

## **Environment Agency permitting decisions**

### **Bespoke permit**

We have decided to grant the permit for Black Dale Farm Animal Feed Mill operated by Ian Mosey (Feed) Limited.

The permit number is EPR/FP3339AZ.

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**

- Description of main features of the installation
- Key issues
- Annex 1 the decision checklist
- Annex 2 the consultation and web publicising responses

## **Description of the main features of the Installation**

Black Dale Farm Animal Feed Mill is an installation located in Coulton near Hovingham, York. The site manufactures compound animal feeds suitable for consumption without further processing. The site has been operating since 1998 and was previously regulated under the Part B LAPPC regime but the site now requires a Part A environmental permit, following the 2013 update to the Environmental Permitting Regulations which implemented the Industrial Emissions Directive. This redefined the thresholds for the food and drink sector based on the maximum production capacity of the installation.

*Section 6.8 Part A(1)d(ii) – Treatment and processing of vegetable raw materials with a finished product capacity greater than 300 tonnes per day or 600 tonnes per day where the installation operates for a period of no more than 90 consecutive days in any year.*

The key stages of the process undertaken at the installation are receipt and storage of raw materials, weighing, grinding, mixing, conditioning, pressing, cooling, coating and bulk storage prior to dispatch.

The main emissions to air arise from a single 1.6MWth LPG fuel fired boiler, two coolers, and bulk storage tanks.

Emissions to water mainly comprise the discharge of surface water run-off, via a full retention separator, to an unnamed tributary of Marrs Beck. A small amount of boiler blow down (approx. 10 litres per day) is also discharged via this route. Very little water is used in the process and the cleaning procedure is completely dry, so no process effluent is produced.

Horse Field SSSI lies approx. 240 metres to the north of the installation. There are no SACs, SPAs or Ramsars within 10 kilometres of the installation boundary.

## **Key issues of the decision**

The application submission contains a number of supporting documents that describe the controls and operating techniques at the installation, having regard for Best Available Technique (BAT) requirements, as specified in our guidance, and to ensure compliance with the environmental permit conditions. These key controls and techniques are described in the following sections.

### **General Management**

The installation has a bespoke Environment Management System (EMS) in place which is designed to ensure that environmental management is a high priority within the sites operations. The system addresses the appropriate design, operation and maintenance of the process plant and includes details of staff training. It is also developed and implemented to manage accidents and abnormal operating scenarios. The applicant has stated that the EMS is under constant review so that it remains relevant to the activities undertaken at the site and is independently monitored. The requirement for an EMS is also maintained through the permit conditions.

### **Odour**

Odorous raw materials are consumed in the process and the installation has the potential to cause odorous emissions through various stages of the process, such as receipt of raw materials and cooling. The nearest sensitive human receptors are approx 150 metres away and there have been no reported odour complaints. The applicant also employs a range of controls to reduce odorous emissions and undertakes routine odour monitoring at the boundary of the installation. The systems employed to reduce odorous emissions from the installation are summarised below:

- Receipt: Liquid materials are transferred within enclosed systems. Bulk solid materials are received in enclosed vehicles and tipped within the enclosed raw material store.
- Storage and conveyance: All odorous materials used in the process are stored in appropriate sealed containers, such as bulk storage prior to incorporation into the product. While these tanks are fitted with breathing vents (to facilitate material receipt/discharge) the operator believes that the operation of these facilities does not result in the emission of offensive odours beyond the site perimeter.
- Processing storage and conveyance: All odorous materials are transferred/processed in enclosed systems. Whilst it is recognised that low levels of odours are emitted from certain point source emissions from the process, such as coolers, the operator believes that these odours do not result in the emission of offensive odours beyond the site perimeter.

- Dispatch: All odorous materials are transferred/processed in enclosed systems prior to discharge within the building into specialised vehicles.

At this time we are satisfied that a site specific Odour Management Plan (OMP) is not required beyond the controls detailed in the EMS. However, the permit conditions contain a provision for the Environment Agency to request the operator to produce and implement an OMP should the activities give rise to odour beyond the installation boundary.

### **Noise and vibration**

The installation uses process plant which has the potential to give rise to noise and vibration. The nearest sensitive human receptors are approx 150 metres away and there have been no reported noise complaints. The applicant employs an operating and maintenance programme to minimise noise and vibration from the plant.

At this time we are satisfied that a site specific Noise Management Plan (NMP) is not required beyond the controls detailed in the EMS. However, the permit conditions contain a provision for the Environment Agency to request the operator to produce and implement a NMP should the activities give rise to noise and/or vibration beyond the installation boundary.

