

# Permitting decisions

## Bespoke permit

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We have decided to grant the permit for Clearwell Mill operated by Noble Foods Co.

The permit number is EPR/FP3437RM.

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

### 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 including solid and liquid raw materials and fuels. The site comprises of yard areas and a process building surrounded by landscaped areas. The yard and process building are situated on impermeable surfaces which will prevent emissions of any spillages to groundwater. However, any spillages could cause pollution of the soil and groundwater if allowed to come in contact with the landscaped areas. Table S1.1 Activities in the permit requires all potentially polluting liquids and solids to only be handled on an impermeable surface.

#### Material storage and containment

##### Fuel Storage

White Diesel is stored in a tank which can hold up to 32,000 litres. This tank has an integral bund. There is another diesel tank which can hold 2,500 litres which also has an integrated bund. The diesel is used to fuel site vehicles. The operator has stated that these tanks are compliant with The Control of Pollution (Oil Storage) (England) Regulations 2001.

As outlined in our guidance we expect bunds to comply with the following:

- be waterproof
- be resistant to any materials stored in them
- have no outlets (e.g. drains or taps)
- drain to a blind (completely enclosed) collection point
- have self-contained pipework that is separate from the container pipework

Bunds must also have a capacity larger than both of the following:

- 110% of the largest tank the bund is protecting
- 25% of the combined volume of all the tanks the bund is protecting

Soya Oil and Vegetable Oil are stored within two tanks, with a capacity of 45m<sup>3</sup> and 55m<sup>3</sup> respectively. These tanks are situated within a bund outside the Mill building. The bund capacity is larger than 110% of the individual tank capacity and 25% of the combined volume of both tanks.

There is also bulk storage of an amino acid animal feed supplement (Methionine) within a tank with a volume of 17,500 litres. The tank is a double skinned tank and is stored within the process building. There is also a 0.5 tonne day tank in use which is filled from the larger tank each day and kept within the process building. The tanks are subject to daily visual inspection to ensure integrity. This substance is water soluble so could bypass the interceptor if there was a spill. However, the Operator is proposing to install an isolation valve on the drainage system which could isolate the drainage system in the event of a spill (see section on accidents below). We would normally expect these tanks to be banded. However, due to their location within the process building, where there are no drains it is very unlikely this substance would be able to enter soil or groundwater in the event of a spill.

During the determination we asked the Operator to review their containment against guidance document CIRIA 736 'Containment systems for the prevention of pollution: Secondary, tertiary and other measures for industrial and commercial premises'. They have indicated that the containment on site does not meet this guidance as it pre-dates the standards. We have included Improvement Condition 1 (IC1) which requires the Operator to review their containment and implement improvements to a timescale agreed with us.

The liquid raw materials are loaded into the building via connection points on the outside of the bunds, with a drip tray in place but this isn't covered. The Operator has proposed to install covered drip trays at all external filling connections. We have included IC2 requesting the Operator to improve their infrastructure around unloading so that all spilt materials can be recovered. The Bulk liquid storage tanks are fitted with high level alarms and continuous level probes to prevent overfilling.

There are solid raw material intake tipping booths on site to receive solid raw materials such as grain products. These materials are then transferred by an enclosed conveyor to bulk storage bins inside the building. The bulk storage bins have high level alarms to prevent overfilling. The product storage bins also have process controls in place to prevent overfilling.

Minerals such as limestone are delivered to bulk storage bins inside the main building by being blown through the delivery vehicle pneumatic system. Medicines supplements for feed are stored within the processing building in a locked container. Packed solid raw materials such as nutrient additives are delivered to the raw materials warehouse.

We consider that the current storage and drainage arrangements for liquid materials are insufficient. We have included Improvement Conditions to improve the on-site containment and drainage systems. We are satisfied that the solid raw material storage and handling is appropriate and will minimise the risk to the environment.

#### Other materials stored on site

A fuel additive is stored within a 2,500 litre storage system with an integrated bund. The storage system has a telemetric gauging system to control levels to prevent overfilling and detect leaks.

Boiler water treatment chemicals and other liquid chemicals such as lubricants and cleaning chemicals are also used on site. These are stored within their primary packaging on the impermeable surface in the processing building.

