

# Permitting decisions

## Bespoke permit

---

We have decided to grant the permit for Dorchester Mill operated by Mole Valley Feed Solutions Ltd.

The permit number is EPR/GP3535AH.

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:

- 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

A key environmental risk from the installation is the potential to create particulate emissions. Particulate emissions from the site are controlled using local exhaust ventilation, cyclones and bag filters at different stages throughout the process. We are satisfied that these control measures represent Best Available Techniques (BAT) for the sector.

During the determination the applicant undertook screening of particulate matter emitted to air from the coolers using our H1 assessment tool to assess if the emissions can be screened out as insignificant. The screening was carried out using results from previous emissions monitoring and assessed emissions against PM<sub>10</sub> Environmental Quality Standards (EQS). PM<sub>10</sub> is Particulate Matter with a diameter of less than 10µm. The applicant's assessment only considered short term emissions, but we were able to use their screening to also look at long term emissions.

The emissions could not be considered insignificant using our H1 assessment tool. However, where an emission cannot be screened out as insignificant, it does not necessarily mean it will be significant. Our H1 tool is precautionary and as the Installation has already been operating the emissions will be reflected in the background. When the emissions cannot be considered insignificant using this tool, we may require the applicant to carry out further assessment using detailed air dispersion modelling of the emissions.

The Environment Agency has undertaken detailed modelling for feed mill sites in order to look at their impacts and to develop further screening steps that can be used to identify if dispersion modelling is required. We have taken this approach where the Installation is already in operation and the requirement for a permit is a result of the implementation of IED. Where there are no sensitive receptors within 150m and the only emissions to air are from uncapped cooler stacks we would not require the applicant to carry out dispersion modelling.

Based on the above, we can conclude 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 PM<sub>10</sub> and, as such, we are satisfied that no further assessment needs to be undertaken by the applicant.

At the time of permit issue, there are currently ten point source emissions to air at the installation. Emission points A1 and A2 are linked from the coolers and are fitted with cyclone abatement to minimise the release of particulates. Emission point A3 is linked from the grinder exhaust and is fitted with a bag filter. Emission points A4 and A5 are the boiler exhaust stacks. Emission points A6-A10 are vents on the tanks used for the storage of raw materials and fuels. We have listed emission points A6-A10 in the permit but we have not set emission limit values for these points as we don't consider that the emissions from storage of these materials are likely to have an impact on local air quality.

The applicant plans to remove the caps on emission points A1 and A2 and reconfigure the site so that the grinder emissions (A3) will vent within the process building. The grinder will also be replaced at this time. We have included Improvement Condition 1 (IC1) which requires the applicant to notify us when this work is completed. When this work is completed we consider that no further assessment of air emissions is required.

## Minimising Emissions

The solid conveyor systems are fitted with local exhaust ventilation (LEV) systems to minimise the release of particulate emissions. All raw materials are stored in sealed containers. The bulk raw mineral silos have LEV systems in place connected to a reverse jet bag filter. The raw material intake booth contains dust extraction units. Where medicines are added this is done in a dedicated extraction booth. The dust collected by the abatement systems is added back into the product. Prior to despatch, all vehicles are sheeted. The site yard is also cleaned using roadsweepers to minimise fugitive particulate emissions.

We consider that the use of a bag filter to abate the emissions from the grinder represents BAT. We consider the use of a cyclone to abate the emissions from the cooler combined with the particulate monitoring used also represents BAT.

## Coolers

There are two coolers at the site. The cooling system involves passing ambient air over the hot pellets to cool them. This air is then ducted into one of two cyclones which removes particulates before being vented to atmosphere at emission points A1 and A2. Each cyclone has a dust monitoring alarm probe which links to the process control computer and also to an audible alarm to warn of a blockage. If the alarm is triggered, the process is automatically shut down until the blockage is cleared.

## Grinders

One of the main components of the process that has the potential to create dust is the grinder, which is used to reduce the particle size of the raw materials. The grinder is situated above a collection hopper which is fitted with a reverse jet bag filter to control particulate emissions. The fabric filters are inspected and replaced under the site preventative maintenance procedures. The grinder fan is interlocked with the process so the grinder cannot be loaded unless it is operating effectively. We consider this represents a gross filter failure device as described in Process Guidance Note 6/26(13) Statutory guidance for animal feed compounding December 2013.

