Permitting decisions

Bespoke permit

We have decided to grant the permit for Fordton Mill operated by Crediton Milling Company Limited.

The permit number is EPR/LP3439DP.

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

Crediton Milling Company Limited have applied for an Environmental Permit to operate an installation for the manufacture of compound and blended animal feeds suitable for consumption without further processing. The key stages of the process are receipt, acceptance checks and storage of raw materials, weighing, grinding, mixing, conditioning, pressing, cooling, coating and product storage and dispatch. The installation has a maximum production capacity of 150,000 tonnes per annum and two operational process lines.

The site has been operating since 1964 and was previously regulated under the Local Authority Pollution, Prevention and Control (LAPPC) regime but now requires an environmental permit regulated by the Environment Agency as a result of the 2013 amendment to the Environmental Permitting Regulations to implement the Industrial Emissions Directive. This amendment put into effect the change in permit thresholds for the food and drink sector from production output to maximum production capacity.

Section 6.8 Part A(1)d(ii) - *Treatment and processing of vegetable raw materials with a finished product production 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.*

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 the potential for emissions from these activities is minimised.

A range of abatement systems are employed throughout the process especially to remove particulate matter:

- Dust filters and Dust Separation Units (DSU), as required, for various stages of processing (grinding and cooling operations); and
- Local exhaust ventilation, where required.

These control measures are considered BAT for the sector.

Coolers:

The H1 risk assessment submitted with the application concluded that the particulate emissions arising from the coolers at the installation could not be deemed as insignificant, despite the controls outlined above. Therefore we undertook further screening steps, based on the information submitted by the applicant, to identify if dispersion modelling is required. This approach was taken as the installation is already in operation and the requirement for a permit is a result of the implementation of IED.

We can conclude that the process contribution to ambient PM10 concentrations at all relevant nearby receptors would screen out as insignificant (less than 1% and 10% for long term and short term predictions respectively) with respect to both the long term and short term air quality objectives. We are therefore satisfied that emissions of particulates from the process would not result in significant impacts at nearby receptor locations with respect to the long term and short term air quality objectives for PM10 and, as such, no further assessment needs to be undertaken by the applicant.

Whilst the emissions of particulate matter from the coolers has been concluded as not being emitted in significant quantities, emission limits have been set within the permit as well as monitoring and reporting requirements in order to ensure the protection of nearby receptors. These limits have been set in accordance with the Benchmark levels identified in Defra Process Guidance Note (PGN) 6/26(13) and TGN EPR 6.10.

Boilers:

At the time of application in May 2016, the site utilised one kerosene boiler with a thermal input of 1.4MWth for steam raising during the process and had plans to install another kerosene boiler in the future. The applicant is now awaiting the delivery of the new boiler and so it has been incorporated within the

determination. The reason for this is that the new boiler has a similar thermal input to the existing boiler of 1.7MWth, and only one boiler will be used at any time. The site will operate the new boiler during the week and the older boiler at the weekends, and this has been included within the Operating Techniques within the permit.

Both of the steam raising boilers at the facility have a very low capacity, only one will be operated at any time. It is therefore considered that the emissions can be deemed insignificant. The boilers will undergo regular maintenance, and their combustion efficiency will be checked annually and optimised by appropriately trained third party contractors. Staff members are trained to undertake routine checks of boiler function, in accordance with operating procedures.

A pre-operational measure has been set in the permit requiring the operator to provide written notification to the Environment Agency within 14 days of the new 1.7MWth input kerosene boiler starting operation. The operator has provided documents evidencing their communications with the boiler supplier regarding the order and delivery. Furthermore the operator has also provided evidence that all the required infrastructure for the boiler installation is in place on site.

Emissions to sewer, surface water and groundwater

There are no point source emissions from the site to groundwater. Except for occasional boiler blowdown and cleaning water the installation does not generate a significant trade effluent. The total volume of effluent produced by the installation is typically less than $10m^3$ per day.

Effluents arising from the facility are as follows:

- Boiler blowdown.
- Wet washings from factory cleaning.
- Surface water from roof drainage, road and other impermeable surface drainage (clean surface water).
- Foul water from staff welfare facilities.