We consider that the fuel and chemical storage arrangements are unlikely to pose a risk to surface water, land or groundwater.

### Accidents

Raw materials are transported around the site using conveyors and pipework to reduce the risk of accidents associated with manual handling. Any spillages that do occur will be cleared up using strategically placed spill kits. Portable bunds are stored on site to contain liquid spillages. All offloading of materials will be supervised to minimise the risk of accidents. Kerbs are in place around the landscaped areas which will prevent liquids contaminating the soil in the event of a spill or firewater.

The site drains via interceptors which are designed to prevent oil escaping from the site. However, this will not prevent all potentially polluting materials used on site, such as the water soluble amino acid or any physical contaminants. If detergents enter the interceptor they will reduce its working efficiency. The Operator is proposing to install a new vehicle wash system on site. The Operator has detailed that a vehicle wash recycler will be installed so detergents will not be discharged to any associated interceptor. We have included Improvement Condition 8 which requires the Operator to submit a report to us identifying how detergents will be prevented from entering the interceptors.

The current interceptor would not stop suspended solids being discharged off site. We have included wording in Improvement Condition 3 which requires the Operator to look at improving their drainage infrastructure to prevent suspended solids being discharged off site.

There is no mechanism on site for isolating the drainage system and preventing pollutants escaping off site. There is a risk pollutants could escape off site in the event of a fire or large spillage, especially considering the risk of the interceptor being bypassed as discussed above. The Operator is proposing to install an isolation valve to isolate the drainage system on site in the event of a fire or major spill. This would be capable of isolating the foul and surface water drainage system before discharging to the soakaway. We have included an Improvement Condition (IC3) which requires the operator to consider improvements to their surface water drainage system to isolate this, and agree a timescale for implementation with us.

Once the drainage system can be isolated we consider that the methods used on site to prevent and manage accidents are appropriate.

### Emission to groundwater

As discussed above, the yard and process building drains to a soakaway via an interceptor. The soakaway has been added to the permit as emission point S1.

Boiler blowdown passes through a quench tank to be diluted and reduce the temperature before being discharged to the surface water drainage system.

The Best Available Techniques guidance document titled 'Integrated Pollution Prevention and Control Reference Document on Best Available Techniques in the Food, Drink and Milk Industries' dated August 2006 indicates that effluent should be treated before discharge to surface water, either on site or off site.

As part of the application the Operator has outlined that the following are discharged to groundwater as part of the operation of the installation:

- Boiler blow down
- Compressor condensate (following oil/water separation)

Although the discharge of these liquids have previously been carried out on site for some time, we consider that they could potentially have an impact on receiving waters and therefore the risk of discharging to groundwater needs to be assessed. We have included Improvement Condition 4 (IC4) in the permit to require the Operator to list the options for disposal, justifying the proposed route, and undertake a

quantitative risk assessment of the proposed route. It also requires them to agree a timetable for implementation with us if improvement works are identified.

We consider that the above Improvement Condition will ensure that only appropriate emissions are discharged to groundwater.

### Conclusion

We are satisfied that the current systems in place on site and the improvement conditions included in the permit will minimise pollution risk from the site to soil, surface water and groundwater.

### **Emissions to Air**

There are eight 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-A8 are vents on the tanks used for the storage of raw materials and fuels. We have listed emission points A4-A8 in the permit but we have not set emission limit values for these points as we do not consider 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 are controlled using Local Exhaust Ventilation (LEV), cyclones and bag filters at different stages throughout the process.

The hoppers receiving raw materials and conveying system to bulk storage are both fitted with LEV systems which feed to a bag filter to abate particulate emissions. The particulates collected are added to the process as a raw material to minimise waste. Reverse jet bag filters are attached to an LEV system associated with the mineral storage bins. Raw materials which are delivered to the installation in bags are added to the process this is done in an area which has an LEV system. Bag filters are also in place on product storage bins and the outloading bay. These bag filters vent within the process building. The operator minimises the release of fugitive particulate emissions keeping doors and windows closed where possible during normal operations. Spills are cleaned up immediately, using dry cleaning methods such as vacuuming where possible to maximise product recovery. Loading of finished product takes place within the main building and all vehicles are covered to minimise particulate release.