## Emission Limits and Monitoring

We have included a particulate matter emission limit value (ELV) of 20mg/m<sup>3</sup> for the coolers, this is lower than the limit in their current Part B permit. Previous monitoring indicated that this lower limit is achievable. We have included an emission limit value of 20 mg/m<sup>3</sup> for the grinder in line with Process Guidance Note 6/26(13) Statutory guidance for animal feed compounding December 2013. When the emission point is removed this monitoring is no longer required.

## Boiler

The boiler on site has a thermal input of 1.6MW. This will normally run on gas from the adjacent anaerobic digestion plant but will run on red diesel when gas supplies are insufficient. We haven't requested an assessment of air emissions from this emission point as we consider it unlikely that boilers of this size will have a negative impact on air quality. This mirrors the approach in our guidance 'AQTAG014: Guidance on identifying 'relevance' for assessment under the Habitats Regulations for installations with combustion processes'.

## Conclusion

We are satisfied that the site is unlikely to have a significant effect on local air quality.

## **Risk to surface water, soil and groundwater**

A number of materials are stored at the site that have the potential to cause pollution if allowed to escape into the aquatic environment, these include solid and liquid raw materials and fuels. The site is located over a groundwater protection zone 1 with several abstractions in the area so it is important that the groundwater is protected from pollution.

The site comprises a yard and a process building which are surrounded by landscaped areas. The yard and process building are situated on impermeable surfaces which will prevent emissions of any spillages to groundwater. We have included a restriction in the activities table of the permit (Table S1.1) which requires all potentially polluting liquids and solids to only be handled on an impermeable surface.

In the event of a fire or spill the landscaped areas of the site could provide a possible pathway for the pollution of soil and groundwater. The site drains towards the south where the soakaway lagoons are located. The applicant has outlined that the concrete in these areas is raised so that water drains to the drainage infrastructure, which could be isolated in the event of a spill or fire. As the fall of the site means that the site drains away from the landscaped areas this will reduce the risk of spills entering this area and minimise the potential for pollution.

We agree that the site has adequate surfacing and operational procedures meaning there is a low risk of pollution to soil and groundwater.

## Material storage and containment

Diesel is stored on site in two tanks with a combined capacity of 50,000 litres. Both are stored in a bund next to the building, one of the tanks is also self banded. There is also a 1200 litre vehicle wash storage tank which is self banded. These are located behind kerbs to prevent collision with vehicles. Spill kits are located in the vicinity of these tanks.

The site stores bulk liquid raw materials in external tanks prior to transfer inside for processing. 54,000 litres of vegetable fat is stored in one tank and 60,000 litres of molasses in an adjacent tank within a shared bund. The diesel discussed above is also stored within this bund. The bund capacity is 117m<sup>3</sup> which is more than 110% of the contents of the largest tank. The fill points are located outside the bund and there is a drip tray beneath the connection. The tanks have level indicators and high level alarms to prevent overfilling. The tanks are also heated to ensure the material can be handled.

An Intermediate Bulk Container (IBC) is kept within the process building for any waste oils. As this is located in the building where there are no open drains there is a low risk of this reaching the drainage system in the event of a spill.

Solid raw materials are stored within bulk storage bins and silos in both internal and external storage areas. High level alarms are in place to prevent overfilling and all deliveries are supervised. Packaged raw materials are stored within their original packaging within the warehouse. Any additives including medicine are stored in the process building in a locked store room.

Chemicals are used on site to treat the boiler water. Up to 600 litres are stored at any time. These are stored within the mill building with a spill kit located in the vicinity.

Lubricant oil and greases are stored within the process building store room within a banded store.

A preventative maintenance programme is in place at the Installation. The application details that bunds are inspected and cleaned every six months. Tanks are checked daily.

We consider these storage arrangements will minimise the risk to soil, surface and groundwater.

#### Emissions to groundwater and surface water

The site discharges site run off and washwaters from the vehicle wash to two lagoons which function as soakaways via an interceptor designed to collect hydrocarbons and solids. Sewage from site amenities is discharged to groundwater via two treatment systems under permit reference EPR/BB3997NK.

