

Permitting decisions

Bespoke permit

We have decided to grant the permit for Stourport Cider Mill operated by Aston Manor Limited.

The permit number is EPR/CP3130AC.

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

Emissions to air

There are two LPG boilers used in the process to raise steam for the extraction process, which are both of a low emission design, and there are two point source emissions from the individual flues of each boiler. The larger boiler has a thermal input of 5MWth and is utilised during the main operation of the facility. The smaller boiler has a thermal input of 0.6MWth and is utilised when energy requirements are lower and it would be uneconomical to operate the larger boiler.

Following our review of the application we issued a Schedule 5 for the assessment of emissions from the boilers. The operator submitted a H1 assessment for both of the boilers, and the emissions of carbon monoxide and nitrogen dioxide screened out as insignificant. Therefore, no further assessment is required and the boilers are set within the permit referencing the point source emissions to air. Due to the emissions screening out as insignificant we have not set emission limits set.

Emissions to sewer, surface water and groundwater

All processes are carried out within the site buildings and any/all process water is directed to one of the two effluent tanks, where effluent with a low Biological Oxygen Demand (BOD) is discharged to sewer under a Trade Effluent Consent (008395V) with Severn Trent Water Limited and effluent with a high BOD is tankered offsite for disposal. The site does not currently undertake treatment of the process waters prior to discharge to sewer and this is not in accord with the sector specific BAT. An improvement condition (IC2) has been included within the permit for the operator to submit a report for written approval following an assessment of the options available in compliance with BAT for dealing with process effluent, taking into account water efficiency measures.

The site has an active abstraction licence (MD/054/0008/022) to abstract water used in the cooling/evaporation process. . Post abstraction the water is returned to the River Severn unchanged chemically or biologically following the cooling/evaporation process. The water is discharged under consent EPR/BB3394WQ. The abstraction licence has an agreement that the operator may use an alternative flow measurement device to an MCERTS specification device.

All flow meters are calibrated annually and the standards are commensurate with those required under BRC Global Standards.

All clean uncontaminated surface water is directed straight to sewer, and a site drainage plan has been included in the application.

Fugitive emissions of substances

The site infrastructure and operations will be managed in order to minimise the risk of fugitive emissions. These controls include:

- Materials will only be used within the processing building.
- Storing liquids only on impermeable surface and with bunding.
- Planned, preventative and reactive maintenance programmes to minimise leaks.
- Effective housekeeping to ensure all site surfaces are kept clean and in a good state of repair.
- All processes are carried out in a sealed environment and so it considered that there will be minimal dust emissions, and due to the nature of the raw materials it is unlikely that the offloading process will give rise to any dust emissions.
- A spill response procedure for the site is contained within the accident management plan, and all staff are fully trained to deal with incidents.

Following our review of the Accident Management Plan for the installation, it was identified that there were deficiencies regarding the procedures for the containment and management of firewater and contaminated surface water from the site in the event of an incident. An improvement condition (IC3) has been included

within the permit for the operator to review the Accident Management Plan for the site to ensure the prevention of environmental impacts resulting from the release of contaminated water from the installation to surface water, sewer or groundwater.

Odour

The installation has the potential for causing odorous emissions through various stages of the process, such as receipt of raw materials. However, all raw materials are accepted, stored and processed in accordance with the BRC Global Standard for Food Safety Issue 7, to which the operator is accredited. The applicant has identified that the nearest sensitive receptor is approximately 200 metres from the site, and the Local Authority has confirmed that no complaints relating to odour have been received since the site began operation.

At this time we are satisfied that a site specific Odour Management Plan (OMP) is not required beyond the controls detailed in the Environmental Management System (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 has the potential to cause noise and vibration through the site operation. The extraction process carried out is low impact and production activities are contained entirely within a building, with plant that operates in a high noise environment being contained within sound proofed area. Additionally, the raw materials are moved from the storage hoppers to the picking station by water, which reduces noise and vibration. It has been confirmed by the Local Authority that no complaints relating to noise or vibration have been received since the site began operation.

At this time we are satisfied that a site specific Noise and Vibration Management Plan 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 Noise and Vibration Management Plan should the activities give rise to pollution outside the site due to noise and/or vibration.

Pests

The site infrastructure and operations will be managed in order to minimise the risk of pests. These measures include:

- Materials will only be used within the processing building.
- Routine cleaning is undertaken.
- All raw materials are accepted, stored and processed in accordance with the BRC Global Standard for Food Safety Issue 7, to which the operator is accredited.
- A pest control programme is operated by an approved third party contractor.

At this time we are satisfied that a site specific Pest Management Plan 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 Pest Management Plan should the activities give rise to rise to the presence of pests which are likely to cause pollution, hazard or annoyance outside the boundary of the site.