We are satisfied that these control measures represent Best Available Techniques (BAT) for the sector.

### Coolers

The cooling system involves passing ambient air over the hot pellets to cool them. This air is then ducted into a cyclone which removes particulates before being vented to atmosphere as emission point A2. Dust recovered from the cyclone is added back into to the process.

### Grinders

One of the components of the process which has the potential to create particulate emissions is the grinder, which reduces the particle size of the raw materials. The air from the grinder is vented to a reverse jet bag filter to control particulate emissions. This vents to the atmosphere via emission point A1.

### Abatement methods

We consider that the use of a bag filter to abate the emissions from the grinder represents BAT. The bag filter is fitted with a pressure gauge which is checked daily to ensure it is operating effectively. As the grinder exhaust airflow is less than 100m<sup>3</sup> per minute, continuous monitoring of the bag filter is not required, in line with DEFRA guidance note 6/26(13).

We consider the use of a cyclone to abate the emissions from the cooler also represents BAT when combined with monitoring to warn if the cyclone malfunctions. The cooler cyclone is subject to continuous indicative monitoring which links to the main operating system. This is alarmed and the process is interlocked so if there is a problem with the cyclone the process will stop until the problem is rectified. This is in line with

the requirements of DEFRA guidance note 6/26(13) and we consider this BAT. We consider the site abatement and monitoring to represent BAT.

### Screening

The Operator has undertaken a screening of the particulate matter emitted to air from the cooler stack. This screening uses our H1 assessment tool to assess if the emissions can be screened out as insignificant. The H1 screening was carried out using results from previous emissions monitoring and assessed emissions against PM<sub>10</sub> Environmental Quality Standards (EQS). PM<sub>10</sub> is particulate matter with a diameter of less than 10µm. This concluded that short term emissions could not be considered insignificant using our H1 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.

No screening was completed for the grinder emissions as the Operator considered these to be minimal. No monitoring data was available to input into the screening as there is no existing sampling point.

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 screening results used reflected Total Particulates rather than PM<sub>10</sub> specifically, but were assessed against the PM<sub>10</sub> EQS.
- The Operator has provided the results of an industry survey which indicates that PM<sub>10</sub> makes up approximately 20% of Total particulate emissions. This indicates that the screening may over-estimate the amount of PM<sub>10</sub> released.

Considering these factors, we have included improvement conditions in the new permit (IC5-IC7). These will ensure that the Operator undertakes emission monitoring of particulates and uses this to perform a site specific risk assessment of particulate emissions. This should specifically look at PM<sub>10</sub> and PM<sub>2.5</sub> (particulates with a diameter of less than 10µm and 2.5µm respectively). If the risk assessment indicates further mitigation of particulate emissions is required we have included an improvement condition to agree an action plan with us for further improvements. This approach will allow us to understand the actual pollution risk from PM<sub>10</sub> and PM<sub>2.5</sub> emissions from both the grinder and cooler rather than requiring the Operator to undertake dispersion modelling based on total particulates which will may be an overestimate of PM<sub>10</sub>.

### Emission Limits and Monitoring

We have set an emission limit value (ELV) for particulates of 20mg/m<sup>3</sup>, which is lower than the DEFRA guidance note 6/26(13) of 50mg/m<sup>3</sup> for the emission from the product cooler (A2). Previous emissions monitoring mentioned in the application was 6.1mg/Nm<sup>3</sup>.

We have set an ELV of 20mg/m<sup>3</sup> for emissions from the grinders (A1). This is in line with the DEFRA guidance note 6/26(13). We have set monitoring requirements to ensure these ELVs are met.

We are setting emission limit values which are more stringent than those in the current permit. We therefore consider that this represents an environmental improvement when compared to the current Local Authority regulated permit.

### Boiler

The boiler on site has a thermal input of 1.5MW and is fuelled by liquefied petroleum gas (LPG). 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'. In the event of boiler malfunction a temporary standby boiler would be brought on site which would likely run by gas oil.

## Conclusion

We consider the site is using BAT to abate and monitor their emissions to air. We cannot screen out the site particulate emissions as insignificant. Therefore we have set improvement conditions requiring the monitoring of PM<sub>10</sub> and PM<sub>2.5</sub> so we can assess the site specific emissions and undertake a more representative screening. If the site screening shows improvements are required we have included an improvement condition which requires the site to develop an action plan to reduce emissions and implement these to a timetable agreed by us. We have set lower ELVs than those in the current permit, therefore we consider this represents an environmental improvement for the installation.