Compressor condensate is passed through an oil/water separator prior to storage before off-site disposal. Boiler blow down and compressor condensate was originally discharged to ground water but is now collected for storage prior to transfer off site for disposal. We had previously advised the applicant that due to the low quantity of boiler blow down discharged per day it could be discharged without a permit. However this did not take into account the compressor condensate. We have discussed this discharge as part of this determination and the applicant now stores these liquids before sending them for off-site treatment and disposal.

Spill kits are around the site and staff have been trained in their use. Drain covers are also located near the product intake area and bulk liquid storage area. Deliveries and product loading are supervised to minimise the risk of accidents. There is a drain blocker system which can be used to prevent spills entering the soakaway lagoons. The applicant intends to add a platform to allow better access to the drainage system to deploy this.

There is a borehole used for extraction of groundwater located on the site which could potentially be a pathway for groundwater pollution if large spills or water generated in a fire is not contained. The borehole is located within a building raised above the yard level at the highest point of the site which will offer some protection in the event of a spill or fire. The applicant has committed to provide additional protection in the event of a major spill using sand bags if necessary.

The site undertakes vehicle washing which drains via the interceptor to the soak away lagoons. No detergents are used as these could reduce the working efficiency of the interceptor.

There is no emission to surface water from the Installation. The second lagoon used to have an outlet which has now been blocked off.

## Conclusion

We consider that the measures proposed by the applicant and the permit conditions will minimise the risk to surface water, soil and groundwater.

## **Site Condition Report**

A Site Condition Report (SCR) was submitted with the application. The SCR describes the site setting being located in a rural area with adjacent commercial properties. The application also mentions that there is an electrical sub-station on site but indicates that due to age this will not contain polychlorinated biphenyls (PCBs). The nearest residential receptors are located approximately 230m to the north west.

The geology of the area comprises of chalk, the site is located on the side of a chalk valley. The site is located on a principal aquifer and source protection zone 1.

Historical maps have been included in the SCR which indicate that the site was historically farmland before the Mill was constructed in 1975.

The SCR indicates that there was a previous spill of oil on the site from an unbunded tank. The applicant has indicated that the previous operator of the site carried out remediation to remove polluted material. The applicant has not provided any baseline samples of soil and groundwater. As baseline samples have not been provided we will need to assume that the existing level of contamination at the site is zero and the operator will be responsible for any necessary remediation when the site is surrendered.

The SCR does contain a number of discrepancies, for example it mentions no groundwater bodies being beneath the site but later goes on to mention the aquifer. However the SCR does include the geological setting and the historical land uses so we consider this is suitable as a baseline report and we haven't requested further updates to this document.

We are satisfied that the site description in the SCR is representative of the site.

## **Odour**

The site uses raw materials that have the potential to be odorous. The main odour control measures employed are storing and transferring raw materials in enclosed systems or packaging. The site has been operating for over 40 years and the application states that the site has never had an odour complaint.

The application does not include an odour management plan and we have taken the decision not to request one as part of the application as we consider the odour risk to be low from this site, taking account of the fact it has already been operating without any odour issues and the distance to the nearest sensitive receptor. The site currently monitors odour at the site boundary via daily sniff testing. Records of this testing will be kept.

We have also included our standard odour condition in the permit which allows us to request an odour management plan if odour issues arise.

Based upon the information in the application, we are satisfied that the appropriate measures will be in place to prevent or where that is not practicable to minimise pollution from odour. We are satisfied that the standard conditions, relating to odour pollution prevention and control, in the permit are sufficient and no additional measures are necessary at this time.

## **Noise**

As part of the application the applicant provided some quantitative figures of noise levels at the Installation. However we are unable to use these figures to conduct a full noise assessment as not all of the information required by BS4142:2014 has been supplied. We decided not to request the additional information during determination of the permit as the application states that the site has never had a noise complaint and no changes affecting noise levels are proposed. Therefore the risk of noise is considered to be low.

The key measures the applicant uses to manage noise include enclosing operations within the Mill building and ensuring raw materials are delivered during the day rather than during the sensitive night time period.

