

Review of an Environmental Permit for an Installation subject to Chapter II of the Industrial Emissions Directive under the Environmental Permitting (England & Wales) Regulations 2016 (as amended)

Decision document recording our decision-making process following review of a permit

The Permit number is: EPR/HP3336FN
The Operator is: AB Agri Limited
The Installation is: Uffculme Feed Mill
This Variation Notice number is: EPR/HP3336FN/V004

What this document is about

Article 21(3) of the Industrial Emissions Directive (IED) requires the Environment Agency to review conditions in permits that it has issued and to ensure that the permit delivers compliance with relevant standards, within four years of the publication by the European Commission of updated decisions on best available techniques (BAT) Conclusions.

We have reviewed the permit for this installation against the BAT Conclusions for the Food, Drink and Milk Industries published on 4th December 2019 in the Official Journal of the European Union. In this decision document, we set out the reasoning for the consolidated variation notice that we have issued.

It explains how we have reviewed and considered the techniques used by the Operator in the operation and control of the plant and activities of the installation. It is our record of our decision-making process and shows how we have taken into account all relevant factors in reaching our position.

As well as considering the review of the operating techniques used by the Operator for the operation of the plant and activities of the installation, the consolidated variation notice takes into account and brings together in a single document all previous variations that relate to the original permit issue. Where this has not already been done, it also modernises the entire permit to reflect the conditions contained in our current generic permit template.

The introduction of new template conditions makes the Permit consistent with our current general approach and with other permits issued to Installations in this sector. Although the wording of some conditions has changed, while others have been deleted because of the new regulatory approach, it does not reduce the level of environmental protection achieved by the Permit in any way. In this document, we therefore address only our determination of substantive issues relating to the new BAT Conclusions.

We try to explain our decision as accurately, comprehensively and plainly as possible. Achieving all three objectives is not always easy, and we would welcome any feedback as to how we might improve our decision documents in future.

How this document is structured

1. Our decision
2. How we reached our decision
3. The legal framework
4. Annex 1 – Review of operating techniques within the Installation against BAT Conclusions.
5. Annex 2 – Review and assessment of changes that are not part of the BAT Conclusions derived permit review
6. Annex 3 – Improvement Conditions

1 Our decision

We have decided to issue the Variation Notice to the Operator. This will allow the Operator to continue to operate the Installation, subject to the conditions in the Consolidated Variation Notice that updates the whole permit.

We consider that, in reaching our decision, we have taken into account all relevant considerations and legal requirements and that the varied permit will ensure that a high level of protection is provided for the environment and human health.

The Consolidated Variation Notice contains many conditions taken from our standard Environmental Permit template including the relevant annexes. We developed these conditions in consultation with industry, having regard to the legal requirements of the Environmental Permitting Regulations and other relevant legislation. This document does not therefore include an explanation for these standard conditions. Where they are included in the Notice, we have considered the techniques identified by the operator for the operation of their installation, and have accepted that the details are sufficient and satisfactory to make those standard conditions appropriate. This document does, however, provide an explanation of our use of “tailor-made” or installation-specific conditions, or where our Permit template provides two or more options.

2 How we reached our decision

2.1 Requesting information to demonstrate compliance with BAT Conclusion techniques

We issued a Notice under Regulation 61(1) of the Environmental Permitting (England and Wales) Regulations 2016 (a Regulation 61 Notice) on 04/05/2021 requiring the Operator to provide information to demonstrate where the operation of their installation currently meets, or how it will subsequently meet, the revised standards described in the relevant BAT Conclusions document.

The Notice required that where the revised standards are not currently met, the operator should provide information that:

- describes the techniques that will be implemented before 4 December 2023, which will then ensure that operations meet the revised standards, or
- justifies why standards will not be met by 4 December 2023, and confirmation of the date when the operation of those processes will cease within the Installation or an explanation of why the revised BAT standards are not applicable to those processes, or
- justifies why an alternative technique will achieve the same level of environmental protection equivalent to the revised BAT standards described in the BAT Conclusions.

Where the Operator proposed that they were not intending to meet a BAT standard that also included a BAT Associated Emission Level (BAT-AEL) described in the BAT Conclusions Document, the Regulation 61 Notice required that the Operator make a formal request for derogation from compliance with that BAT-AEL (as provisioned by Article 15(4) of IED). In this circumstance, the Notice identified that any such request for derogation must be supported and justified by sufficient technical and commercial information that would enable us to determine acceptability of the derogation request.