## **Site Condition Report**

A Site Condition Report (SCR) was submitted with the application. The SCR describes the site setting as being located in an agricultural area with adjacent poultry farm and commercial receptors nearby. The application indicates that the yard area of the feed mill is shared by the adjacent poultry farm. The permitted areas however do not overlap. The closest residential receptors is approximately 130m to the south west. The site is surrounded by Ancient Woodland to the North and West of the site. An above ground covered reservoir is located 150m to the west.

An electrical substation is located on site. The site is within a Source Protection Zone 3. There are nine recorded groundwater abstractions within 2km. The historic maps indicate that a well is located approximately 460m southeast. A surface water drain is located approximately 200m northeast. As discussed above, the site uses a septic tank for the foul water drainage.

The underlying geology comprises Black Rock Limestone. This is designated as a principal aquifer. The SCR describes the site as in an area susceptible to groundwater flooding. However the report later describes this as of limited potential. The site is located on the top of a hill which also means groundwater flooding is unlikely to affect the site.

There is evidence that surface and subsurface mining took place historically in the vicinity. There are disused quarries approximately 150m to the southeast and the east. Iron mining sites are located approximately 100m to the east, with other sites to the southeast and east. There is a Special Site of Scientific Interest (SSSI) and Special Area of Conservation (SAC) approximately 125m southeast associated with a mine complex. Historical maps indicate the site was fields until 1971 when the site had been developed as a poultry farm. A feed mill had been developed by 1989, which had been remodelled by 1999 to remove the poultry house.

As discussed in the Key Issues section above, the site stores and uses a number of materials that could pose a risk to groundwater and soil. The risk to groundwater and soil from these materials have been addressed above. These materials include gas oil and diesel. Kerosene was previously stored within an 18,000 litre bunded tank, but the Operator has confirmed this tank has been decommissioned.

No baseline samples have been taken. 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 in an email dated 27 November 2017.

We are satisfied that the site condition report provides a representative description of the site baseline condition.

## **Odour**

The site uses raw materials that have the potential to be odorous. The application outlines that odour may be released as part of the cooling process. The main odour control measures employed are storing and transferring raw materials in enclosed systems or their original packaging. The application states that the site has never had an odour complaint. The risk assessment states that 'there is no noticeable off-site odour impact'. The application identifies that the site cleaning regime will also minimise odour release.

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 that we consider the site activities and raw materials used to be low risk in terms of odour. The site uses a Nuisance Management Plan which includes responses to odour issues. The Plan includes periodic walkover surveys of the site to monitor odour and a complaints response procedure which involves investigating odour sources and ceasing activities that might be causing odour issues.

We have also included our standard odour condition 3.3, 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**

The majority of plant used on site is located within the production building. The building will likely provide a measure of attenuation from noise. The risk assessment identifies that the noisiest activities will be undertaken inside the process building or within acoustic enclosures. The application identifies that the site grinder is the noisiest item of plant used. However, the site set up is designed to provide acoustic attenuation to minimise the impact on site staff, which will also reduce the potential for noise to be heard off site. The grinder is located within a separate room designed to provide attenuation. The grinder is located approximately 20m from the nearest ecological receptor. There is external plant which has the potential to be noisy, this includes the bulk grain intake, product despatch bay, pumps and ventilation fans. The operator indicates that these are not audible at the site boundary.

Another potential source of noise is vehicle movements. The site operates 24 hours a day. The application indicates that the impact of vehicle movements on site is minimised by scheduling deliveries and product despatch for daylight hours where possible. Drivers are also trained to ensure speeds are reduced and excessive revving is avoided. The application states that the site has never had a noise complaint.

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. However the site uses a nuisance management plan which includes responses and consideration of noise issues. The Nuisance Management Plan states that a weekly inspection of all equipment is undertaken. If any maintenance is considered to be needed repairs will be made by a qualified engineer as soon as possible. The application also details how the operator will undertake investigation of any noise complaints and ensure remedial action is carried out promptly. A preventative maintenance programme is in place which will minimise the risk of noise from equipment malfunction.

