only considered short term emissions, but we were able to use their screening to also look at long term emissions.

The emissions could not be considered insignificant using our H1 assessment tool. However, where an emission cannot be screened out as insignificant, it does not necessarily mean it will be significant. In these circumstances, we may require the Operator to carry out further assessment using detailed air dispersion modelling of the emissions.

We did not request detailed air dispersion modelling during the determination of this permit. In making this decision we considered the following factors:

- The Installation has been operating for at least 40 years and therefore emissions from the Installation are reflected in the background.
- Our H1 screening tool is precautionary in nature.
- The background PM_{10} levels are less than half the PM_{10} EQS (15.2 µm/m^3) showing the long term EQS is not being exceeded.
- The screening results used reflected Total Particulates rather than PM_{10} specifically, but were assessed against the PM_{10} EQS. Total Particulates may include particulates larger than PM_{10}. By using the total particulates figure the assessment may be overestimating the amount of PM_{10} present.

We have therefore included an improvement condition (IC1) requiring the Operator to monitor their particulate emissions and determine what fraction of their total particulates will be PM_{10}. They will then be required to submit an impact assessment using either a H1 assessment or detailed air dispersion modelling based on their PM_{10} emissions. If the assessment suggests that infrastructure improvements are needed then they are required to agree an action plan and timescales with us. They will then need to propose emission limit values on the basis of the assessment.

As an additional measure to ensure emissions are minimised we have included an emission limit value (ELV) of 20mg/m^3 for the coolers, this is lower than the limit in their current Part B permit. Previous monitoring indicated that this lower limit is achievable. If appropriate, this ELV may be revised in line with improvement condition IC1.

We have taken this approach in this case as the installation is already in operation and the requirement for a permit is a result of the implementation of IED. We consider this approach will ensure only the relevant sized particulates will be considered.

Boiler

The natural gas fuelled boiler on site has a thermal input of 1.6MW. We haven't requested an assessment of air emissions from this emission point as we consider it unlikely that boilers of this size will have a negative impact on air quality. This mirrors the approach in our guidance 'AQTAG014: Guidance on identifying 'relevance' for assessment under the Habitats Regulations for installations with combustion processes'.

Conclusion

We are satisfied that the conditions set in the permit will ensure an accurate air impact assessment based on site specific emissions will be carried out. We consider that this approach is pragmatic and proportionate and will ensure particulate emissions are monitored and controlled.

Risk to surface water, soil and groundwater

A number of materials are stored at the site that have the potential to cause pollution if allowed to escape into the aquatic environment, these include solid and liquid raw materials and fuels.

The site comprises a yard and a process building which are surrounded by landscaped areas. The yard and process building are situated on impermeable surfaces which will prevent emissions of any spillages to groundwater. We have included restriction in the activities table of the permit (Table S1.1) which requires all potentially polluting liquids and solids to only be handled on an impermeable surface. The rear of the site does include some areas of hard core surfacing which cannot be considered fully impermeable. However these areas of the site are only used for vehicle movements.

In the event of a spill the landscaped areas of the site could provide a possible pathway for the pollution of soil and groundwater. The fall of the site means that the site drains away from the landscaped areas which will reduce the risk of spills entering this area and minimise the potential for pollution.

We agree that the site has adequate surfacing and operational procedures meaning there is a low risk of pollution to soil and groundwater.

Material storage and containment

Diesel is stored on site in two self bunded tanks with a combined capacity of 3000 litres. There is also a 1200 litre vehicle wash storage tank which is self bunded. These are located behind kerbs to prevent collision with vehicles. The area these are stored in drains to the foul sewer. Spill kits are located in the vicinity of these tanks.

An Intermediate Bulk Container (IBC) is kept within the process building for any waste oils. As this is located in the building where there are no open drains there is a low risk of this reaching the drainage system in the event of a spill.