The Regulation 61 Notice response from the Operator was received on 23/07/2021.

We considered it was in the correct form and contained sufficient information for us to begin our determination of the permit review but not that it necessarily contained all the information we would need to complete that determination.

The Operator made no claim for commercial confidentiality. We have not received any information in relation to the Regulation 61 Notice response that appears to be confidential in relation to any party.

2.2 Review of our own information in respect to the capability of the Installation to meet revised standards included in the BAT Conclusions document

Based on our records and previous experience in the regulation of the installation we have no reason to consider that the Operator will not be able to comply with the techniques and standards described in the BAT Conclusions.

2.3 Requests for further information during determination

Although we were able to consider the Regulation 61 Notice response generally satisfactory at receipt, we did in fact need more information in order to complete our permit review assessment, and issued further information requests on 18/10/2021, 11/11/2021 and 16/11/2021. We requested that the operator provide further details on BATc 3, 4, 7, 8, 10, 11, 12 and 17 and a revised emission point plan. A copy of the further information requests was placed on our public register.

3 The legal framework

The Consolidated Variation Notice will be issued under Regulations 18 and 20 of the EPR. The Environmental Permitting regime is a legal vehicle which delivers most of the relevant legal requirements for activities falling within its scope. In particular, the regulated facility is:

- an *installation* as described by the IED;
- subject to aspects of other relevant legislation which also have to be addressed.

We consider that, in issuing the Consolidated Variation Notice, it will ensure that the operation of the Installation complies with all relevant legal requirements and that a high level of protection will be delivered for the environment and human health.

We explain how we have addressed specific statutory requirements more fully in the rest of this document.

Annex 1: decision checklist regarding relevant BAT Conclusions

BAT Conclusions for the Food, Drink and Milk Industries, were published by the European Commission on 4 December 2019.

There are 37 BAT Conclusions.

BAT 1 – 15 are General BAT Conclusions (Narrative BAT) applicable to all relevant Food, Drink and Milk Installations in scope.

BAT 16 – 37 are sector-specific BAT Conclusions, including Best Available Techniques Associated Emissions Levels (BAT-AELs) and Associated Environmental Performance Levels (BAT-AEPLs):

BAT 16 & 17	BAT Conclusions for Animal Feed
BAT 18 – 20	BAT Conclusions for Brewing
BAT 21 – 23	BAT Conclusions for Dairies
BAT 24	BAT Conclusions for Ethanol Production
BAT 25 & 26	BAT Conclusions for Fish and Shellfish Processing
BAT 27	BAT Conclusions for Fruit and Vegetable Processing
BAT 28	BAT Conclusions for Grain Milling
BAT 29	BAT Conclusions for Meat Processing
BAT 30 – 32	BAT Conclusions for Oilseed Processing and Vegetable Oil Refining
BAT 33	BAT Conclusions for Soft Drinks and Nectar/Fruit Juice Processed from Fruit and Vegetables
BAT 34	BAT Conclusions for Starch Production
BAT 35 – 37	BAT Conclusions for Sugar Manufacturing

This annex provides a record of decisions made in relation to each relevant BAT Conclusion applicable to the installation. This annex should be read in conjunction with the Consolidated Variation Notice.

The overall status of compliance with the BAT conclusion is indicated in the table as:

NA – Not Applicable

CC – Currently Compliant

FC – Compliant in the future (within 4 years of publication of BAT Conclusions)

