

Decision document new bespoke Permit

We have decided to grant the permit for Molson Coors Burtonwood Brewery operated by Molson Coors Brewing Company (UK) Limited.

The permit number is EPR/ZP3303BR.

The application is for a Section 6.8 Part A(1)(d) (ii) brewing operation producing approximately 170,000 hectolitres of alcoholic and non-alcoholic beverages a year. The principle activity is the brewing of beers which comprises of milling, mashing, lautering, wort boiling, wort cooling, fermentation, conditioning, filtration and kegging. Some drinks are bottled at the neighbouring Thomas Hardy bottling plant instead of being kegged. Directly associated activities (DAAs) include operation of two boilers, storage and handling of raw materials and products, kegging, abstraction and subsequent treatment of water for use in the production process and the operation of chillers.

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 considerations](#) section to show how the main relevant factors have been taken into account
- highlights [key issues](#) in the determination
- 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.

Key issues of the decision

Multi Operator

This permit is part of a multi-operator installation. The operator of the other permit is Thomas Hardy Burtonwood Limited (EPR/HP3731JV/A001). The two operations share nitrogen and carbon dioxide mains, gas mains, steam, water mains and trade effluent drainage systems. The Thomas Hardy Burtonwood Limited operation also bottles some of the beer brewed by Molson Coors Brewing Company (UK) Limited. The multi-operator installation is currently operational and has been for many years, brewing has been taking place there since the 1800s. In a recent review of their capacity it became apparent the site should be brought under regulation by the Environment Agency.

Emissions to Sewer

As part of the brewing process an effluent is produced at the Burtonwood site. This effluent is combined with the effluent from the Burtonwood Bottling Plant (Thomas Hardy Burtonwood Limited - EPR/HP3731JV) adjacent to the site which carries out beverage blending and bottling operation under a Section 6.8 Part A(1)(d)(ii) activity. The process utilises a discharge consent with United Utilities (reference 384800100401) to dispose of this effluent into Warrington North Waste Water Treatment Works. During the determination of this bespoke permit sampling on the discharge was not available due to restrictions imposed by COVID 19. As this is an existing, consented discharge and it is not increasing in volume or changing in nature due to the application to bring the site under regulation an improvement condition (IC2) has been inserted into the permit which requires the Operator to assess the potential impacts of the discharge and submit the findings of the assessment in a report to the Environment Agency. The report must detail an inventory of pollutants released in the discharge and an assessment of these in our H1 emissions screening software tool. If it is found that the discharge does not screen out as having an insignificant impact in line with our guidance on [Surface water pollution risk assessment for your environmental permit](#) then the improvement condition will also require modelling of these impacts to be undertaken. Utilising this assessment the report must also demonstrate how the discharge activity meets BATc 11 and 12 of the [BAT conclusions for the food and drink industry](#).

Decision considerations

Confidential information

A claim for commercial or industrial confidentiality has not been made.

The decision was taken in accordance with our guidance on confidentiality.

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.

We consulted:

The local authority Environmental Health department

Food Standard Agency

Health and Safety Executive

Public Health England

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

The application was publicised on the GOV.UK website.

Operator

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 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', Appendix 1 of RGN 2 'Interpretation of Schedule 1', guidance on waste recovery plans and permits.

The extent of the facility is defined in the site plan within the permit. The activities are defined in table S1.1 of the permit.

This permit applies to only one part of the installation – the brewing operation on the Molson Coors Burtonwood Brewery site. The names and permit numbers of the operators of other parts of the installation are detailed in the permit's introductory note.

The site

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

The plans show the location of the part of the installation to which this permit applies on that site.

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 to be not satisfactory. The decision was taken in accordance with our guidance on site condition reports and baseline reporting under the Industrial Emissions Directive.

We have advised the operator what measures they need to take to improve the site condition report. Improvement condition IC3 has been inserted into the permit to address this, it requires additional baseline data to be gathered and submitted to the Environment Agency.

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.

We have not consulted Natural England.

The decision was taken in accordance with our guidance.

Environmental risk

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

The operator's risk assessment is satisfactory.

The assessment shows that, applying the conservative criteria in our guidance on environmental risk assessment all emissions may be screened out as environmentally insignificant with the exception of the discharge to sewer where data was not available during determination, as this is an existing discharge and it is not changing as a result of this application Improvement condition IC2 has been inserted into the permit to require an assessment of the potential impacts within 3 months of permit issue.

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.

Operating techniques for emissions that screen out as insignificant

Emissions of Oxides of Nitrogen and Carbon Monoxide have been screened out as insignificant, and so we agree that the applicant's proposed techniques are Best Available Techniques (BAT) for the installation.

We consider that the emission limits included in the installation permit reflect the BAT for the sector.

National Air Pollution Control Programme

We have considered the National Air Pollution Control Programme as required by the National Emissions Ceilings Regulations 2018. By setting emission limit values in line with technical guidance we are minimising emissions to air. This will aid the delivery of national air quality targets. We do not consider that we need to include any additional conditions in this permit.

Raw materials

We have specified limits and controls on the use of raw materials and fuels.

Improvement programme

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

We have included three improvement conditions to be completed within three months of permit issue:

- IC1 ensures that an audit of the adequacy and suitability of existing drainage arrangements, bund provision and impermeable surfacing within the installation is undertaken and a report is provided to the Environment Agency detailing the findings of the audit. The report must also detail a plan to resolve any issues identified.
- IC2 ensures that an assessment of the impacts caused by the discharge of site effluent to the sewer is carried out and submitted to the Environment Agency.
- IC3 ensures that an updated site condition report is submitted to remove the gaps in baseline data collection at the site and the findings of the audit required by IC1.

Emission Limits

Emission Limit Values (ELVs) based on Best Available Techniques (BAT) have been added for the following substances:

Boiler A1:

Oxides of Nitrogen - 200 mg/m³ (Hourly Average)

Boiler A2:

Oxides of Nitrogen - 200 mg/m³ (Hourly Average)

We have included these limits based on the relevant emission limits for Medium Combustion Plants.

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.

Emissions to air:

Combustion gases from the two boilers at emissions point A1 and A2 must be monitored annually in line with our guidance 'Control and monitor emissions for your environmental permit' in order to monitor ongoing performance of the boilers for NOx and CO emissions.

Emissions to sewer:

Chloride in the discharge to foul sewer must be monitored annually in order to ensure compliance with monitoring requirements in the BATc for the food, drink and milk industries, under Directive 2010/75/EU of the European Parliament and of the Council.

The above monitoring requirements have been included in order to ensure protection of surface water and air quality.

We made these decisions in accordance with reference the relevant technical guidance.

Reporting

We have specified reporting in the permit.

We made these decisions in accordance with the relevant technical guidance.

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.

Previous performance

We have assessed operator competence. There is no known reason to consider the applicant will not comply with the permit conditions.

We have checked our systems 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

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:

“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, 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 Public Health England.

Brief summary of issues raised: This site has been a brewery since 1847 and operations at MCBC Burtonwood Brewery are not currently regulated by the

Environment Agency via an Environmental Permit. However, changes to definition of capacity within the Environmental Permitting regulations require site to now hold an Environmental Permit based upon its theoretical daily production capacity. The nearest residential receptor is Yew Tree Farm 70 m and other residential receptors are over 188m away.

The main emissions of potential concern are odour and emissions to the atmospheric including dust. These emissions have been considered in this application and 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.

This consultation response is based on the assumption that the permit holder shall take all appropriate measures to prevent or control pollution, in accordance with the relevant sector guidance and industry best practice.

Summary of actions taken: No further action required.