The site stores bulk liquid raw materials in external tanks prior to transfer inside for processing. 28 tonnes of vegetable fat is stored in one tank and 48 tonnes of molasses in an adjacent tank within a shared bund. The bund capacity is 57m^3 which is more than 110% of the contents of the largest tank. The fill points are located within the bund and there is also a spill trap beneath the connection. The tanks have level indicators and high level alarms to prevent overfilling. The tanks are also heated to ensure the material can be handled.

Solid raw materials are stored within bulk storage bins and silos in both internal and external storage areas. High level alarms are in place to prevent overfilling and all deliveries are supervised. Packaged raw materials are stored within their original packaging within the warehouse. Any additives including medicine are stored in the process building in a locked store room.

Chemicals are used on site to treat the boiler water. Up to 500 litres are stored at any time. These are stored within a bunded store with a spill kit located in the vicinity.

Lubricant oil and greases are stored within the process building store room within a bunded store.

A preventative maintenance programme is in place at the Installation. The application details that bunds are inspected and cleaned every three months. Tanks are checked daily.

We consider these storage arrangements will minimise the risk to soil, surface and groundwater.

Emissions to surface water and sewer

The site discharges boiler blowdown, compressor condensate, any process effluent and washwaters from the vehicle wash to the foul sewer with permission from the sewage authority. There is a septic tank on site which was used historically but has been disconnected as the site is now connected to the foul sewer.

Compressor blowdown is passed through an oil/water separator prior to discharge. This was originally discharged to surface water. We requested that an analysis was provided to demonstrate this was uncontaminated and suitable for discharge to surface water. The analysis provided demonstrated that this cannot be considered as uncontaminated. Compressor condensate is now being discharged to foul sewer for further treatment with permission from the sewage authority.

Spill kits are around the site and staff have been trained in their use. Drain covers are also located near the product intake area and bulk liquid storage area. Deliveries and product loading are supervised to minimise the risk of accidents.

Part of the yard area on the south-eastern half of the site drains to an interceptor. The interceptor is inspected, emptied and cleaned quarterly. This interceptor separates solids and oil before discharge to a holding tank. The Operator has confirmed that in the event of a spill the pump in the holding tank can be manually shut off, isolating spills in the holding tank. This process could also be used to retain firewater on site in the event of a fire. The contents of the holding tank are then pumped off site to the Stock Moor Rhyne as emission point W1. The rest of the site and the loading canopy do not drain via an interceptor to the holding tank. This means any spills that occur will not be caught by the interceptor.

It would be preferable if all operational areas drained via an interceptor. However as bunds are in place to protect bulk liquid storage tanks, deliveries and loading are supervised, spill kits and drain covers are available and the drainage can be isolated if a spill does occur we consider this is acceptable to minimise the risk of a spill escaping to surface water.

Flooding

The site is located in a flood risk area. The site has provided a Flood Plan which demonstrates actions the Operator will take in the event of a flood. These actions include removing potentially polluting chemicals out of reach of flood water, either to the second floor of the mill or off site. We consider this will reduce the risk of pollution if a flood occurs.

Conclusion

We consider that the measures proposed by the operator and the permit conditions will minimise the risk to surface water, soil and groundwater.

Site Condition Report

A Site Condition Report (SCR) was submitted with the application. The SCR describes the site setting being located in an industrial area with adjacent commercial properties. The application also mentions that there is an electrical sub-station on site but indicates that due to age this will not contain polychlorinated biphenyls (PCBs). The mill is located on an industrial estate south of Bridgwater and is situated adjacent to commercial and industrial receptors. The nearest residential receptors are located approximately 90m to the west.

The geology of the area comprises of Mercia mudstone bedrock geology, overlain with alluvium clay, silt and gravel. The site is located on an aquifer. Our records indicate that secondary aquifers are present in both the bedrock and superficial geological layers.

The SCR indicates that the site was historically farmland before the Mill was constructed. Historical maps have been included, but the latest of these showing the land use before the mill was built dates to 1932.