NC – Not Compliant

BATC No.	Summary of BAT Conclusion requirement for Food, Drink and Milk Industries	Status NA/ CC / FC / NC	Assessment of the installation capability and any alternative techniques proposed by the operator to demonstrate compliance with the BAT Conclusion requirement
	GENERAL BAT CONCLUSIONS (BAT 1-15)		
1	<p>Environmental Management System - Improve overall environmental performance.</p> <p>Implement an EMS that incorporates all the features as described within BATc 1.</p>	CC	<p>The operator has provided information to support compliance with BATc 1. We have assessed the information provided and we are satisfied that the operator has demonstrated compliance with BATc 1.</p> <p>The operator has a EMS externally accredited to the ISO14001 standard.</p>
2	<p>EMS Inventory of inputs & outputs. Increase resource efficiency and reduce emissions.</p> <p>Establish, maintain and regularly review (including when a significant change occurs) an inventory of water, energy and raw materials consumption as well as of waste water and waste gas streams, as part of the environmental management system (see BAT 1), that incorporates all of the features as detailed within the BATCs.</p>	CC	<p>The operator has provided information to support compliance with BATc 2. We have assessed the information provided and we are satisfied that the operator has demonstrated compliance with BATc 2.</p> <p>The operator has an externally accredited EMS to the ISO14001 standard. The Site holds Inventories for Water, Energy, Raw Material Consumption, Waste Water & Waste Gas Streams which form part of the National & Site EMS system. These are reviewed at regular intervals.</p>
3	<p>Monitoring key process parameters at key locations for emissions to water.</p> <p>For relevant emissions to water as identified by the inventory of waste water streams (see BAT 2), BAT is to monitor key process parameters (e.g. continuous monitoring of waste water flow, pH and temperature) at key locations (e.g. at the inlet and/or outlet of the pre-treatment, at the inlet to the final treatment, at the point where the emission leaves the installation).</p>	CC	<p>The operator has provided information to support compliance with BATc 3. We have assessed the information provided and we are satisfied that the operator has demonstrated compliance with BATc 3.</p>

BATC No.	Summary of BAT Conclusion requirement for Food, Drink and Milk Industries	Status NA/ CC / FC / NC	Assessment of the installation capability and any alternative techniques proposed by the operator to demonstrate compliance with the BAT Conclusion requirement
			<p>Very little process water is used in the production of animal feed. Emissions from the site are generated from ancillary processes such as, yard surface run off and boiler blowdown . All effluent is discharged to the foul sewer under a trade effluent consent. Annual testing of the effluent is undertaken to ensure compliance with the trade effluent consent.</p> <p>For the emissions to sewer; chloride is not a key parameter of concern for the animal feed sector.</p>
4	<p>Monitoring emissions to water to the required frequencies and standards. BAT is to monitor emissions to water with at least the frequency given [refer to BAT 4 table in BATc] and in accordance with EN standards. If EN standards are not available, BAT is to use ISO, national or other international standards that ensure the provision of data of an equivalent scientific quality.</p>	NA	<p>Very little process water is used in the production of animal feed. There are no direct emissions of effluent to surface water.</p> <p>There are no discharges from the site to surface water, all surface run off is discharged to the foul sewer.</p> <p>We are therefore satisfied that BATc 4 is not applicable for this site</p>
5	<p>Monitoring channelled emissions to air to the required frequencies and standards. BAT is to monitor channelled emissions to air with at least the frequency given [refer to BAT5 table in BATc] and in accordance with EN standards.</p>	CC	<p>The operator has provided information to support compliance with BATc 5. We have assessed the information provided and we are satisfied that the operator has demonstrated compliance with BATc 5.</p>

BATC No.	Summary of BAT Conclusion requirement for Food, Drink and Milk Industries	Status NA/ CC / FC / NC	Assessment of the installation capability and any alternative techniques proposed by the operator to demonstrate compliance with the BAT Conclusion requirement
			<p>The monitoring of particulate emissions is currently undertaken annually to MCERTS standards at the product coolers - emission points A2 and A3 as per the previous permit requirements. Both grinders vent internally with no emission to atmosphere.</p>
6	<p>Energy Efficiency In order to increase energy efficiency, BAT is to use an energy efficiency plan (BAT 6a) and an appropriate combination of the common techniques listed in technique 6b within the table in the BATc.</p>	CC	<p>The operator has provided information to support compliance with BATc 6. We have assessed the information provided and we are satisfied that the operator has demonstrated compliance with BATc 6.</p> <p>The operator is externally accredited to ISO 50001 and has an energy efficiency plan which forms part of the sites EMS.</p> <p>The Operator currently has a Climate Change Levy Agreement (CCLA) in place for the site. The operator undertakes regular monitoring & internal targeting.</p>
7	<p>Water and wastewater minimisation In order to reduce water consumption and the volume of waste water discharged, BAT is to use BAT 7a and one or a combination of the techniques b to k given below. (a) water recycling and/or reuse (b) Optimisation of water flow (c) Optimisation of water nozzles and hoses</p>	NA	<p>Animal feed milling is an essentially dry process, with little use of water and limited potential for water saving. The site utilises dry cleaning techniques such as vacuuming for cleaning operations.</p> <p>We are therefore satisfied that BATc 7 is not applicable for this site.</p>