The Operator has stated that that noise monitoring will be carried out when any significant changes are made to the process or site plant. In the event of the Operator receiving a noise complaint, they have committed to investigating this and carrying out appropriate remedial action. The application also states that a preventative maintenance programme is in place which will minimise the risk of noise from equipment malfunction.

The applicant has not provided a noise management plan and we have taken the decision not to request one as part of the application as we consider the noise risk to be low from this site, taking account of the fact it has already been operating without any noise issues, the context of the area and the distance to the nearest sensitive receptors. We have also included our standard noise condition which allows us to request a noise management plan if noise issues arise.

Based upon the information in the application, we are satisfied that the appropriate measures will be in place to prevent or where that is not practicable to minimise pollution from noise. We are satisfied that the standard conditions, relating to noise pollution prevention and control, in the permit are sufficient and no additional measures are necessary at this time.

### **Best Available Techniques (BAT) Assessment**

We have assessed if the applicant is using Best Available Techniques by referring to the following guidance:

- Process Guidance Note 6/26(13) Statutory guidance for animal feed compounding December 2013
- How to comply with your environmental permit, Additional guidance for: The Food and Drink Sector (EPR 6.10) dated March 2009
- 'Control and monitor emissions for your environmental permit' webpage published 1 February 2016.

As detailed in the preceding Key Issues sections, we consider the applicant is using BAT.

## Decision checklist

Aspect considered	Decision
<b>Receipt of application</b>	
Confidential information	A claim for commercial or industrial confidentiality has not been made.
Identifying confidential information	We identified information in the application which could potentially be considered confidential. As this information was not relevant to the determination the applicant withdrew these documents and replaced them with documents suitable for the public register. We have not identified any further information provided as part of the application that we consider to be confidential.
<b>Consultation</b>	
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"> <li>• West Dorset District Council Environmental Protection Department</li> <li>• Public Health England and Director of Public Health</li> <li>• Health and Safety Executive</li> </ul> <p>The comments and our responses are summarised in the <a href="#">consultation section</a>.</p>
<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 our guidance on legal operator for environmental permits.
<b>The facility</b>	
The regulated facility	<p>We considered the extent and nature of the facility/facilities at the site in accordance with RGN2 'Understanding the meaning of regulated facility' and 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>
<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 including the discharge points. The plan is included in the permit.

Aspect considered	Decision
Site condition report	<p>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. See Key Issues section for further details.</p> <p>As discussed in the Key Issues section, the Operator has not provided baseline samples. We advised the Operator by email on 7 March 2018 that they should consider taking baseline samples of soil and groundwater. As these have not been provided we will need to assume the baseline level of contamination is zero and the operator will be responsible for any necessary remediation when the site is surrendered.</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>The site is located within the relevant distance of the following sites:</p> <ul style="list-style-type: none"> <li>• A Special Area of Conservation (SAC)</li> <li>• One Ancient Woodland</li> <li>• Two Local Wildlife Sites</li> </ul> <p>We have assessed the application and its potential to affect all known sites of nature conservation, landscape and heritage and protected species or habitats identified in the nature conservation screening report as part of the permitting process.</p> <p>The combustion process at the installation is not considered 'relevant' for assessment under the Agency's procedures which cover The Conservation of Habitats and Species Regulations (Natural Habitats &amp;c.) Regulations 2017 (Habitats Regulations). This was determined by referring to the Agency's guidance 'AQTAG014: Guidance on identifying 'relevance' for assessment under the Habitats Regulations for installations with combustion processes'. Thus no detailed assessment of the effect of the releases from the installation's combustion processes on SACs is required.</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. This is because of the distance between the designated sites and the Installation, and the fact that the only emission to groundwater is clean uncontaminated drainage.</p> <p>We have not consulted Natural England on the application. The decision was taken in accordance with our guidance. An appendix 11 was sent for information only.</p>
<b>Environmental risk assessment</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 partially unsatisfactory and required additional Environment Agency assessment.</p> <p>The operator submitted a H1 assessment of air emissions that did not take into account long term impacts. We used the Operator's data to run another H1 screen. See Emissions to Air key issues section for more detail.</p>