The Operator has identified in their SCR that there have been no pollution incidents connected with the site since its construction. The Operator has not provided any baseline samples of soil and groundwater. As baseline samples have not been provided we will need to assume that the existing level of contamination at the site is zero and the operator will be responsible for any necessary remediation when the site is surrendered. We advised the Operator of this by email on 9 November 2017.

We are satisfied that the site description in the SCR is representative of the site.

Odour

The site uses raw materials that have the potential to be odorous. The main odour control measures employed are storing and transferring raw materials in enclosed systems or packaging. The site has been operating for over 40 years and the application states that the site has never had an odour complaint.

The application does not include an odour management plan and we have taken the decision not to request one as part of the application as we consider the odour risk to be low from this site, taking account of the fact it has already been operating without any odour issues and the distance to the nearest sensitive receptor. The site currently monitors odour at the site boundary via daily sniff testing. Records of this testing will be kept.

We have also included our standard odour condition in the permit which allows us to request an odour management plan if odour issues arise.

Based upon the information in the application, we are satisfied that the appropriate measures will be in place to prevent or where that is not practicable to minimise pollution from odour. We are satisfied that the standard conditions, relating to odour pollution prevention and control, in the permit are sufficient and no additional measures are necessary at this time.

Noise

As part of the application the Operator provided some quantitative figures of noise levels at the Installation. However we are unable to use these figures to conduct a full noise assessment as not all of the information

required by BS4142:2014 has been supplied. We decided not to request the additional information during determination of the permit as the application states that the site has never had a noise complaint and no changes affecting noise levels are proposed. Therefore the risk of noise is considered to be low.

However the Installation operates 24 hours a day, meaning it is particularly important noise is managed in the sensitive night time period. The Operator confirmed that night time noise monitoring was being carried out and we requested that this was included in the noise risk assessment. We cannot conduct a full noise assessment using the night time monitoring figures supplied in the application, but we can view the results as being indicative of noise sources at the Installation. The Operator has indicated that the noise environment is dominated by the proximity of the main road and motorway, and that they consider the plant has a minor impact.

The key measures the Operator will be using to manage noise include enclosing operations within the Mill building and ensuring raw materials are delivered during the day rather than during the sensitive night time period. The Operator has stated that noise attenuation will be taken into account in any future projects at the site and that noise monitoring will be carried out when any significant changes are made to the process or site plant. In the event of the Operator receiving a noise complaint, they have committed to investigating this and carrying out appropriate remedial action. The application also states that a preventative maintenance programme is in place which will minimise the risk of noise from equipment malfunction.

The noise assessment indicates that it would be possible to fit attenuation on the cooler vents which could reduce noise. We have not requested that this is installed at this time due to the fact that the site is existing and has no history of noise complaints, but if noise does become an issue we can request this is investigated as part of a noise management plan.

The operator has not provided a noise management plan and we have taken the decision not to request one as part of the application as we consider the noise risk to be low from this site, taking account of the fact it has already been operating without any noise issues, the context of the area and the distance to the nearest sensitive receptors. We have also included our standard noise condition which allows us to request a noise management plan if noise issues arise.

Based upon the information in the application, we are satisfied that the appropriate measures will be in place to prevent or where that is not practicable to minimise pollution from noise. We are satisfied that the standard conditions, relating to noise pollution prevention and control, in the permit are sufficient and no additional measures are necessary at this time.

Best Available Techniques (BAT) Assessment

We have assessed if the operator is using Best Available Techniques by referring to the following guidance:

- Process Guidance Note 6/26(13) Statutory guidance for animal feed compounding December 2013
- How to comply with your environmental permit, Additional guidance for: The Food and Drink Sector (EPR 6.10) dated March 2009
- ‘Control and monitor emissions for your environmental permit’ webpage published 1 February 2016.

As detailed in the preceding Key Issues sections, we consider the operator is using BAT.