We have also included our standard noise condition 3.4 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)

- 'Control and monitor emissions for your environmental permit' webpage

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



## Decision checklist

Aspect considered	Decision
<b>Receipt of application</b>	
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.
<b>Consultation</b>	
Consultation	<p>The consultation requirements were identified in accordance with the Environmental Permitting Regulations and our public participation statement.</p> <p>The application was publicised on the GOV.UK website.</p> <p>We consulted the following organisations:</p> <ul style="list-style-type: none"> <li>• Local authority environmental protection department</li> <li>• Health and Safety Executive</li> <li>• Director of Public Health and Public Health England</li> </ul> <p>The comments and our responses are summarised in the <a href="#">consultation section</a>.</p>
<b>Operator</b>	
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.
<b>The facility</b>	
The regulated facility	<p>We considered the extent and nature of the facility at the site in accordance with Regulatory Guidance Note (RGN) 2 'Understanding the meaning of regulated facility'</p> <p>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.</p>
<b>The site</b>	
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. The plan is included in the permit.
Site condition report	<p>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.</p> <p>As discussed in the Key Issues section, we have previously advised the</p>

Aspect considered	Decision
	<p>Operator by email on 27 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.</p>
<p>Biodiversity, heritage, landscape and nature conservation</p>	<p>The application is within the relevant distance criteria of a site of heritage, landscape or nature conservation, and/or protected species or habitat.</p> <p>The site is within the relevant screening distance of the following sites:</p> <ul style="list-style-type: none"> <li>• Four Special Areas of Conservation (SAC)</li> <li>• One Special Protection Area (SPA)</li> <li>• One Ramsar Site</li> <li>• Two Sites of Special Scientific Interest (SSSI)</li> <li>• Seven Local Wildlife Sites (LWS)</li> <li>• 10 Ancient Woodlands</li> </ul> <p>We have assessed the application and its potential to affect all known sites of nature conservation, landscape and heritage and/or protected species or habitats identified in the nature conservation screening report as part of the permitting process.</p> <p>The Installation will be emitting noise and particulates which have the potential to affect ecological receptors in the vicinity if not managed appropriately. The site is adjacent to an area of Ancient Woodland which goes on to form part of an overlapping SAC and SSSI 125m from the Installation boundary. There is another Ancient Woodland approximately 210m south of the Installation boundary and beyond this another SSSI.</p> <p>We consider there is no mechanism for the other ecological receptors to be affected due to distance.</p> <p>The site is adjacent to woodland areas which have the potential to be affected by emissions from the Installation, principally noise and particulate emissions.</p> <p>The key control mechanisms employed include:</p> <ul style="list-style-type: none"> <li>• Preventing particulates escaping the treatment building as discussed in the Emissions to Air Key Issues section. This involves using LEV and abatement mechanisms such as bag filters and cyclones. The two emission points to air are abated through a bag filter and a cyclone. We consider the operator is using BAT to control particulate emissions.</li> <li>• Employing preventative maintenance on site equipment to control noise emissions.</li> <li>• We have set emission limit values for all emission points to air to control particulate release. These are lower than those in the current local authority permit so we consider this represents an environmental improvement.</li> </ul> <p>We consider that these are appropriate mitigation methods for this site and</p>

Aspect considered	Decision
	<p>will control emissions to prevent an impact on the woodland habitats.</p> <p>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 &amp;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. Although this guidance applies to SACs, SPAs and Ramsar sites rather than SSSIs or other designated sites, we consider this is an appropriate approach to use for other conservation sites.</p> <p>We consider that the application will not affect any sites of nature conservation, landscape and heritage, and/or protected species or habitats identified.</p> <p>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 has been completed and sent for information only. An appendix 4 has been completed which concludes that the installation is not likely to damage the SSSI. This has been saved for audit.</p>
<b>Environmental risk assessment</b>	
Environmental risk	<p>We have reviewed the operator's assessment of the environmental risk from the facility.</p> <p>The operator's risk assessment is satisfactory, with the exception of particulate emissions.</p> <p>The assessment shows that, applying the conservative criteria in our guidance on environmental risk assessment, all emissions may be categorised as environmentally insignificant with the exception of particulate matter. See Key Issues for details.</p>
<b>Operating techniques</b>	
General operating techniques	<p>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. See Key Issues for more details.</p> <p>The operating techniques that the applicant must use are specified in table S1.2 in the environmental permit.</p>
Operating techniques for emissions that do not screen out as insignificant	<p>Emissions of particulate matter cannot be screened out as insignificant. We have assessed whether the proposed techniques are BAT.</p> <p>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 A2. We have also included Improvement conditions which requires the Operator to undertake monitoring and further screening. See Key Issues for more details.</p> <p>As discussed in the key issues, we have included an improvement condition</p>

