

# **Environment Agency permitting decisions**

## **Variation**

We have decided to issue the variation for Dalton Petfoods Manufacturer operated by Waggs Foods Limited.

The variation number is EPR/BQ0526IZ/V005.

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:

- explains how the application has been determined
- provides a record of the decision-making process
- shows how all relevant factors have been taken into account
- justifies the specific conditions in the permit other than those in our generic permit template.

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

## **Structure of this document**

- Annex 1 the decision checklist
- Annex 2 the consultation and web publicising responses

## Annex 1: decision checklist

This document should be read in conjunction with the Duly Making checklist, the application and supporting information and permit/ notice.

Aspect considered	Justification / Detail	Criteria met
		Yes
<b>Consultation</b>		
Scope of consultation	The consultation requirements were identified and implemented. The decision was taken in accordance with RGN 6 High Profile Sites, our Public Participation Statement and our Working Together Agreements.	✓
Responses to consultation and web publicising	The web publicising and consultation responses (Annex 2) were taken into account in the decision.  The decision was taken in accordance with our guidance.	✓
<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 EPR RGN 1 Understanding the meaning of operator.	✓
<b>The facility</b>		
The regulated facility	<p>The extent/nature of the facilities taking place at the site required clarification.</p> <p>The decision on the facility was taken in accordance with RGN 2 ('Understanding the meaning of regulated facility').</p> <p>The regulated facility is an installation which comprises the following activities listed in Part 2 of Schedule 1 to the Environmental Permitting Regulations and the following directly associated activities.</p> <ul style="list-style-type: none"> <li>• At Dalton Mill - Section 6.8 A(1)(d)(i) Treating 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) – only animal raw materials (other than milk only) with a finished product production capacity.</li> <li>• At Dalton Mill – Directly Associated Activity - steam and electrical power supply</li> <li>• At Topcliffe Mill – Directly Associated Activity - blending of extruded pellets (from Dalton Mill and other suppliers) with other cereals, micronised products, seeds,</li> </ul>	✓

Aspect considered	Justification / Detail	Criteria met
		Yes
	nuts and grass pellets to produce small animal products	
<b>European Directives</b>		
Applicable directives	<p>All applicable European directives have been considered in the determination of the application.</p> <p>The Industrial Emissions Directive came into force on 27 February 2013 by amendment of The Environmental Permitting (EP) Regulations. From 7 January 2014, existing installations must comply with the requirements of the IED.</p> <p>We have therefore amended Conditions 2.10.10, 5.1.1 and 5.1.2 as part of this variation to satisfy the new requirements of the IED.</p> <p>We have also updated the reference for the activity listed in Schedule 1 of the Environmental Permitting Regulations in Table 1.1.1.</p>	✓
<b>The site</b>		
Extent of the site of the facility	<p>The operator has provided a plan which we consider is satisfactory, showing the extent of the site of the facility.</p> <p>A plan is included in the permit and the operator is required to carry on the permitted activities within the site boundary.</p>	✓
Site condition report	<p>The operator has provided a description of the condition of the site.</p> <p>We consider this description is satisfactory. The decision was taken in accordance with our guidance on site condition reports and baseline reporting under IED–guidance and templates (H5).</p>	✓
<b>Environmental Risk Assessment and operating techniques</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.</p> <p><b>Dalton Mill</b> <b><i>Emissions of particulates</i></b> We have used the AERMOD Screening Tool (Version 4.0, 2011) to assess the potential impact of emissions of</p>	✓