Emission to	**Unit process or activity**
Surface water drainage system discharging to the River Yeo via a storm drain	Surface water from roof drainage, roads and other impermeable surface drainage (clean surface water)
Sewer	Staff welfare facilities Factory cleaning Boiler blowdown washwater

Surface water drainage system:
Surface water from roofs and canopies is combined with surface water from yard areas into a surface water drainage network. The network discharges into the storm drain to the north of the installation, which then discharges into the River Yeo. Whilst the site does have measures in place to deal with spillages, there is no penstock shut off valve or interceptor. Therefore an improvement condition (IC4) has been included within the permit requiring the submission of a report following a review of the provisions for the protection of surface water drains from fugitive emissions throughout the installation, which will include identifying and assessing measures to reduce the risk such as the implementation of penstock shut off valves.

Boiler blowdown waters:

This discharge occurs as a result of an automatic, timed blowdown from the installation boiler, which is necessary to control the build-up of solids in the boiler water. At the time of application in May 2016 the boiler blowdown waters were collected in an IBC and then removed off-site for disposal due to recirculation causing a build-up of solids within the system. The operator undertook discussions with the local Sewerage Undertaker during determination regarding the potential to dispose of the boiler blowdown waters via sewer, along with the domestic effluent from staff welfare facilities and cleaning. An Exemption Certificate (reference MD 364) was issued by South West Water in October 2017 for the site to dispose of the boiler blowdown waters to sewer.

Staff welfare facilities and factory cleaning:
Factory cleaning is typically a dry activity, but if any wet washings are produced then they are discharged to sewer. Foul water from the staff welfare facilities is also directed to sewer.

Fugitive emissions of substances:

The installation has the potential to release fugitive emissions to air, in particular particulate matter. There are management and plant controls in place in order to minimise the potential for airborne particulates. These controls include:

- A planned, preventative and reactive maintenance programme that covers all of the productive and ancillary plant to minimise leaks.
- Enclosed storage and maintenance areas; including bulk storage, primary packaging and waste management.
- The use of abatement equipment throughout the process, where required, consisting of dust filters, DSU's and local exhaust ventilation.
- Effective housekeeping and external cleaning of the process building and stockyards.
- Spill kits are available in the unlikely event that an environmental incident may occur.

Whilst all of the storage tanks on site are on impermeable surface, there are a number without any bunding and are located close to the installation boundary and near to unloading points. Two improvement conditions have therefore been included within the permit to address this as follows:

- The first improvement condition (IC2) is to install a bunded area for vehicle offloading into the storage tanks in the installation.
- The second improvement condition (IC3) is to review the adequacy and suitability of the existing bund provision for raw materials in the installation, and to identify any deficiencies and provide a timetable to for the implementation of any required improvements.

The site is immediately adjacent to the River Yeo and there are currently no barriers in place between the river bank and the installation. An improvement condition (IC5) has been included within the permit to require the operator to submit a written plan for approval following a review of the measures provided to reduce the risk of a pollution incident caused by flooding, either by the Yeo breaching its banks or from heavy rainfall events exceeding the site drainage system capacity.

Odour

The installation has the potential for causing odorous emissions through various stages of the process, such as product conditioning, cooling and receipt of raw materials. The site lies within a mixed agricultural/commercial/residential area, and the nearest human receptors are the residential properties on the western boundary of the site. The operator and the Local Authority have confirmed that no odour complaints have been received.

The site has control measures in place in order to reduce odorous emissions, which include the following:

- Raw material delivery and storage – All bulk raw materials used in the installation are transferred within enclosed systems to their ultimate point of storage, such as bulk storage tanks. Packed materials are kept within their primary packaging and are stored in the main warehouse until required for use.
- Materials conveyance – All odorous materials used in the process are stored in appropriate sealed containers, such as bulk storage tanks, prior to incorporation into the product. Conveyance is all within enclosed systems, which do not vent externally, to the main factory building.
- Conditioning and cooling – Whilst it is recognised that low levels of odours are emitted from the conditioning and cooling processes, the applicant does not consider these odours to cause off-site nuisance.