Aspect considered	Decision
	for the Operator to analyse their discharges to surface water and assess their environmental impact, proposing alternatives if necessary.
<b>Permit conditions</b>	
Improvement programme	<p>Based on the information on the application, we consider that we need to impose an improvement programme.</p> <p>We have imposed an improvement programme to ensure that the Operator has the correct infrastructure and processes in place to manage the risk to air, soil, surface water and groundwater. See Key Issues section for more details.</p>
Emission limits	<p>Emission Limit Values (ELVs) and equivalent parameters or technical measures based on BAT have been set for the following substances: particulate matter.</p> <p>We have imposed a stricter ELV than that required by the guidance document 'Process Guidance Note 6/26(13) Statutory guidance for animal feed compounding December 2013' in respect of particulate matter from the cooler (emission point A2).</p> <p>See Key Issues section on Emissions to Air for more details.</p>
Monitoring	<p>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.</p> <p>These monitoring requirements have been imposed in order to ensure particulate emissions are controlled.</p> <p>We made these decisions in accordance with 'Process Guidance Note 6/26(13) Statutory guidance for animal feed compounding' December 2013.</p> <p>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.</p>
Reporting	<p>We have specified reporting in the permit.</p> <p>The specified reporting will allow us to monitor environmental compliance at the site.</p> <p>We made these decisions in accordance with 'Process Guidance Note 6/26(13) Statutory guidance for animal feed compounding' December 2013.</p>
<b>Operator competence</b>	
Management system	<p>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.</p> <p>The decision was taken in accordance with the guidance on operator competence and how to develop a management system for environmental permits.</p>
Relevant convictions	The Case Management System has been checked to ensure that all relevant convictions have been declared.

Aspect considered	Decision
	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.
<b>Growth Duty</b>	
Section 108 Deregulation Act 2015 – Growth duty	<p>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.</p> <p>Paragraph 1.3 of the guidance says:</p> <p>“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 factor that all specified regulators should have regard to, alongside the delivery of the protections set out in the relevant legislation.”</p> <p>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.</p> <p>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.</p>

## Consultation

The following summarises the responses to consultation with other organisations and our notice on GOV.UK for the public and the way in which we have considered these in the determination process.

### Responses from organisations listed in the consultation section

<b>Response received from</b>
Public Health England
<b>Brief summary of issues raised</b>
<p>Public Health England have reviewed the air quality assessment in the application and recommend that the Operator undertakes a detailed assessment of air quality impact.</p> <p>They consider that the activities have the potential to produce dust or odour issues, but they are reassured by the proposals to store dusty materials in enclosed or covered areas and odorous materials in sealed containers. They recommend that the Environment Agency ensures the proposed control measures are sufficient to keep fugitive air emissions to a minimum.</p> <p>They consider that compliance with the legislation and good management should ensure the site presents a low risk to local human receptors. Based on the application, they consider the development does not present any obvious cause for concern.</p>
<b>Summary of actions taken or show how this has been covered</b>
<p>We have discussed the emissions to air in detail in the Key Issues section above. We consider that the assessment included in the application does not reflect the fact that the site is already operating and therefore emissions from the site will be reflected in the background. We have included improvement conditions which requires the Operator to undertake further monitoring and undertake an assessment based on site specific PM<sub>10</sub> emissions. If the assessment shows improvements to site infrastructure are required. The improvement conditions require the operator to agree any improvements with us and implemented to a timetable we have agreed.</p> <p>We have also included our standard conditions which require the Operator to manage their odour emissions and allow us to request an odour management plan if necessary.</p>