Aspect considered	Justification / Detail	Criteria met Yes
	<p>particulates (PM<sub>10</sub>) from the new drier (A10) and grinder (A11).</p> <p>This shows that the short term process contribution of PM<sub>10</sub> can be considered insignificant because it is less than 10% (5%) of the short term environmental standard/air quality objective (50ug/m<sup>3</sup>).</p> <p>For the long term process contribution of PM<sub>10</sub>, the AERMOD Screening Tool shows that this cannot be considered insignificant because it is greater than 1% (2%) of the long term environmental standard/air quality objective (40ug/m<sup>3</sup>).</p> <p>We are therefore satisfied that the operator has undertaken air quality dispersion modelling to assess the cumulative impact of both the existing emissions to air and those associated with the increase in capacity.</p> <p>We are satisfied with the operator's conclusion following air dispersion modelling that there will be no exceedances of the relevant long term air quality objectives for PM<sub>10</sub> and PM<sub>2.5</sub>.</p> <p>We are also satisfied that the predicted exceedence of the short term PM<sub>10</sub> air quality objective identified by air dispersion modelling will not be significant. It is not predicted to be in an area of sensitive receptors, the nearest sensitive receptor being 600m to the north west (R6).</p> <p>Additionally we recognise the fact that the modelling has used the worst case scenario by assuming that the entire PM emission consists of only PM<sub>10</sub> or PM<sub>2.5</sub>. Actual plant emissions are unlikely to only consist of one fraction.</p> <p>In the permit, in addition to listing emissions points A1 to A12, we have also included vents from external storage silos and tanks and building ventilation. We have not, however, individually listed these points in the permit as we do not consider emissions to air from them to be of significance to the environment.</p>	

Aspect considered	Justification / Detail	Criteria met
		Yes
	<p><b>Odour</b></p> <p>We are satisfied with the operator's assessment of the risk of odour associated with the addition of a fourth extruder. Although this will increase the throughput of materials, we are satisfied that there will be no new sources of odour. We also accept that there is little risk of odour from the accepted raw materials as they are accepted and stored dry.</p> <p><b>Noise</b></p> <p>We are satisfied that there will be appropriate noise attenuation measures in place for the new grinder. The new grinder room (5) has been constructed of sound absorbent panelling and will be situated entirely within a building.</p> <p><b>Topcliffe Mill</b></p> <p>We are satisfied with the operator's assessment of risk associated with Topcliffe Mill. In particular, emissions of particulates will be prevented by appropriate filtration on all emission points. But, as for Dalton Mill, we have not individually listed these points in the permit as we do not consider emissions from them to be of significance to the environment.</p>	
Operating techniques	<p>We have reviewed the techniques used by the operator and compared these with the relevant guidance notes.</p> <p>The key measures proposed by the operator are in line with those in our guidance, EPR 6.10, 'The Food and Drink Sector' and we consider them to represent appropriate techniques for the facility.</p>	✓
<b>The permit conditions</b>		
Incorporating the application	<p>We have specified that the applicant must operate the permit in accordance with descriptions in the application, including all additional information received as part of the determination process.</p> <p>These descriptions are specified in the Operating Techniques table in the permit.</p>	✓
Emission limits	<p>We have decided that emission limits should be set for the parameters listed in the permit.</p> <p>Particulates have been identified as being emitted in</p>	✓

Aspect considered	Justification / Detail	Criteria met
		Yes
	<p>significant quantities and emission limit values (ELVs) have been set for them.</p> <p>It is considered that the ELVs will ensure that significant pollution of the environment is prevented and a high level of protection for the environment secured.</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 that significant pollution of the environment by particulates is prevented.</p>	✓
Reporting	<p>We have specified reporting in the permit.</p> <p>The reporting frequencies reflect monitoring frequencies specified in the permit.</p> <p>We made these decisions in accordance with EPR 6.10.</p>	✓
<b>Operator Competence</b>		
Environment management system	<p>There is no known reason to consider that the operator will not have the management systems to enable it to comply with the permit conditions. The decision was taken in accordance with RGN 5 on Operator Competence.</p>	✓
Financial provision	<p>There is no known reason to consider that the operator will not be financially able to comply with the permit conditions. The decision was taken in accordance with RGN 5 on Operator Competence.</p>	✓

## Annex 2: Consultation and web publicising

Summary of responses to consultation and web publication and the way in which we have taken these into account in the determination process.

Response received from
Hambleton District Council
Brief summary of issues raised
The Council considered the application for potential impact from noise and other emissions on neighbouring properties and the wider environment and does not have any adverse comments. The Council is satisfied for the Environment Agency to control such emissions by permit conditions and to take appropriate enforcement action to ensure such controls are complied with.
Summary of actions taken or show how this has been covered
No actions required.