### **Fugitive emissions**

#### Emissions to air

The installation has the potential to release fugitive emissions, in particular particulate matter to air. The applicant has identified the sources of fugitive emissions and will ensure sufficient management and controls are in place to minimise these. These controls include:

- Planned, preventative and reactive maintenance programmes to minimise leaks.
- Enclosed storage and maintenance areas, primary packaging and waste management.
- The use of abatement equipment, where necessary.
- Effective housekeeping, including external cleaning of process building and stockyards.

#### Emissions to sewer, surface water and groundwater

The installation has been designed to limit the risk of substances inadvertently entering surface water, foul drain or groundwater. Chemicals are stored in containers, on bunded areas or on hardstanding where appropriate and reasonably practicable. There are no open drains inside the process building and spill kits are available should a spill occur.

## Point source emissions

### Emissions to air

Throughout the process appropriate controls, both manual and automated, are applied to ensure that emissions to air are minimised and, where appropriate, abated. Suitable controls are in place for the handling of raw materials, wastes and products such that potential for emissions from these activities are minimised.

A range of abatement systems are employed throughout the process to remove particulate matter for both point source and non-point source emissions. These systems include dust filters, cyclones (grinding, mixing and cooling) and Local Exhaust Ventilation (LEV) where required. These methods are considered BAT for the sector.

Notwithstanding the controls outlined above, the H1 Risk Assessment submitted with the application concluded that the particulate emissions to air arising from the installation could not be deemed as 'insignificant'. On that basis, detailed modelling was undertaken and submitted. The modelling concluded that the long term process contribution is <1% of the long term air quality standard and the short term process contribution is <10% of the short term air quality standard at all nearby sensitive receptors within 2km of the installation, except for the residential property at Black Dale Farm. Whilst this property is considered to be ancillary to the installation, it falls outside of the permitted boundary. Therefore, consideration must be given to the potential impact on amenity and human health of the occupants of the farmhouse from particulate matter. In general terms, it can be considered that the risks are low on the basis that the installation has been in operation since 1998 with no reported issues or concerns raised by external consultees. For certainty, we have used AQMAU screening tool Version 5.2 to audit the results of the modelling work and it has been demonstrated that the impact upon the residential property at Black Dale Farm is unlikely to be significant as shown below:

Pollutant	Averaging Time	Percentile	X	Y	Distance	Model PC Conc ug / m3	Model PC / AQS	Model PEC / AQS	Environmental Risk
			(m)	(m)	(m)				
PM10	24 hrs	90.41	462845	475476	145	4.1	0.08	0.61	LOW
PM10	1 Year	Annual Mean	462845	475476	145	1.8	0.04	0.44	MEDIUM

On the basis of the above audit results together with the controls in place at the installation, the consultation responses received and the Emission Limit Values (ELVs) set in the permit; we are satisfied that the point source emissions to air arising from the installation will not have a significant adverse impact upon amenity or public health.

### Emissions to sewer, surface water and groundwater

There are minimal discharges of water from the process. Emissions are generated from rainfall dependent yard run-off and boiler blowdown. These emissions are discharged to a tributary of Marrs Beck (the area is not served

by the public foul sewer network) following treatment by a full retention separator.

Good housekeeping and diversion through a full retention separator ensures that the potential for yard run-off to be contaminated is low. Whilst some boiler blowdown is discharged via this route, it is very low in volume (10 litres per day) and subject to hydrocarbon removal via the separator. It will also be significantly diluted by the yard run-off. This discharge has been in operation for some time with no evidence that the installation is having any negative impact upon the Water Framework Directive status of Marrs Beck.

There are no relevant hazardous substances released to groundwater from the installation. The Site Condition Report also comprehensively identifies any further potential risk to groundwater and how these are prevented.

## **Resource efficiency and waste management**

### Raw materials

Raw materials are selected to meet the requirements of the end market, with competitive drivers also determining the specific materials consumed in some cases. All the raw materials used in the products produced by the installation are approved for use under the Animal Feed Regulations. As part of the EMS, raw materials are reviewed with the aim to improve process performance and minimise environmental impact.

### Waste minimisation

The process has been designed to minimise process losses and waste generation. The product yield on dry mass raw materials consumed is close to 100%.

### Waste handling

The installation generates and subsequently handles only small quantities of waste. As part of the EMS, waste is appropriately handled, segregated and stored on site. The waste storage areas are appropriately designed and maintained and have adequate capacity for the quantity of waste generated.

### Water usage

The installation uses minimal water (approx 15m<sup>3</sup>/day). The principal uses of water are in the mixing and cooling process.