BATC No.	Summary of BAT Conclusion requirement for Food, Drink and Milk Industries	Status NA/ CC / FC / NC	Assessment of the installation capability and any alternative techniques proposed by the operator to demonstrate compliance with the BAT Conclusion requirement
	(d) Segregation of water streams Techniques related to cleaning operations: (e) Dry cleaning (f) Pigging system for pipes (g) High-pressure cleaning (h) Optimisation of chemical dosing and water use in cleaning-in-place (CIP) (i) Low-pressure foam and/or gel cleaning (j) Optimised design and construction of equipment and process areas (k) Cleaning of equipment as soon as possible		
8	Prevent or reduce the use of harmful substances In order to prevent or reduce the use of harmful substances, e.g. in cleaning and disinfection, BAT is to use one or a combination of the techniques given below. (a) Proper selection of cleaning chemicals and/or disinfectants (b) Reuse of cleaning chemicals in cleaning-in-place (CIP) (c) Dry cleaning (d) Optimised design and construction of equipment and process areas [for detail of each technique, refer BAT 8 table in BATc]	CC	The operator has provided information to support compliance with BATc 8. We have assessed the information provided and we are satisfied that the operator has demonstrated compliance with BATc 8. Cleaning of production areas is undertaken by dry cleaning methods only such as vacuuming. The use of disinfectants are limited to those approved by DEFRA for agricultural use. All chemicals that are used on site are stored appropriately. All vehicle washing is undertaken off site.
9	Refrigerants In order to prevent emissions of ozone-depleting substances and of substances with a high global warming potential from cooling and freezing, BAT is to use refrigerants without ozone depletion potential and with a low global warming potential.	NA	No refrigerants are used in the permitted process. We are therefore satisfied that BATc 9 is not applicable for this site.

BATC No.	Summary of BAT Conclusion requirement for Food, Drink and Milk Industries	Status NA/ CC / FC / NC	Assessment of the installation capability and any alternative techniques proposed by the operator to demonstrate compliance with the BAT Conclusion requirement
10	<p>Resource efficiency In order to increase resource efficiency, BAT is to use one or a combination of the techniques given below:</p> <ul style="list-style-type: none"> (a) Anaerobic digestion (b) Use of residues (c) Separation of residues (d) Recovery and reuse of residues from the pasteuriser (e) Phosphorus recovery as struvite (f) Use of waste water for land spreading 	CC	<p>The operator has provided information to support compliance with BATc 10. We have assessed the information provided and we are satisfied that the operator has demonstrated compliance with BATc 10.</p> <p>The Operator has demonstrated that minimal waste is produced from the process. Where possible and within feed safety QA residues and by-products can be re-worked into the process. In the event that waste feed is unsuitable for re-use, it is sent for Anaerobic digestion (AD).</p>
11	<p>Waste water buffer storage In order to prevent uncontrolled emissions to water, BAT is to provide an appropriate buffer storage capacity for waste water.</p>	CC	<p>The operator has provided information to support compliance with BATc 11. We have assessed the information provided and we are satisfied that the operator has demonstrated compliance with BATc 11.</p> <p>The site discharges all effluent from onsite processes, boiler blow down direct to foul sewer. In addition all surface run off is discharged directly to the sewer. To further reduce risk of uncontrolled releases, chemicals are stored in appropriate containers (such as the supplier's primary packaging or bulk storage tanks) in bunded areas or on hardstanding in secure storage areas. There are no open drains inside the process</p>

BATC No.	Summary of BAT Conclusion requirement for Food, Drink and Milk Industries	Status NA/ CC / FC / NC	Assessment of the installation capability and any alternative techniques proposed by the operator to demonstrate compliance with the BAT Conclusion requirement
			buildings and spill kits are available in the unlikely event that an environmental incident may occur.
12	<p>Emissions to water – treatment</p> <p>In order to reduce emissions to water, BAT is to use an appropriate combination of the techniques given below.</p> <p>Preliminary, primary and general treatment</p> <ul style="list-style-type: none"> (a) Equalisation (b) Neutralisation (c) Physical separate (eg screens, sieves, primary settlement tanks etc) <p>Aerobic and/or anaerobic treatment (secondary treatment)</p> <ul style="list-style-type: none"> (d) Aerobic and/or anaerobic treatment (eg activated sludge, aerobic lagoon etc) (e) Nitrification and/or denitrification (f) Partial nitrification - anaerobic ammonium oxidation <p>Phosphorus recovery and/or removal</p> <ul style="list-style-type: none"> (g) Phosphorus recovery as struvite (h) Precipitation (i) Enhanced biological phosphorus removal <p>Final solids removal</p> <ul style="list-style-type: none"> (j) Coagulation and flocculation (k) Sedimentation (l) Filtration (eg sand filtration, microfiltration, ultrafiltration) (m) Flotation 	NA	<p>Due to the low volumes of effluent produced, effluent treatment is not required.</p> <p>We are therefore satisfied that BATc12 is not applicable for this site.</p>

