

Permitting decisions

Bespoke permit

We have decided to grant the permit for Greencore Prepared Meals Wisbech operated by Greencore Prepared Meals Limited.

The permit number is EPR/NP3038DV.

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 summarises the decision making process in the decision checklist to show how all relevant factors have been taken in to account.

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

The Industrial Emissions Directive (IED) was transposed in England and Wales by the Environmental Permitting (England and Wales) (Amendment) Regulations 2013 on 27th February 2013. This application implements the changes brought about by the IED for "existing facilities operating newly prescribed activities" and completes the transition of this facility to an IED Installation.

Air quality assessment

The operator's assessment of emissions to air concluded no significant impact on human or ecological sensitive receptors.

The Applicants assessment of the impact on air quality comprises:

Data entered into the Environment Agency's H1 tool. The Applicant used theoretical annual emission figures obtained from the Original Equipment Manufacturer. These figures were quoted in tonnes per annum. Again, based upon theoretical emission volumes the releases of NO₂ and CO were back-calculated into mg/m³ and were entered in to the H1 tool. We believe that the emission values entered into the H1 tool using this method were extremely conservative and represent an absolute worst case scenario. The emission of most concern is that of Nitrogen Dioxide. For this pollutant the H1 tool predicted that the Long Term Process Contribution (PC_{LT}) would be 49% of the Environmental Assessment Limit (EAL) and the Short Term Process Contribution (PC_{ST}) would be 255% of the EAL. We say that emissions where the PC_{LT} is <1% EAL and PC_{ST} is <10% EAL the emissions can be screened out as insignificant therefore detailed air dispersion modelling is not required to be completed. Therefore, based on the results obtained more detailed assessment would ordinarily be required. In this case the size of the gas fired plant has to also be taken into consideration. Combustion plants with a thermal input of less than 20MW do not usually warrant emissions modelling and are considered small, low risk releases. The total aggregated thermal input of the combustion plant on site at 6.2MW is only 31% of the 20MW threshold, and we therefore believe that emissions modelling would not be required or add any value. The site is not within an Air Quality Management Zone. We therefore conclude that the emissions from the site do not have the potential to impose a significant risk to the Environment.

In light of the confidence we can obtain from the above information provided within the Application an improvement condition has been added to the permit requiring the operator to carry out an emission point monitoring programme. See the Improvement Condition section of key issues.

Ecological receptors

As the thermal input of the facility is <20MW the screening distance for ecological receptors was set at 500m from the facility. This is in line with Agency guidance AQTAG14.

No sites were identified within this radius.

Improvement conditions

An improvement conditions has been added to the permit.

IC1 - Air emission monitoring programme. The air dispersion modelling submitted with the application was based on a 1 hour sample for each stack, where appropriate. It would not be appropriate to set any emission limits based on this limited monitoring. The operator is required to take further samples to verify the modelling and confirm the conclusions in the report. Emission limit values may be set following the completion and assessment of the monitoring programme where appropriate.

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. The decision was taken in accordance with our guidance on confidentiality.
Consultation	
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"> • Food Standards Agency • Health and Safety Executive • Anglian Water Services Ltd. • Public Health England • LA Environmental Services <p>The comments and our responses are in the consultation section.</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 legal operator for environmental permits.
The facility	
The regulated facility	<p>We considered the extent and nature of the facility at the site in accordance with RGN2 'Understanding the meaning of regulated facility', Appendix 2 of RGN 2 'Defining the scope of the installation.'</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>
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 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

Aspect considered	Decision
	guidance on site condition reports and baseline reporting under the Industrial Emissions Directive.
Biodiversity, heritage, landscape and nature conservation	<p>The application is not within the relevant distance criteria of a site of heritage, landscape or nature conservation, and/or protected species or habitat.</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>
Environmental risk assessment	
Environmental risk	<p>We have reviewed the operator's assessment of the environmental risk from the facility.</p> <p>See Key issues section above for assessment of emissions to air.</p> <p>The facility has a point source emission to sewer, the discharge from their on-site Trade Effluent. This is treated by the Sewage Undertaker, Anglian Water Services, who were consulted on this Application. The Operator monitors for Chemical Oxygen Demand (COD) and Suspended Solids. Both of which are below the limits set in their Effluent Discharge Consent. No additional limits for emissions to sewer were considered necessary.</p>
Operating techniques	
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.</p> <p>The operator has provided details to demonstrate their operating techniques are in line with our guidance on -</p> <p>How to comply with your environmental permit, Additional guidance for: The Food and Drink Sector (EPR 6.10).</p> <p>This includes:</p> <ul style="list-style-type: none"> • Accident management • Energy efficiency • Efficient use of raw materials and water • Avoidance, recovery and disposal of waste • operating techniques • process control • Raw materials • Baking • Cooling/chilling • Cleaning • Emissions <p>The operating techniques that the applicant must use are specified in table S1.2 in the environmental permit.</p>
Odour management	<p>We have reviewed the odour management plan in accordance with our guidance on odour management.</p> <p>We consider that the odour management plan is satisfactory.</p>

Aspect considered	Decision
Noise management	<p>We have reviewed the noise management plan in accordance with our guidance on noise assessment and control.</p> <p>We consider that the noise management plan is satisfactory.</p>
Permit conditions	
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 improvement conditions to ensure that containment measures are sufficient and that the air dispersion modelling data is verified by using additional sample sets.</p>
Emission limits	<p>We have decided that emission limits should not be set for the points listed in the permit.</p> <p>The operator's assessment indicated that emissions are insignificant at the relevant sensitive receptors. Additional samples of emissions to air will be taken as part of an improvement condition. This data will be used to validate the air dispersion modelling submitted with the application, following which ELVs may be set if deemed appropriate.</p>
Reporting	We have specified reporting in the permit.
Operator competence	
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	<p>The Case Management System has been checked to ensure that all relevant convictions have been declared.</p> <p>No relevant convictions were found. The operator satisfies the criteria in our guidance on operator competence.</p>
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	<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 vary 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>

Aspect considered	Decision
	<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, 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

Response received from
Fenland District Council – Environmental Health
Brief summary of issues raised
Fenland DC – EH confirmed that they had no reasons for concern regarding the issue of a Permit to the Operator and that they had not received and complaints regarding noise or odour from the facility.
Summary of actions taken or show how this has been covered
No additional actions were required during the determination of the Application as a result of Fenland DC – EH comments.

Response received from
Anglian Water Services Limited
Brief summary of issues raised
AWS Ltd. Provided a copy of the current trade effluent consent (Ref ADZ 472) and commented as follows: 1 – The application made by Greencore states in a number of places that untreated trade effluent can be discharged to Anglian Water’s sewers. This is not correct, you will see from the attached consent document that only “Used water from the production of convenience meals after effluent treatment” can be discharged. 2 – We note that Greencore appear to be using caustic based cleaners, with this in mind we would like to raise the issue of potential mercury contamination in the products. We have analysed for mercury in recent years and all results are below are limit of detection, however this may be a result of significant dilution in Greencore’s trade effluent. 3 – Should Greencore require any changes to their consent as a result of any process changes they will need to apply via Anglian Water Business and complete a Trade Effluent Notice (G/02 form).
Summary of actions taken or show how this has been covered
The Operator has been made aware of the above comments from AWS Ltd. No additional Limits are considered necessary to be set in the permit. The Operator has confirmed their use of mercury free caustic cleaners.