Aspect considered	Decision
	<p>The assessment shows that, applying the conservative criteria in our guidance on environmental risk assessment or similar methodology supplied by the operator and reviewed by ourselves, all emissions may be categorised as environmentally insignificant with the exception of particulates to air. The Operator plans to change the site layout so that emissions from the grinder vent internally. Once this has been accomplished we are satisfied that no further assessment of emissions will be necessary. We have included Improvement Condition 1 which requires the Operator to tell us when this is in place.</p>
<b>Operating techniques</b>	
<p>General operating techniques</p>	<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>Operating techniques for emissions that do not screen out as insignificant</p>	<p>Emissions of particulate matter cannot be screened out as insignificant. We have assessed whether the proposed techniques are BAT.</p> <p>The proposed techniques/ emission levels for emissions that do not screen out as insignificant are in line with the techniques and benchmark levels contained in the technical guidance and we consider them to represent appropriate techniques for the facility. The permit conditions ensure compliance with relevant BAT Reference documents (BREFs).</p> <p>Conditions are being imposed for which the appropriate emission limits are more stringent than those associated with the best available techniques as described in BAT conclusions (see also emission limits). We have included a stricter ELV for emission points A1 and A2. As discussed in the Key Issues, emission limit values have been put in place which are lower than the emission benchmarks in 'How to comply with your environmental permit, Additional guidance for: The Food and Drink Sector (EPR 6.10)' dated March 2009 and those in the current local authority permit. We consider the site is capable of meeting this limit.</p>
<b>Permit conditions</b>	
<p>Improvement programme</p>	<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 confirm when the planned site reconfiguration is in place. See Key Issues for more details.</p>
<p>Emission limits</p>	<p>ELVs have been set for particulate matter. See Key Issues for more details.</p>
<p>Monitoring</p>	<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 demonstrate compliance with ELVs.</p>

Aspect considered	Decision
	<p>We made these decisions in accordance with 'Process Guidance Note 6/26(13) Statutory guidance for animal feed compounding' dated December 2013.</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.</p> <p>These are to ensure compliance with ELVs and monitor performance parameters to ensure the site is operating efficiently.</p> <p>We made these decisions in accordance with 'Process Guidance Note 6/26(13) Statutory guidance for animal feed compounding' dated December 2013.</p>
<b>Operator competence</b>	
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	<p>There is no known reason to consider that the operator will not be financially able to comply with the permit conditions.</p>
<b>Growth Duty</b>	
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</p>

<b>Aspect considered</b>	<b>Decision</b>
	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

<b>Response received from</b>
Public Health England
<b>Brief summary of issues raised</b>
<p>They advise that the Environment Agency ensures Best Available Techniques (BAT) to control emissions to air. They consider that the activities have the potential to produce dust or odour issues, but they are reassured by the proposals to store dusty materials in enclosed or covered areas and odorous materials in sealed containers. They recommend that the Environment Agency ensures the proposed control measures are sufficient to keep fugitive air emissions to a minimum.</p> <p>They mention that they were not able to view data from a H1 screening assessment however they consider that when considering the process, abatement methods in place and location of the installation in relation to nearby receptors it is unlikely that emissions to atmosphere will result in an exceedance of the Air Quality Standards or adversely affect public health of nearby receptors. They recommend that the Environment Agency should be satisfied that the predicted environmental contribution from emissions can be screened out as insignificant and does not require further monitoring or modelling.</p> <p>They consider that compliance with the legislation and good management should ensure the site presents a low risk to local human receptors. Based on the application, they consider the development does not present any obvious cause for concern.</p>
<b>Summary of actions taken or show how this has been covered</b>
<p>As discussed in the Key Issues, we have assessed the proposed operating techniques and consider these to represent BAT. We have also included our standard conditions which require the operator to manage their odour emissions and allow us to request an odour management plan if necessary.</p> <p>The H1 screening submitted with the application was made available with the other consultation documents. As discussed in the Key Issues, the operator will change their site layout so that the grinder vents internally. Once this has been accomplished we are satisfied that no significant impacts at sensitive receptors are likely and no further assessment of emissions to air are necessary.</p>

<b>Response received from</b>
Environmental Protection Department, Dorset Councils Partnership
<b>Brief summary of issues raised</b>
No comments.
<b>Summary of actions taken or show how this has been covered</b>
N/A