BATC No.	Summary of BAT Conclusion requirement for Food, Drink and Milk Industries	Status NA/ CC / FC / NC	Assessment of the installation capability and any alternative techniques proposed by the operator to demonstrate compliance with the BAT Conclusion requirement
13	<p>Noise management plan</p> <p>In order to prevent or, where that is not practicable, to reduce noise emissions, BAT is to set up, implement and regularly review a noise management plan, as part of the environmental management system (see BAT 1), that includes all of the following elements:</p> <ul style="list-style-type: none"> - a protocol containing actions and timelines; - a protocol for conducting noise emissions monitoring; - a protocol for response to identified noise events, eg complaints; - a noise reduction programme designed to identify the source(s), to measure/estimate noise and vibration exposure, to characterise the contributions of the sources and to implement prevention and/or reduction measures. <p>Note: BAT13 is only applicable where a noise nuisance at sensitive receptors is expected and/or has been substantiated.</p>	NA	<p>A NMP is only required for sites where a noise nuisance at sensitive receptors is expected and/or has been substantiate. There is no history of noise complaints at the site.</p> <p>We are therefore satisfied that BATc 13 is not applicable for this site</p>
14	<p>Noise management</p> <p>In order to prevent or, where that is not practicable, to reduce noise emissions, BAT is to use one or a combination of the techniques given below.</p> <ul style="list-style-type: none"> (a) Appropriate location of equipment and buildings (b) Operational measures (c) Low-noise equipment (d) Noise control equipment (e) Noise abatement 	CC	<p>The operator has provided information to support compliance with BATc 14. We have assessed the information provided and we are satisfied that the operator has demonstrated compliance with BATc 14.</p> <p>The operator has stated that the site will utilise a number of noise reduction techniques including;</p> <ul style="list-style-type: none"> • Using inherently quieter machinery and processes; • Enclosing noisy machinery and processes in buildings or acoustic enclosures; • Cladding with acoustic panelling and impact deadening;

BATC No.	Summary of BAT Conclusion requirement for Food, Drink and Milk Industries	Status NA/ CC / FC / NC	Assessment of the installation capability and any alternative techniques proposed by the operator to demonstrate compliance with the BAT Conclusion requirement
			<ul style="list-style-type: none"> • Fitting attenuators on noisy airflows; • Fitting vibration isolation mounts; • Regularly maintaining the plant and machinery; • Moving noisy plant further away from site boundaries and sensitive receptors.
15	<p>Odour Management</p> <p>In order to prevent or, where that is not practicable, to reduce odour emissions, BAT is to set up, implement and regularly review an odour management plan, as part of the environmental management system (see BAT 1), that includes all of the following elements:</p> <ul style="list-style-type: none"> - a protocol containing actions and timelines; - a protocol for conducting odour monitoring. - a protocol for response to identified odour incidents eg complaints; - an odour prevention and reduction programme designed to identify the source(s); to measure/estimate odour exposure: to characterise the contributions of the sources; and to implement prevention and/or reduction measures. <p>BAT 15 is only applicable to cases where an odour nuisance at sensitive receptors is expected and/or has been substantiated.</p>	CC	<p>The operator has provided information to support compliance with BATc 15. We have assessed the information provided and we are satisfied that the operator has demonstrated compliance with BATc 15.</p> <p>An Odour Management Plan is in already place for this site, which meets the requirements of BATc 15.</p>
ANIMAL FEED BAT CONCLUSIONS (BAT 16-17)			
16	<p>Energy efficiency – Green fodder only</p> <p>In order to increase energy efficiency in green fodder processing, BAT is to use an appropriate combination of the techniques specified in BAT 6 and of the techniques given below.</p> <p>(a) Use of predried fodder</p>	N/A	<p>The site does not process green fodder. We are therefore satisfied that BATc 16 is not applicable for this site.</p>

