

Application SCR evaluation template

Name of activity, address and NGR	Barry Callebaut Manufacturing (UK) Limited Burtons Biscuits Pasture Lane Moreton Wirral CH46 8SE SJ 26157 90762
Document reference of application SCR	Original SCR - Burton's Foods – Moreton Site Condition Report (15/08/2016) Application to Surrender SCR - Environmental permit surrender site report (Ref BC-SSR-0419) (dated 04/06/2019)
Date and version of application SCR	Environmental permit surrender site report (Ref BC-SSR-0419) (dated 04/06/2019)

Surrender SCR Evaluation Template

If you haven't already completed previous sections 4.0 to 7.0, do so now before assessing the surrender.

8.0 Decommissioning and removal of pollution risk

To be completed by EM/PPC officers

Has the applicant demonstrated that decommissioning works have been undertaken and that all pollution risks associated with the site have been removed? Has any contamination of land that has occurred during these activities been investigated and remediated?

In December 2018, Barry Callebaut Manufacturing (UK) Limited bought the chocolate manufacturing facility at Pastures Lane, Moreton from Burtons Biscuits and the permit was transferred to Barry Callebaut on 12th December 2018.

The original permit application made by Burton's Biscuits (EPR/YP3338RQ/A001) stated that the production capacity of 82 tonnes per day exceeded the 75 tonnes limit for installations processing raw materials with more than 10% of the raw materials being 'animal raw materials'. They had calculated the animal content of the raw materials as 15%.

However, the calculations were based on the factory running for 24 hours a day, 365 days a year. This did not take into account stoppage times required for cleaning and maintenance and changeovers between different product Stock keeping units (SKUs).

The physical restraint on the manufacturing process is the mixing stage. The capability here is 3.7 tonnes per hour, or 89 tonnes per day.

All of the moulded product is made from the chocolate manufactured on site. There is no infrastructure for bringing in liquid chocolate manufactured elsewhere.

The original permit application stated that the makeup of animal raw materials was 15%. After the new operator (Barry Callebaut Manufacturing (UK) Limited) analysed their raw material use, they argue that this is a gross overestimate and have concluded that the raw materials used are only 4.5% animal produce overall. "Appendix B Permit Surrender Justification Calculations", to the Site Condition Report for the application to surrender the permit, lays out further explanation/ evidence in a series of tables.

Only 4 SKUs have over 4.5% animal products as raw materials. These are:

i. CHW-S46-MDZ-000 – this is a white chocolate made for Mondeliez. At the moment it takes up 2.56% of the total volume of products manufactured at Moreton. However, it is confirmed that this product will be discontinued in August when it transfers to being produced at the Banbury site.

ii. CVM-T6SPT-BUR-000 – this is a semi-finished product, supplied as flake to Tunnocks, this takes up only 4.63% of all the products manufactured at site.

iii. CHM-T7-BUR-000 which has a very small production run of 0.14% of plant capacity.

iv. CHM-Z1P-TUN-66A which also has a very small production run of 0.03% of capacity.

This demonstrates that the chance of the site changing its production profile to a product range of over 4.5% animal raw materials overall is a negligible.

Furthermore, there is a legal limitation on the amount of whey which can be used in chocolate which is less than 5%, or the product cannot be classed as chocolate (this is in accordance with the legal definition as stipulated in the Cocoa and Chocolate Regulations (England) 2003). Whey usage is also on a significant decline, it was used as a cheaper alternative to milk powder, however due to the increasing market in protein based health drinks/bars, whey prices are now almost on par with milk powder. This means the likelihood is that most whey will be substituted for milk powder in the near future. This would decrease the amount of animal raw materials significantly.

The only other animal raw material is butter oil which can be used as a minor substitute for cocoa butter. It is limited in usage as chocolate will not 'temper' with higher quantities of butter oil which is why the usage of cocoa butter is so much higher than butter oil.

This information demonstrates that the plant at Moreton does not need an environmental permit as its production capacity volume falls outside that required by the regulations for an installation processing the raw materials it uses, and the future production will not change to bring it within the production capacity volume at any time in the future.

Calculations

The calculation for the threshold at which a permit is required is
 $300 - (22.5 \times 4.5) = 198.75$ tonnes per day.

As the plant capacity is limited to 89 tonnes per day, there is no feasible way that the plant can manufacture the quantity of product required which would necessitate a permit.

9.0 Reference data and remediation (where relevant)

To be completed by GWCL officers

Has the applicant provided details of any surrender reference data that they have collected and any remediation that they have undertaken?

(Reference data for soils must meet the requirements of policy 307_03 Chemical test data on contaminated soils – quantification requirements). If the surrender reference data shows that the condition of the land has changed as a result of the permitted activities, the applicant will need to undertake remediation to return the condition of the land back to that at permit issue. You should not require remediation of historic contamination or contamination arising from non-permitted activities as part of the permit surrender.

Section 5.0 of the Site Condition Report states that:

All existing plant items and supporting peripheral activities (refrigeration and boilers) are to remain. There is to be no closure or cessation activities at the installation.

No environmental monitoring of land and groundwater has been proposed by the operator. No requirement to report any associated data to the Environment Agency.

The operator has confirmed that there have been no pollution incidents during the life of the permit at the installation that require any remediation.

The site is continuing to operate within the thresholds set out in “Appendix B Permit Surrender Justification Calculations”, to the Site Condition Report for the application to surrender the permit, and discussed in section 8.0 of this document. All activities will continue to operate at minimal risk to ground or groundwater due to the evidence provided within the Site Condition Report submitted with the application to surrender the permit, and discussions with the Environment Agency.

10.0a Statement of site condition

To be completed by EM/PPC officers

Has the applicant provided a statement, backed up with evidence, confirming that the permitted activities have ceased, decommissioning works are complete and that pollution risk has been removed and that the land and waters at the site are in a satisfactory state?

See section 9.0 to this document.

The operator confirms in section 6.2 of the Site condition Report submitted with the application to surrender the permit that the site is within a satisfactory state. Particularly in relation to Low Risk surrender and that the legal test set out within Environment Agency guidance has been met.

10.0b Statement of site condition

To be completed by GWCL officers

Has the applicant provided a statement, backed up with evidence, confirming that the permitted activities have ceased, decommissioning works are complete and that pollution risk has been removed and that the land and waters at the site are in a satisfactory state?

See section 9.0 and 10.0b to this document.

Surrender SCR decision summary

To be completed by GWCL officers and returned to NPS

Tick relevant decision

Sufficient information has been supplied to show that pollution risk has been removed and that the site is in a satisfactory state – accept the application to surrender the permit; or

✓

Insufficient information has been supplied to show that pollution risk has been removed or that the site is in a satisfactory state – do not accept the application to surrender the permit. The following information must be obtained from the applicant before the permit is determined:

Date and name of reviewer

12/09/2019
Christine Sellers,
Permitting Officer

