

Permitting Decisions- Variation

We have decided to grant the variation for Croda Europe Ltd – Barnfield Road operated by Croda Europe Ltd.

The variation number is EPR/BT8155ID/V004.

The variation is for

- Add an additional listed activity under Section 4.1 Part A(1)(a)(iv) of the EP Regulations for production of novel lipids for use as a pharmaceutical excipients and healthcare ingredients.
- Use of the existing Pilot Plant for the initial synthesising of the lipid
- Refurbishment the existing engineering maintenance workshop to accommodate the purification of the synthesised lipid via chromatography (“Chromatography building”), and
- Replacement of three existing bulk storage tanks with three new tanks for the storage of associated raw materials and process waste pending collection and off-site disposal or recovery by licenced waste management contractors.

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

- 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 and the variation notice.

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

The consultation requirements were identified in accordance with the Environmental Permitting (England and Wales) Regulations (2016) and our public participation statement.

The comments and our responses are summarised in the [consultation responses](#) section.

The application was publicised on the GOV.UK website.

We consulted the following organisations:

- Food Standards Agency
- Local Authority – Planning
- Local Authority – Environmental Health
- Health & Safety Executive (HSE)
- Fire & Rescue
- Director of Public Health
- Public Health England (PHE)

The comments and our responses are summarised in the [consultation responses](#) section.

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 RGN2 '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

The operator has provided a plan/s which we consider to be satisfactory.

These show the extent of the site of the facility, including the discharge points.

The plan is included in the permit.

Nature conservation, landscape, heritage and protected species and habitat designations

We have checked the location of the application to assess if it is within the screening distances we consider relevant for impacts on nature conservation, landscape, heritage and protected species and habitat designations. The application is within our screening distances for these designations.

We have assessed the application and its potential to affect sites of nature conservation, landscape, heritage and protected species and habitat designations identified in the nature conservation screening report as part of the permitting process.

We consider that the application will not affect any site of nature conservation, landscape and heritage, and/or protected species or habitats identified.

Environmental risk

We have reviewed the operator's assessment of the environmental risk from the facility.

The operator's risk assessment is satisfactory.

Operating techniques

The operating techniques that the applicant must use are specified in table S1.2 in the environmental permit.

General operating techniques

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.

The operating techniques that the applicant must use are specified in table S1.2 in the environmental permit.

Updating permit conditions during consolidation

We have updated permit conditions to those in the current generic permit template as part of permit consolidation. The conditions will provide the same level of protection as those in the previous permit.

Raw materials

We have specified the raw materials and fuels used on site.

Improvement programme

Based on the information on the application, we consider that we need to include an improvement programme.

We have included an improvement programme to ensure that improvements to the infrastructure and plant are moved forward from the initial research/trial plant. These requirements include the following:

IP7	<p>The Operator shall install the following plant and infrastructure changes on site to achieve the specified improvements details:</p> <ul style="list-style-type: none"> • Back venting of vapour displaced from the bulk solvent tanks during solvent deliveries into the delivery tankers to minimise VOC emissions via Emission point A11; • Installation of chiller systems on the cooling water to the condensers associated with PP1, PP2 and PP3 reactors within the pilot plant to optimise solvent recovery and minimise emissions to air; • Design and installation of a suitable permanent scrubber to abate emissions of Dimethyl sulphide and prevent on site odour impacts; • Review of the design and discharge height of the high vacuum emission vent (A12b) to improve air emission dispersion. <p>Where any of the above is not proposed to be installed a report must be submitted to demonstrate how BAT compliance will be achieved.</p>	Within 12 months of the date of this variation.
IP8	<p>The Operator shall install the following improvement converting the existing liquid ring vacuum pumps used for the low vacuum duty on PP1, PP2 and PP3 to dry vacuum units which would remove the wastewater effluent source from the process (potentially containing solvents) into the pilot plant sump.</p> <p>Where the above is not proposed to be installed a report must be submitted to demonstrate how BAT compliance will be achieved.</p>	Within 12 months of the date of this variation.
IP9	<p>Once IP7 has been complete a revised H1 assessment for air emissions shall be carried out on site and submitted to the Agency for assessment.</p>	Within 3 months of the completion of IP7

IP10	Once IP8 has been complete a H1 assessment on the discharges to sewer from the effluent treatment plant shall be carried out and submitted to the Agency for assessment.	Within 3 months of the completion of IP8.
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Emission limits

No emission limits have been added, amended or deleted as a result of this variation.

Monitoring

We have decided that monitoring should be added for the following parameters, using the methods detailed and to the frequencies to be agreed in writing by the regulatory officer.

These monitoring requirements have been included in order to monitor emissions from the new processing plant

Reporting

We have added reporting in the permit for the following parameters:

Emissions to air - Parameters as required by condition 3.5.1.

Emissions to water - Parameters as required by condition 3.5.1

Annual production: Production of refined fish oil and derivatives (tonnes)

Annual production: Production of the novel lipids (Kgs)

Production efficiency for the refined fish oil & derivatives/unrefined fish oil

Production efficiency for the novel lipids

Water usage

Energy usage

Total raw material used (split down based on the raw materials detailed in Table 2.1 above)

Waste produced (split down by inert, non-hazardous and hazardous)

Process effluent discharges to sewer

COD load of process effluent.

Management system

We are not aware of any 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.

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 variation.

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.

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 Responses

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 High Peak Borough Council Environmental Health.

Brief summary of issues raised:

- It is understood that with the proposed control measures in place, there will be no adverse impacts from the process.

Noise –

- It is stated within the variation application, that any plant and equipment installed will either be low noise or installed within buildings
- Clarification should be provided if it proposed to install any noise generating plant or equipment to the northern or eastern sides of the proposed chromatography building.
- Noise control from the installation must be specified as a condition.

Air Quality –

- No significant impacts on the local air quality are identified.
- Clarification must be sought to confirm that the process will not result in any release into the air of oxides of nitrogen.

Summary of actions taken:

Noise - The new modern condition for managing noise as has added to the permit. This allows the regulator to require the submission of a noise impact assessment and management if changes on site have an impact on noise.

Air Quality – On installation on the new plant and infrastructure the operator is required to carry out a full H1 assessment on air emissions.

Response received from Public Health England (PHE).

Brief summary of issues raised:

- The main emissions of concern are potential emissions to air of ethanol and ethyl acetate. PHE have noted that the included H1 assessment has indicated that these emissions cannot be screened out completely. However, modelled emission concentrations of ethanol and ethyl acetate would be lower than the levels under the earlier version of EALs. PHE welcome the use of the earlier version of EALs in the absence of other health-based guideline levels.

- Based on the information contained in the application supplied to us, Public Health England has no significant concerns regarding the risk to the health of the local population from the installation.

Summary of actions taken: No action taken.

No other consultation responses were received.