BATC No.	Summary of BAT Conclusion requirement for Food, Drink and Milk Industries	Status NA/ CC / FC / NC	Assessment of the installation capability and any alternative techniques proposed by the operator to demonstrate compliance with the BAT Conclusion requirement															
	(b) Recycling of waste gas from the dryer (c) Use of waste heat for pre-drying Applicable in addition to BAT6																	
17	<p>Emissions to air – particulates</p> <p>In order to reduce channelled dust emissions to air, BAT is to use one of the techniques given; a. bag filter, b. cyclone.</p> <table border="1" data-bbox="275 655 1232 901"> <thead> <tr> <th rowspan="2">Parameter</th> <th rowspan="2">Specific process</th> <th rowspan="2">Unit</th> <th colspan="2">BAT-AEL (average over the sampling period)</th> </tr> <tr> <th>New plants</th> <th>Existing plants</th> </tr> </thead> <tbody> <tr> <td rowspan="2">Dust</td> <td>Grinding</td> <td rowspan="2">mg/Nm³</td> <td><2-5</td> <td><2-10</td> </tr> <tr> <td>Pellet cooling</td> <td colspan="2"><2-20</td> </tr> </tbody> </table>	Parameter	Specific process	Unit	BAT-AEL (average over the sampling period)		New plants	Existing plants	Dust	Grinding	mg/Nm ³	<2-5	<2-10	Pellet cooling	<2-20		CC	<p>The operator has provided information to support compliance with BATc 17. We have assessed the information provided and we are satisfied that the operator has demonstrated compliance with BATc 17.</p> <p>The existing permit contained the following emission limit value (ELV) for the pellet coolers (A2 & A3) for particulate emissions – 50mg/m³. As these are existing plants we believe it is appropriate to set the new ELV at the top of the range. The operator has demonstrated through the submission of monitoring data that they can currently meet the upper range of the BAT-AELs, so we have included these emission limit values (20 mg/Nm³) from date of permit issue.</p>
Parameter	Specific process				Unit	BAT-AEL (average over the sampling period)												
		New plants	Existing plants															
Dust	Grinding	mg/Nm ³	<2-5	<2-10														
	Pellet cooling		<2-20															
	Animal Feed Environmental Performance Levels																	

BATC No.	Summary of BAT Conclusion requirement for Food, Drink and Milk Industries	Status NA/ CC / FC / NC	Assessment of the installation capability and any alternative techniques proposed by the operator to demonstrate compliance with the BAT Conclusion requirement		
EPL	Environmental Performance Level – Energy Consumption for Animal Feed		CC	<p>The operator has provided information to support compliance with BATc 17. We have assessed the information provided and we are satisfied that the operator has demonstrated compliance with BATc 17</p> <p>The operator reports that they can currently achieve 0.083 MWh/Tonne, which is within the accepted EPL range for compound food.</p>	
	Product	Unit			Specific energy consumption (yearly average)
	Compound food	MWh/tonne of products			0.01-0.10 ⁽¹⁾⁽²⁾⁽³⁾
	Dry pet food				0.39-0.50
	Wet pet food				0.33-0.85
<p>(1) The lower end of the range can be achieved when pelleting is not applied.</p> <p>(2) The specific energy consumption level may not apply when fish and other aquatic animals are used as raw material.</p> <p>(3) The upper end of the range is 0.12 MWh/tonne of products for installations located in cold climates and/or when teat treatment is used for Salmonella decontamination.</p>					
EPL	Environmental performance level – Waste water discharge for Animal Feed		NA	<p>The site does not produce wet pet food.</p> <p>We are therefore satisfied this EPL is not applicable for this site.</p>	
	Product	Unit			Specific waste water discharge (yearly average)
	Wet pet food	m3/tonne of products			1.3-2.4

Annex 2: Review and assessment of changes that are not part of the BAT Conclusions derived permit review

Updating permit during permit review consolidation

- An updated introductory note
- The addition of finished product production capacity in Table S1.1.
- Standardisation of the directly associated activities (DAAs) in Table S1.1.
- Standardisation of reporting parameters.

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

Capacity Threshold

The Environment Agency is looking to draw a “line in the sand” for permitted production capacity; a common understanding between the Operator and regulator for the emissions associated with a (maximum) level of production, whereby the maximum emissions have been demonstrated as causing no significant environmental impact.

We have included a permitted production level (capacity) within table S1.1 of the permit for the section 6.8 listed activity and we need to be confident that the level of emissions associated with this production level have been demonstrated to be acceptable.