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	The consultation requirements were identified in accordance with the Environmental Permitting Regulations and our public participation statement. The application was publicised on the GOV.UK website. We consulted the following organisations: <ul style="list-style-type: none"> • Director of Public Health/Public Health England • Food Standards Agency • Health and Safety Executive • Local Authority – Planning • Local Authority – Environmental Health • Sewerage Authority – Severn Trent Water Limited The comments and our responses are summarised in the consultation section .
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	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', Appendix 1 of RGN 2 'Interpretation of Schedule 1', guidance on waste recovery plans and permits. 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.
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. 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 within the relevant distance criteria of a site of heritage, landscape or nature conservation, and/or protected species or habitat.</p> <ul style="list-style-type: none"> Hartlebury Common and Hillditch Coppice SSSI – approximately 550m from the installation. <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>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>Emissions to air are via two small LPG boilers, with a combined thermal input of 5.6MWth. The applicant submitted a H1 assessment for both of the boilers, and the emissions of carbon monoxide and nitrogen dioxide screened out as insignificant. Therefore, no further assessment has been required.</p> <p>There are no direct discharges to controlled waters, and all process waters are either tankered away or discharged to sewer under a relevant discharge consent issued by Severn Trent Water Limited. Emissions contain mostly sanitary determinants only, which are readily treated at the sewage treatment works.</p> <p>We have not consulted Natural England on the application. The decision was taken in accordance with our guidance.</p>
Environmental risk assessment	
Environmental risk	<p>We have reviewed the operator's assessment of the environmental risk from the facility.</p> <p>An improvement condition (IC3) has been included within the permit for the operator to review the Accident Management Plan for the site to ensure the prevention of environmental impacts resulting from the release of contaminated water from the installation to surface water, sewer or groundwater.</p> <p>In all other aspects the operator's risk assessment was considered satisfactory. Please refer to the Key Issues Section of this document for further detail.</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 operating techniques that the applicant must use are specified in table S1.2 in the environmental permit.</p> <p>The site does not currently undertake treatment of the process waters prior to discharge to sewer (for treatment) and this is not considered to be BAT. An</p>

Aspect considered	Decision
	improvement condition (IC2) has been included within the permit for the operator to submit a report for written approval following an assessment of the options available in compliance with BAT for dealing with process effluent, taking into account water efficiency measures.
Operating techniques for emissions that screen out as insignificant	Emissions of carbon monoxide and nitrogen dioxide from the two boilers have been screened out as insignificant, and so we agree that the applicant's proposed techniques are BAT for the installation.
Permit conditions	
Use of conditions other than those from the template	Based on the information in the application, we consider that we do not need to impose conditions other than those in our permit template.
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:</p> <ul style="list-style-type: none"> • A site specific closure plan is produced for the installation. • A report is submitted following a review of the options available in compliance with BAT for dealing with process effluent. • The Accident Management Plan for the site is reviewed to include a procedure for the containment and management of firewater and contaminated surface water in the event of an incident. <p>Please refer to the key issues section for further details.</p>
Emission limits	We have decided that emission limits are not required in the permit.
Monitoring	The operator has a suitable monitoring programme in place for emissions to sewer as agreed with the Sewerage Undertaker.
Reporting	<p>We have specified the reporting of annual production and performance parameter data in the permit.</p> <p>We made these decisions in accordance with Food and Drink Sector Guidance S6.10.</p>
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

Aspect considered	Decision
	able to comply with the permit conditions.
Growth Duty	
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

Response received from
Environmental Health – Worcestershire Regulatory Services (received 04/11/2016)
Brief summary of issues raised
No complaints received of any kind since the site began operation.
Summary of actions taken or show how this has been covered
No action required.

Response received from
Public Health England (received 23/11/2016)
Brief summary of issues raised
<p>We recommend that any Environmental Permit issued for this site should contain conditions to ensure that the following potential emissions do not impact upon public health: point source emissions to air from the proposed LPG boilers; and fugitive emissions of odour and noise.</p> <p>Please find below some specific observations relating to the documents reviewed:</p> <ol style="list-style-type: none"> 1. The application states that the boilers will comply with Best Available Techniques with regard to emissions limits and reporting schedules set out in the permit. There is no further prediction of emissions from the boilers in relation to the proposed use. 2. The applicant states that if odour were able to be detected outside the permit boundary, it would indicate a failure in the operation. It is not clear if odour associated with stored pressed pulp is included in this assessment. 3. The applicant states that noise and vibration will not cause annoyance outside the site as activities are contained within a building. The application does not include the complaint investigation procedure. We would recommend consulting with local authority environmental health to determine whether there have been substantiated complaints relating to odour and noise. <p>Based solely on the information contained in the application provided, PHE has no significant concerns regarding risk to health of the local population from this proposed activity, providing that the applicant takes all appropriate measures to prevent or control pollution, in accordance with the relevant sector technical guidance or industry best practice.</p>
Summary of actions taken or show how this has been covered
<ol style="list-style-type: none"> 1. The applicant provided a H1 assessment for air emissions from the boilers in response to a Schedule 5 sent on 22/12/2016, and the emissions screened out as insignificant. 2. The applicant has confirmed in the Schedule 5 response (received 01/09/2016) that the pressed pulp is conveyed directly into lorries to be taken off site. The final storage tanks for the product are also sealed. Therefore it is not anticipated that the product or pulp will give rise to significant odour, however, the permit will contain a condition that an OMP can be requested should odour become an issue outside of the site boundary. 3. It has been confirmed by the Local Authority that no complaints of any nature have been received regarding the site since it began operation.

Response received from
Severn Trent Water Limited (received 01/12/2016)
Brief summary of issues raised
No objection due to the low impact on groundwater sources.
Summary of actions taken or show how this has been covered
No action required.

No responses were received from the following:

- Members of the public via web publication.
- Health and Safety Executive.
- Food Standards Agency.
- Local Authority – Planning.