Decision checklist

Aspect considered	Decision
Receipt of application	
Confidential information	A claim for commercial or industrial confidentiality has not been made.
Identifying confidential information	We have not identified information provided as part of the application that we consider to be confidential. We identified information in the application which could potentially be considered confidential. As this information was not relevant to the determination the Operator withdrew these documents and replaced them with documents suitable for the public register.
Consultation	
Consultation	The consultation requirements were identified in accordance with the Environmental Permitting Regulations and our public participation statement. The application was publicised on the GOV.UK website. We consulted the following organisations: • Sedgemoor District Council • Wessex Water Services Ltd • HSE No responses were received.
Operator	
Control of the facility	We are satisfied that the applicant (now the operator) is the person who will have control over the operation of the facility after the grant of the permit. The decision was taken in accordance with our guidance on legal operator for environmental permits.
The facility	
The regulated facility	We considered the extent and nature of the facility/facilities at the site in accordance with RGN2 'Understanding the meaning of regulated facility' and Appendix 2 of RGN 2 'Defining the scope of the installation' The extent of the facility is defined in the site plan and in the permit. The activities are defined in table S1.1 of the permit.
The site	
Extent of the site of the facility	The operator has provided a plan which we consider is satisfactory, showing the extent of the site of the facility including the discharge points. The plan is

Aspect considered	Decision
	included in the permit.
Site condition report	The operator has provided a description of the condition of the site, which we consider is satisfactory. The decision was taken in accordance with our guidance on site condition reports and baseline reporting under the Industrial Emissions Directive. As discussed in the Key Issues section, we have previously advised the Operator by email on 9 November 2017 that they should consider taking baseline samples of soil and groundwater. As these have not been provided we will need to assume the baseline level of contamination is zero and the operator will be responsible for any necessary remediation when the site is surrendered.
Biodiversity, heritage, landscape and nature conservation	The application is within the relevant distance criteria of a site of heritage, landscape or nature conservation, and/or protected species or habitat. The site is located within the relevant distance of the following sites: • Two Special Areas of Conservation (SAC) • Two Special Protection Areas (SPA) • Two Ramsar sites • One Local Nature Reserve • 12 Local Wildlife Sites • Two protected species We have assessed the application and its potential to affect all known sites of nature conservation, landscape and heritage and protected species or habitats identified in the nature conservation screening report as part of the permitting process. The combustion process at the installation is not considered 'relevant' for assessment under the Agency's procedures which cover The Conservation of Habitats and Species Regulations (Natural Habitats &c.) Regulations 2017 (Habitats Regulations). This was determined by referring to the Agency's guidance 'AQTAG014: Guidance on identifying 'relevance' for assessment under the Habitats Regulations for installations with combustion processes'. Thus no detailed assessment of the effect of the releases from the installation's combustion processes on SACs, SPAs and Ramsar sites is required. We consider that the application will not affect any sites of nature conservation, landscape and heritage, and/or protected species or habitats identified. This is because of the distance between the designated sites and the Installation, and the fact that the only emission to surface water is clean uncontaminated drainage. We have not consulted Natural England and Natural Resources Wales on the application. The decision was taken in accordance with our guidance. An appendix 11 was sent for information only.
Environmental risk assessment	
Environmental risk	We have reviewed the operator's assessment of the environmental risk from