The H1 assessment is not valid for the maximum capacity stated within the permit or if production is now higher. We have included an improvement condition within the permit (IC10) which requires the operator to revisit their H1 risk assessment for particulate emissions to air at the capacity limit figure that is now stated within table S1.1 of the permit.

Details of all emissions to Air

We asked the operator to list all emission points to air from the installation in the Regulation 61 notice. And to provide a site plan indicating the locations of all air emission points.

The operator has provided an up to date air emission plan.

Implementing the requirements of the Medium Combustion Plant Directive

We asked the Operator to provide information on all combustion plant on site in the Regulation 61 Notice as follows:

- Number of combustion plant (CHP engines, back-up generators, boilers);
- Size of combustion plant – rated thermal input (MWth)
- Date each combustion plant came into operation

The Operator provided the information in the table(s) below:

1. Rated thermal input (MW) of the medium combustion plant.	1.9MWth
2. Type of the medium combustion plant (diesel engine, gas turbine, dual fuel engine, other engine or other medium combustion plant).	Boiler
3. Type and share of fuels used according to the fuel categories laid down in Annex II.	Fuel oil
4. Date of the start of the operation of the medium combustion plant or, where the exact date of the start of the operation is unknown, proof of the fact that the operation started before 20 December 2018.	April 1974

We have reviewed the information provided and we consider that the declared combustion plant qualify as “existing” medium combustion plant.

For existing MCP with a rated thermal input of less than or equal to 5 MW, the emission limit values set out in tables 1 and 3 of Part 1 of Annex II MCPD shall apply from 1 January 2030.

We have included the appropriate emission limit values for existing medium combustion plant as part of this permit review. See Table S3.1 in the permit. We have also included a new condition 3.1.4 within the permit which specifies the monitoring requirements for the combustion plant in accordance with the MCPD.

Particulate Emissions

BAT-AELs are derived for those substances identified as key environmental issues during the BREF review process.

If the operator has identified current compliance against BAT-AELs we will implement the relevant emission limit value (ELV) from the date of permit issue. This is relevant for emission points A2 and A3 against BAT 17 for particulate emissions from the pellet coolers.

We have added an improvement condition (IC9) for size fractionation of particulate emissions because a BAT-AEL applies for dust emissions to air. The justification for this IC is that there are a number of activities within the FDM sector which may result in release of particulates to air e.g. drying, milling and grinding. Overall there is little available information on how much fine particulates are released. This IC is a one-off exercise requiring operators to monitor and report on the fractions of fine particulate (PM₁₀ and PM_{2.5}) emissions and increase our understanding of potential health effects. Where BAT-AELS apply to multiple emission points e.g. grain milling, we may accept limited representative monitoring rather than expecting them to monitor every single emission point.

Details of emissions to Water and implementing the requirements of the Water Framework Directive

We asked the Operator to provide information on all emissions to water at the installation in the Regulation 61 Notice as follows;

- Identify any effluents which discharge directly to surface or groundwater;
- Provide an assessment of volume and quality, including results of any monitoring data available;
- and for any discharges to water / soakaway whether a recent assessment of the feasibility of connection to sewer has been carried out.

In this case, there are no direct discharges of process effluent to surface or ground water. All process effluent, boiler blowdown and surface water from yard areas is discharged directly to the sewer.

However, due to the low volumes and the disposal route, we are satisfied that the discharge will not impact on the WFD requirements, and demonstrate BAT.

Soil & groundwater risk assessment (baseline report)

The IED requires that the operator of any IED installation using, producing or releasing “relevant hazardous substances” (RHS) shall, having regarded the possibility that they might cause pollution of soil and groundwater, submit a “baseline report” with its permit application. The baseline report is an important reference document in the assessment of contamination that might arise during the operational lifetime of the regulated facility and at cessation of activities. It must enable a quantified comparison to be made between the baseline and the state of the site at surrender.

At the definitive cessation of activities, the Operator has to satisfy us that the necessary measures have been taken so that the site ceases to pose a risk to soil or groundwater, taking into account both the baseline conditions and the site’s current or approved future use. To do this, the Operator has to submit a surrender application to us, which we will not grant unless and until we are satisfied that these requirements have been met.

