

Permitting decisions

Surrender

We have decided to accept the surrender of the permit for Bowman Ingredients Limited operated by Bowman Ingredients Limited.

The permit number is EPR/EP3433BL/S004.

We are satisfied that the necessary measures have been taken to avoid any pollution risk and to return the site to a satisfactory state. We consider in reaching that decision we have taken into account all relevant considerations and legal requirements.

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 into account

Unless the decision document specifies otherwise we have accepted the applicant's proposals.

Key issues of the decision

The installation was situated on Arlesey Road in Ickleford, approximately centred at National Grid Reference TL 18260 31290. Running through the southern part of the site is the River Oughton. To the north of the site is a residential area, to the north east is the River Hiz, and to the south west is a small lake that was originally the feeder pond for the permitted installation.

Oughtonhead Lane Site of Special Scientific Interest (SSSI) is located approximately 1,750 metres from the permit boundary. The nearest local ecological designation is Cadwell Marsh & Burymead Spring Local Wildlife Site (LWS) located approximately 380 metres from the permit boundary.

A flour milling plant has been operating on the site since 1857. The current owner of the installation has owned and operated the site since the 1920's. It was first permitted on 16th December 2005 when the production capacity exceeded 300 tonnes per day, bringing it under the regulatory regime of the time.

The installation comprised the following activity listed in Part 1 of Schedule 1 to the PPC Regulations and the following directly associated activities (DAAs) (in accordance with table 1.1.1 of the permit):

- Section 6.8 Part A (1) (d) (ii) – treating and processing materials intended for the production of food products from 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
- DAAs:
 - Natural gas fired boiler for the generation of hot water and steam
 - Primary effluent treatment, effluent storage and pumping
 - Storage and handling of waste materials

The permitted operations ceased in January 2017. Following the cessation of permitted activities, there remains smaller scale food product manufacturing operations on-site, producing approximately 10,000 tonnes of food coatings per annum. A permit is not required for this current operation due to its production capacity being less than 300 tonnes per day.

A site inspection was carried out by the Environment Agency on 7th January 2019, confirming that the relevant operations that required a permit had ceased.

Condition of the land at permit issue

The facility operated a flour milling plant which began operating in 1857. There had been no major changes to the installation during the lifetime of the permit.

Measures taken to protect land: Process effluent and surface water

There were no emissions to ground or groundwater. Release points WEP4, WEP5 and WEP6 discharged contaminated surface water run-off (including the yard area for vehicle wash); water from the gully drain within the lab area, and water from the compressor to foul sewer via interceptors. The operator had a trade effluent consent from Anglian Water.

Release point WEP3 discharged clean, uncontaminated surface water from the site to surface water (River Oughton).

Measures taken to protect land: Chemical storage

The contaminants were limited to small quantities of cleaning solutions and suspended solids from vehicle washing (with the suspended solids having been abated by the three stage interceptor before release from the installation) and limited quantities of oils from compressor operations (also abated by the interceptor).

Measures taken to protect land: Incidents

In the submitted Site Closure Plan (dated 21st June 2019), the operator identified the most significant potential pollution risks on site during operation as;

- The presence of underground diesel tanks
- Poor bunding of oils
- Poor condition of oils tanks
- Subsurface pipelines with the potential for leaks
- Collection of waste oil from site.

These risks were appropriately mitigated in line with conditions 2.1.2 and 2.10.9 of the permit and the implementation of the Best Available Techniques for the installation.

There has been no pollution incidents recorded during the lifetime of the permit, as confirmed by the submitted Site Condition Report dated 16th September 2019.

Measures taken to protect land: Decommissioning

The operation of milling flour in excess of 300 tonnes per day was carried out until 2017. The milling operation is carrying on, however it does not exceed the 300 tonne daily threshold, meaning that the operator no longer requires a permit.

The original permit was issued on 16th December 2005, however the site began operations in approximately the 1920's.

There has been no pollution incidents recorded during the lifetime of the permit, as confirmed by the submitted Site Condition Report.

This Site Closure Plan dated 7th November 2018 demonstrates the measures required in order for the closure of the site not to pose risk of contamination to the surrounding environment. The operator confirmed that these measures have been carried out before the surrender application was submitted.

The operator and the Environment Agency have confirmed that the permitted activities have ceased. The Environment Agency confirmed on 11th October 2019 that the surrender is low risk, meaning we do not require intrusive ground monitoring from the operator for the surrender of this permit

Decision

The Environment Agency is satisfied that sufficient information has been supplied by the operator to demonstrate that the pollution risk has been removed and that the site is in a satisfactory state.

The application to surrender the permit is therefore accepted.

This decision has been taken following our relevant guidance.

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 site	
Pollution risk	We are satisfied that the necessary measures have been taken to avoid a pollution risk resulting from the operation of the regulated facility. Refer to the <u>key issues</u> sections for further detail.
Satisfactory state	We are satisfied that the necessary measures have been taken to return the site of the regulated facility to a satisfactory state. In coming to this decision we have had regard to the state of the site before the facility was put into operation. Refer to the <u>key issues</u> sections for further detail.
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 surrender. Paragraph 1.3 of the guidance says: “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.