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 has the potential to cause noise and vibration through the site operation. However, the majority of noise sources associated with the facility, such as the processing line and conveyance systems, are internal to the process buildings. Additionally as part of the ongoing operating and maintenance programmes implemented at the site, noise assessments for key operational equipment are undertaken and corrective action taken in the event that a specific item of equipment is emitting an abnormal noise. This preventative action minimises the likelihood of noise being generated as parts degrade. The potential for excessive noise from vehicle movements will be controlled through careful management and scheduled maintenance.

Although the nearest human receptors have been identified as being the residential properties on the western boundary of the site, the existing noise environment at these receptors is also influenced by agricultural activity, the industrial estate and the railway line. The applicant has also confirmed that no complaints have been received in relation to noise or vibration since the site became operational.

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.

Dust

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

- Preventative and reactive maintenance programmes to minimise leaks from the process;
- Storage and maintenance of dusty materials within enclosed or covered areas (such as silos for bulk materials, primary packaging for packaged materials and skips for waste);
- Enclosed conveyance system, including an internal dust extraction system;
- The use of abatement equipment, where necessary, and any dust collected is returned to the process for reuse wherever possible;
- Areas liable to produce fugitive dust are inspected on a regular basis and corrective action to minimise these losses is taken where appropriate;
- Effective housekeeping and external cleaning of the process building, stockyards and roadways; and
- The site buildings are maintained to ensure that they remain, wherever possible, dust tight (e.g. by only keeping process building doors open when necessary.

Pests

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

- All areas of the plant are cleaned on a routine basis;
- All waste is properly disposed of where recycling into the process is not possible;
- The building structure is maintained to prevent access to the production and dispatch areas from birds, rodents and insects, which may adversely affect the quality of the finished goods.
- Pest control programmes are operated by approved third party contractors, in accordance with the Universal Feed Assurance Scheme (UFAS) code of practice.

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: • Director of Public Health/PHE • Local Authority – Planning • Local Authority – Environmental Health • Food Standards Agency • Health and Safety Executive 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' and Appendix 1 of RGN 2 'Interpretation of Schedule 1'. 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	

Aspect considered	Decision
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 guidance on site condition reports and baseline reporting under the Industrial Emissions Directive. The SCR for the site demonstrates that there are no significant hazards or likely pathways to land or groundwater and no historic contamination sources on site that may present a significant risk. Therefore, on the basis of the assessment presented in the SCR the Environment Agency accepts that no baseline reference data needs to be provided for the site soil and groundwater conditions as part of application EPR/LP3439DP/A001.
Biodiversity, heritage, landscape and nature conservation	The application is within the relevant distance criteria of a site of heritage, landscape or nature conservation, and/or protected species or habitat. • Creedy Park Local Wildlife Site – located approximately 1.8km from the installation. • Shobrooke Park Local Wildlife Site – located approximately 1.9 km from the installation. • Hookway Local Wildlife Site – located approximately 1.4 km from the installation. 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. We consider that the application will not affect any sites of nature conservation, landscape and heritage, and/or protected species or habitats identified. Emissions to air are via the two coolers and two small kerosene boilers. The emissions from the coolers have been concluded to be insignificant. The boilers have a thermal input of 1.4MWth and 1.7MWth and only one boiler will be operated at any time, and this has been included within the Operating Techniques in the permit. Due to the low capacity of the boilers it has been considered that the emissions will be insignificant. Therefore, no further assessment has been required. There are no direct discharges to controlled waters from the site.
Environmental risk assessment	
Environmental risk	We have reviewed the operator's assessment of the environmental risk from the facility. Additional Environment Agency assessment was required regarding emissions from the installation, as covered above in the ‘Emissions to air’ section in the Key Issues of this document. The conclusion of this assessment shows that, applying the conservative criteria in our guidance