Aspect considered	Decision
	the facility. The operator's risk assessment is partially unsatisfactory and required additional Environment Agency assessment. The Operator submitted a H1 assessment of air emissions that did not take into account long term impacts. We used the Operator's data to run another H1 screen. See Emissions to Air key issues section for more detail. The assessment shows that, applying the conservative criteria in our guidance on environmental risk assessment or similar methodology supplied by the operator and reviewed by ourselves, all emissions may be categorised as environmentally insignificant with the exception of particulates to air. We have included improvement conditions requiring further monitoring and assessment and to require the operator to make improvements if necessary.
Operating techniques	
General operating techniques	We have reviewed the techniques used by the operator and compared these with the relevant guidance notes and we consider them to represent appropriate techniques for the facility. The operating techniques that the applicant must use are specified in table S1.2 in the environmental permit.
Operating techniques for emissions that do not screen out as insignificant	Emissions of particulate matter cannot be screened out as insignificant. We have assessed whether the proposed techniques are BAT. The proposed techniques/ emission levels for emissions that do not screen out as insignificant are in line with the techniques and benchmark levels contained in the technical guidance and we consider them to represent appropriate techniques for the facility. The permit conditions ensure compliance with relevant BAT Reference documents (BREFs). Conditions are being imposed for which the appropriate emission limits are more stringent than those associated with the best available techniques as described in BAT conclusions (see also emission limits). We have included a stricter ELV for emission point A1 and A2. As discussed in the Key Issues, emission limit values have been put in place which accord to new plant rather than existing plant in 'Process Guidance Note 6/26(13) Statutory guidance for animal feed compounding' dated December 2013. These are lower than the emission benchmarks in 'How to comply with your environmental permit, Additional guidance for: The Food and Drink Sector (EPR 6.10)' dated March 2009 and those in the current local authority permit. We have also included Improvement Conditions requiring the operator to undertake further monitoring and assessment, and agree an action plan for improvements with us if needed.
Permit conditions	
Improvement programme	Based on the information on the application, we consider that we need to impose an improvement programme. We have imposed an improvement programme to ensure that PM_{10} emissions are assessed based on site specific monitoring data. See Key Issues for more details.

Aspect considered	Decision
Emission limits	ELVs have been set for particulate matter. See Key Issues for more details.
Monitoring	We have decided that monitoring should be carried out for the parameters listed in the permit, using the methods detailed and to the frequencies specified. These monitoring requirements have been imposed in order to demonstrate compliance with ELVs. We made these decisions in accordance with 'Process Guidance Note 6/26(13) Statutory guidance for animal feed compounding' dated December 2013. Based on the information in the application we are satisfied that the operator's techniques, personnel and equipment have either MCERTS certification or MCERTS accreditation as appropriate.
Reporting	We have specified reporting in the permit. These are to ensure compliance with ELVs and monitor performance parameters to ensure the site is operating efficiently. We made these decisions in accordance with 'Process Guidance Note 6/26(13) Statutory guidance for animal feed compounding' dated December 2013.
Operator competence	
Management system	There is no known reason to consider that the operator will not have the management system to enable it to comply with the permit conditions. The decision was taken in accordance with the guidance on operator competence and how to develop a management system for environmental permits.
Relevant convictions	The Case Management System has been checked to ensure that all relevant convictions have been declared. No relevant convictions were found. The operator satisfies the criteria in our guidance on operator competence.
Financial competence	There is no known reason to consider that the operator will not be financially able to comply with the permit conditions.
Growth Duty	
Section 108 Deregulation Act 2015 – Growth duty	We have considered our duty to have regard to the desirability of promoting economic growth set out in section 108(1) of the Deregulation Act 2015 and the guidance issued under section 110 of that Act in deciding whether to grant this permit. Paragraph 1.3 of the guidance says: "The primary role of regulators, in delivering regulation, is to achieve the regulatory outcomes for which they are responsible. For a number of regulators, these regulatory outcomes include an explicit reference to development or growth. The growth duty establishes economic growth as a

Aspect considered	Decision
	factor that all specified regulators should have regard to, alongside the delivery of the protections set out in the relevant legislation." We have addressed the legislative requirements and environmental standards to be set for this operation in the body of the decision document above. The guidance is clear at paragraph 1.5 that the growth duty does not legitimise non-compliance and its purpose is not to achieve or pursue economic growth at the expense of necessary protections. We consider the requirements and standards we have set in this permit are reasonable and necessary to avoid a risk of an unacceptable level of pollution. This also promotes growth amongst legitimate operators because the standards applied to the operator are consistent across businesses in this sector and have been set to achieve the required legislative standards.