

# Environment Agency permitting decisions

## Bespoke Variation

We have decided to issue the variation for Worksop Sandwiches operated by Solway Foods Limited.

The variation number is EPR/ZP3032PM/V007.

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

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

## Key issues of the decision

### Environmental Risk

This variation is to add a Dissolved Air Flotation (DAF) plant to treat the effluent prior to discharge to foul sewer under an existing trade effluent consent for further treatment at a waste water treatment works. The effluent treatment plant will consist of a balance tank, a sludge tank and dissolved air flotation cell.. The pH will be corrected by adding sodium hydroxide or sulphuric acid. The coagulants used will include two polymers to enhance the removal of solids and reduce the Chemical Oxygen Demand (COD). Silicone based antifoam will be used to minimise foam.

Additional chemical storage for the effluent treatment plant is required. Sodium hydroxide and sulphuric acid solutions and the other effluent treatment plant chemicals will be stored in tanks less than 5000litres in size.

The effluent treatment plant and chemical storage is contained within a concrete bund, which is impermeable and resistant to the materials stored. The bund volume is more than 110% of the volume of the largest tank. A high level alarm is in place on the balance tanks.

The effluent treatment plant will be checked daily by the plant engineer. Flow rate, volume, temperature and pH is monitored continuously. COD is sampled for daily. The effluent treatment plant will be serviced quarterly.

We are satisfied that the measures proposed in the application will prevent emissions to surface and groundwater.

The location of the discharge to sewer S1 has changed and this has been updated in the permit. One of the emission points previously listed as going to surface water (W2) is in reality a discharge to sewer from the non production areas of the facility such as the site toilets (now renamed discharge point S2 in this variation). The permit has been updated to reflect this, to correct the error.

The operator has screened out odour as very unlikely to have an impact on sensitive receptors. They identified that odour could arise from the solids screen or the sludge tank, and will control this by regularly emptying the sludge tank and solids screening. The rotary screen will also be cleaned daily. The operator has confirmed that if an odour complaint was received they would investigate the cause of the problem, look at the suitability of current maintenance procedures, review the management of the sludge and solid screens and as appropriate take corrective action. We do not consider that this site is likely to cause odour pollution.

The operator has screened out the risk of noise due to the distance from sensitive receptors. They have identified that the vessels are closed so that the only way noise issues could arise would be related to equipment failure or if the site was to have issues with maintenance. The operator has committed to undertaking maintenance which should minimise the risk of equipment failure. We do not think this variation is likely to have a negative impact on noise levels from the installation. However, the permit contains a condition requiring a noise management plan to be produced if noise issues do arise.

We consider that the operator has proposed controls which will adequately minimise the risk to the environment from the effluent treatment plant.

## Best Available Techniques (BAT) Assessment

Table 2 compares indicative BAT taken from Food and Drink Sector Guidance Note EPR 6.10, and the measures proposed in the supporting information of the application.

<b>Table 2 Comparison of Indicative BAT with key measures proposed by the operator</b>	
<i>Indicative BAT</i>	<i>Key measures proposed</i>
<p><i>Accident management</i>  <i>Use techniques and procedures to prevent overflowing of tanks - liquid or powder- (eg. level measurement displayed both locally and at the central control point, independent high-level alarms, high-level cut-off, and batch metering).</i></p>	<p>A high level alarm is in place on the balance tank.</p>
<p><i>Point source emissions to water</i>  <i>Use a balancing tank or pond (equalisation or balancing), with a hydraulic retention time of 6 – 12 hours</i></p>	<p>Based on the maximum hydraulic flow rate through the DAF of 35000litres per hour, the retention time of the balance tank is only 1.2 hours. Based on the more typical flow rate of 25000litres per hour the retention time is 1.8 hours. However the trade discharge consent limits them to releasing 230m<sup>3</sup> per day. Based on this figure the retention time is 9.6 hours.</p>

## 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 Regulatory Guidance Note (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>European Directives</b>		
Applicable directives	All applicable European directives have been considered in the determination of the application.	✓
<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.  A plan is included in the permit and the operator is required to carry on the permitted activities within the site boundary.  The location of the emission point of effluent to sewer has changed. A plan showing the new location has been included in the permit.  As part of this variation it became apparent that the site plan included in EPR/ZP3032PM/V004 was incorrect, an amended site plan has been included in this permit.	✓