### Energy usage

The applicant is committed to the implementation of appropriate cost effective energy efficiency measures and, as part of a trading body Climate Change Levy Agreement, has developed and is implementing an energy efficiency plan.

**Annex 1: decision checklist**

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

Aspect considered	Justification / Detail	Criteria met
		Yes
Receipt of submission		
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. The decision was taken in accordance with our guidance on commercial confidentiality.	✓
Consultation		
Scope of consultation	<p>The consultation requirements were identified and implemented. The decision was taken in accordance with our Public Participation Statement and our Working Together Agreements.</p> <p>For this application we consulted the following bodies:</p> <ul style="list-style-type: none"><li>• Ryedale District Council Planning &amp; Environmental Health</li><li>• Health &amp; Safety Executive</li><li>• Public Health England</li><li>• Yorkshire Water</li></ul>	✓
Responses to consultation and web publicising	<p>The web publicising and consultation responses (Annex 2) were taken into account in the decision.</p> <p>The decision was taken in accordance with our guidance.</p>	✓
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 what a legal operator is.	✓
European Directives		
Applicable directives	All applicable European directives have been considered in the determination of the application.	✓

Aspect considered	Justification / Detail	Criteria met Yes
<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>	✓
Biodiversity, Heritage, Landscape and Nature Conservation	<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>A full assessment of the application and its potential to affect Horse Field SSSI has been carried out as part of the permitting process. We consider that the application will not affect the features of the site.</p> <p>We have not formally consulted on the application. A CRoW Appendix 4 has been completed and saved for information and audit purposes. The decision was taken in accordance with our guidance.</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>The assessment shows that, applying the conservative criteria in our guidance on Environmental Risk Assessment, all emissions may be categorised as environmentally insignificant. This is discussed in more detail in the Key Issues section of this document.</p>	✓



Aspect considered	Justification / Detail	Criteria met
		Yes
Operating techniques	<p>We have reviewed the techniques used by the operator and compared these with the relevant guidance notes and sector guidance (TGN EPR 6.10).</p> <p>It has been demonstrated that the emissions from the installation (in particular, particulate matter as detailed in the Key Issues section of this document) are not significant. The Environment Agency agrees that the Applicant's proposed techniques are BAT for the installation.</p> <p>The application provides information on how the installation meets these requirements. This is explained in more detail in the Key Issues section of this document.</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>Whilst the emission of particulate matter has been identified as not being emitted in significant quantities, ELVs have been set in order to ensure the protection of nearby sensitive receptors.</p> <p>The ELVs for particulate matter set in the permit are stricter than the Benchmark identified as BAT in TGN EPR 6.10. This is justified in this case as this reflects the maximum emission limit value used by the operator in their risk assessment to assess the impacts.</p>	✓

Aspect considered	Justification / Detail	Criteria met
		Yes
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 the dust abatement on the two coolers are effective.</p> <p>We made these decisions in accordance with TGN EPR 6.10.</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 comprising annual reporting of the particulate emissions from the point source emissions serving the two coolers.</p> <p>We made these decisions in accordance with TGN 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 our guidance on what a competent operator is.</p>	✓
Relevant convictions	<p>The Case Management System has been checked to ensure that all relevant convictions have been declared.</p> <p>No relevant convictions were found.</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 our guidance on what a competent operator is.</p>	✓

## 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.  
(Newspaper advertising is only carried out for certain application types, in line with our guidance.)

Response received from Ryedale District Council Planning Department
Response received 17/05/2016 – combined response with Environmental Protection.
Brief summary of issues raised
The planning permission may require a variation if the throughput exceeds what is currently consented under planning application reference 11/00498/73A.
Summary of actions taken or show how this has been covered
No action necessary – this does not impact upon the determination of the environmental permit application. Ryedale DC will contact the applicant separately to make them aware of this issue.

Response received from Ryedale District Council Environmental Protection
Response received 17/05/2016.
Brief summary of issues raised
The site was previously regulated under LAPPC permit number PPC/RDC/69B. The last risk rating undertaken on 28/02/13 deemed the site to be classed as low risk. No complaints of noise or odour have been received from this site.
Summary of actions taken or show how this has been covered
No action necessary.

Response received from Public Health England
Response received 27/04/2016.
Brief summary of issues raised
No issues raised. PHE have no significant concerns regarding the risk to the health of the local population from the installation.
Summary of actions taken or show how this has been covered
No action necessary.

### No responses were received from the following:

- Members of the public via web publication
- Health & Safety Executive
- Yorkshire Water