Aspect considered	Decision
	on Environmental Risk Assessment all emissions may be categorised as environmentally insignificant. Improvement conditions have been included within the permit for the operator to review the flood protection measures in place, the surface water drainage protection and the existing bunding provisions. 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.
Operating techniques	
General operating techniques	We have reviewed the techniques used by the operator and compared these with the relevant guidance notes and sector guidance (TGN EPR 6.10), and we consider them to represent appropriate techniques for the facility. The operating techniques that the applicant must use are specified in table S1.2 in the environmental permit.
Operating techniques for emissions that screen out as insignificant	Emissions of particulate matter have been screened out as insignificant (see key issues section for further detail), and so we agree that the applicant's proposed techniques are BAT for the installation. We consider that the emission limits included in the installation permit reflect the BAT for the sector.
Permit conditions	
Pre-operational conditions	Based on the information in the application, we consider that we need to impose pre-operational conditions. We have requested that the operator provide written notification within 14 days of the new 1.7MWth input kerosene boiler coming into operation.
Improvement programme	Based on the information on the application, we consider that we need to impose an improvement programme. We have imposed an improvement programme to ensure that: • A site specific closure plan is produced for the installation. • A bunded area is installed for vehicle offloading into the storage tanks in the installation. • A written plan is submitted following a review of the existing bund provision for raw materials. • A written plan is submitted following a review of the provision of protection of surface water drains from fugitive emissions. This will include identifying and assessing measures to reduce the risk such as the implementation of penstock shut off valves. • A written plan is submitted following a review of the measures provided to reduce the risk of a pollution incident caused by flooding. Please refer to the key issues section for further details.

Aspect considered	Decision
Emission limits	ELVs have been set for the parameters listed in the permit. Please refer to the key issues section for further details Whilst the emissions of particulate matter has been concluded as not being emitted in significant quantities, ELVs have been set in order to ensure protection of nearby receptors. These limits have been set in accordance with the Benchmark levels identified in Defra PGN 6/26(13) and TGN EPR 6.10.
Monitoring	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. These monitoring requirements have been imposed in order to ensure the dust abatement on the two coolers is effective. We made these decisions in accordance with Defra PGN 6/26(13) and TGN EPR 6.10. 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.
Reporting	We have specified reporting in the permit for monitoring, annual production and performance parameter data. We made these decisions in accordance with Defra PGN 6/26(13) and TGN EPR 6.10.
Operator competence	
Management system	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. The decision was taken in accordance with the guidance on operator competence and how to develop a management system for environmental permits.
Relevant convictions	The Case Management System has been checked to ensure that all relevant convictions have been declared. No relevant convictions were found. The operator satisfies the criteria in our guidance on operator competence.
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	
Section 108 Deregulation Act 2015 – Growth duty	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. Paragraph 1.3 of the guidance says:

Aspect considered	Decision
	"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." 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. 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.

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
Mid Devon District Council (received 12/05/2017)
Brief summary of issues raised
Crediton Milling was previously permitted by Mid Devon District Council (MDCC). They have reported no issues with the site operation and do not have any history of complaints from neighbouring residents.
Summary of actions taken or show how this has been covered
No action required.

Response received from
Public Health England (received 06/06/2017)
Brief summary of issues raised
The applicant has undertaken an air quality assessment, which considers background air concentrations, includes emissions data for the operation, and assumes a stack height of zero metres. We are reassured that the risk assessment indicates that there will be no exceedances of the Air Quality Standards (AQSs). We note that short-term contributions cannot be screened out as insignificant when considered against PM10 criteria and that a more detailed assessment of air quality impact is required. As stated in the 'Company Report', we recommend that the Operator undertakes this assessment in consultation with the Regulator. These types of operations also have the potential to produce fugitive dust and odour emissions. We are reassured that the storage of dusty materials will take place in enclosed or covered areas, and all odorous material will be stored in sealed containers. We note that there have been no odour complaints relating to the site. We would recommend that the Regulator ensures that the proposed control measures, as described in the management plans, are sufficient to keep fugitive emissions to air to a minimum. It is assumed by Public Health England that the site will comply in all respects with the Environmental Permitting (England and Wales) Regulations 2016. Compliance with the legislation, together with good management, should ensure that the site will present a low risk to local human receptors. Based on the application, this development does not present any obvious cause for concern.
Summary of actions taken or show how this has been covered
• Whilst the emissions of particulate matter from the coolers has been concluded as not being emitted in significant quantities, emission limits have been set within the permit in order to ensure protection of nearby receptors. These limits have been set in accordance with the Benchmark levels identified in Defra PGN 6/26(13) and TGN EPR 6.10. • The site has measures in place for the management of dust and odour, including abatement where appropriate, and at this time we are satisfied that an odour management plan (OMP) is not required. 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.

No responses were received from the following:

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