Aspect considered	Justification / Detail	Criteria met
		Yes
<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 distances of a Special Area of Conservation, a Site of Special Scientific Interest (SSSI) and ten local wildlife sites.</p> <p>A full assessment of the application and its potential to affect the sites has been carried out as part of the permitting process. We consider that the application will not affect the features of the sites.</p> <p>We have not formally consulted on the application. The decision was taken in accordance with our guidance.</p> <p>An appendix 11 form was completed and sent to Natural England for their information. This concluded that there was no likely significant effect from this variation as there is no mechanism for impact upon the designated sites. An appendix four form was completed which concluded that there was no mechanism for impact upon the SSSI.</p>	<p>✓</p>
<b>Environmental Risk Assessment and operating techniques</b>		
<p>Environmental risk</p>	<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>See key issues section for further details.</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.</p>	<p>✓</p>
<p>Operating techniques</p>	<p>We have reviewed the techniques used by the operator and compared these with the relevant guidance notes.</p> <p>See key issues section for further details.</p> <p>The proposed techniques/ emission levels for priorities for control are in line with the benchmark levels contained in the TGN and we consider them to represent appropriate techniques for the facility. The permit conditions ensure compliance with relevant BAT reference documents</p>	<p>✓</p>

Aspect considered	Justification / Detail	Criteria met
		Yes
	(BREFs) and BAT Conclusions.	
<b>The permit conditions</b>		
Updating permit conditions during consolidation.	<p>We have updated previous permit conditions to those in the new generic permit template as part of permit consolidation. The new conditions have the same meaning as those in the previous permit(s).</p> <p>The operator has agreed that the new conditions are acceptable.</p>	✓
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>We have incorporated the application and supporting documents as these detail how the operator will run the effluent treatment plant in a way that controls the risk to the environment.</p> <p>These descriptions are specified in the Operating Techniques table in the permit.</p>	✓
Improvement conditions	<p>Based on the information on the application, we consider that we need to impose improvement conditions.</p> <p>We have imposed improvement conditions to ensure that:</p> <ul style="list-style-type: none"> <li>➤ the appropriate measures are in place for the closure and decommissioning of the facility.</li> </ul> <p>Our H5 guidance on Site Condition Reports (SCR) states that 'If you intend to make a substantial change in your operations, you should send us baseline data within an SCR as part of your application for a variation to your permit'. This is an application for a substantial change to an installation but the operator did not submit an updated baseline report.</p> <p>In line with our H5 guidance, we have included an improvement condition (IC6) requiring the operator to submit an updated baseline report which meets the requirements of the Industrial Emissions Directive within</p>	✓

Aspect considered	Justification / Detail	Criteria met
		Yes
	six months of this variation being issued. This will allow the operator time to take any necessary samples.	
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>We have removed the monitoring requirements for the emissions to sewer. This is because a trade effluent discharge consent is in place which will control the environmental risk.</p>	✓
Reporting	<p>We have specified reporting in the permit.</p> <p>The reporting frequencies mirror those in the current permit.</p>	✓
<b>Operator Competence</b>		
Environment management system	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.	✓
Financial provision	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.	✓

## Annex 2: Consultation and web publicising responses

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
Severn Trent Water
Brief summary of issues raised
They are satisfied with the protection provided by the existing trade effluent consent and the performance of the applicant in meeting the standards that have been applied. They highlight that since the DAF has been installed the trade effluent quality has improved so that it is within compliance levels.
They note the facility is within a groundwater source protection zone, but they did not provide comments regarding risk to their groundwater sources.
Summary of actions taken or show how this has been covered
The operator has detailed that the DAF tank and associated chemicals will be stored in a concrete bunded area resistant to the materials stored, so we are confident that these measures will prevent any pollution to groundwater.
We note that they consider the existing trade effluent consent is satisfactory and provides adequate protection. This supports our approach towards removing the monitoring requirements for emissions to sewer.

Response received from
Public Health England (PHE), Nottingham Office
Brief summary of issues raised
Based on the information in the application, PHE have no significant concerns regarding the health risk from this application. Their response is based on the assumption that the operator will take all appropriate measures to prevent or control pollution in accordance with the relevant sector guidance and industrial best practice.
Summary of actions taken or show how this has been covered
N/A

Response received from
Health and Safety Executive, Nottingham Office
Brief summary of issues raised
No comments
Summary of actions taken or show how this has been covered
N/A

We advertised this application on our website for comment between 3 March 2015 and 31 March 2015 but no responses were received.