The Operator submitted a site condition report [Application Site Report for PPC Application – Uffculme Feed Mill – Lloyd Maunder Ltd Application Ref AP3134SC, Dated March 2005.] during the original application received in March 2005. A subsequent site condition report [Uffculme Feed Mill Site Condition Report Review, dated February 2018] was received in response to a potential contamination event that was thought to have been caused since 2005. The site condition report included a report on the baseline conditions as required by Article 22. We reviewed that report and considered that it adequately described the condition of the soil and groundwater at that time.

The Operator submitted a summary report which referenced the site condition report and baseline report. We have reviewed the information and we consider that it

adequately describes the current condition of the soil and groundwater. Consequently, we are satisfied that the baseline conditions have not changed.

Hazardous Substances

Hazardous substances are those defined in Article 3 of Regulation (EC) No. 1272/2008 on classification, labelling and packaging of substances and mixtures.

The operator has provided a short risk assessment on the hazardous substances stored and used at the installation. The risk assessment was a stage 1-3 assessment as detailed within EC Commission Guidance 2014/C 136/03.

The stage 1 assessment identified the hazardous substances used / stored on site. The stage 2 assessment identified if hazardous substances are capable of causing pollution. If they are capable of causing pollution they are then termed Relevant Hazardous Substances (RHS). The Stage 3 assessment identified if pollution prevention measures are fit for purpose in areas where hazardous substances are used / stored. This includes drains as well.

The outcomes of the three stage assessment identified that pollution of soil and/or ground water to be unlikely. Therefore, we consider the generic condition 3.1.3 for periodic monitoring of soil and groundwater to be appropriate for this site, no additional monitoring is required at this time

Climate Change Adaptation

The operator has identified the installation as likely to be or has been affected by flooding, which we consider to be a severe weather event.

We do not consider the operator to have submitted a suitable climate change adaptation plan for the installation. We have included an improvement condition into the permit (IC11) to request a climate change adaptation plan is submitted by the operator for approval from the Environment Agency.

Underground Structures

The operator has confirmed there are no underground structures at the installation.

Annex 3: Improvement Conditions

Based on the information in the Operator's Regulation 61 Notice response and our own records of the capability and performance of the installation at this site, we consider that we need to set improvement conditions so that the outcome of the techniques detailed in the BAT Conclusions are achieved by the installation. These improvement conditions (IC9 – IC11) are set out below - justifications for them is provided at the relevant section of the decision document (Annex 1 or Annex 2).

We also consider that we need to set improvement conditions relating to requirements not directly arising from the review of compliance with BAT conclusions - IC12 has been included to satisfy a compliance requirement.

If the consolidated permit contains existing improvement conditions that are not yet complete or the opportunity has been taken to delete completed improvement conditions then the numbering in the table below will not be consecutive as these are only the improvement conditions arising from this permit variation.

IC 1-8 as listed in the previous permit are considered to be complete.

Superseded Improvement Conditions	
Reference	Improvement condition
IC1	The Operator shall implement measures to prevent material from the waste storage area, to include the general waste skip, from entering the River Culm. The Operator shall inform the Agency in writing of the measures undertaken.
IC2	The Operator shall undertake the review of raw material storage and containment arrangements, to include the vegetable oil storage facilities, in order to ensure that any accidental release may be contained and fully recovered. A report shall be submitted to the Agency detailing any improvements and associated timescales for implementation, having regard to Section 2.2.5 in Technical Guidance Note IPPC S6.10, Aug 2003.
IC3	The Operator shall conduct efficiency testing of the odour abatement equipment on A2/A3 in accordance with the main procedural requirements of BS EN13725:2003. A report shall be submitted to the Agency summarising the findings and detailing any improvements with associated timescales for implementation, having regard to the requirements in Process Guidance Note 6/26, July 2005.
IC4	The Operator shall provide a noise management plan, covering all noise emissions from the installation, having regard to the Agency Guidance Note IPPC H3 (Part 2), Appendix 4 (September 2002). A copy of the noise management plan shall be submitted to the Agency, to include any actions and timescales for implementation.

IC5	The Operator shall provide an odour management plan in writing to the Agency, covering all odour emissions from the installation, having regard to the Agency Guidance Note IPPC H4 (Part 2), (October 2002). The plan shall have regard to outcomes from IC4.
IC6	The Operator shall install an interceptor on the internal drains serving the site yard and vehicle washing area and look into the feasibility of diverting all aqueous arisings to foul sewer. Procedures and systems shall be reviewed in relation to aqueous arisings from these areas having regard to the Agency's guidance 'Pollution Prevention Guidelines, Use and Design of Oil Separators in Surface Water Drainage Systems PPG3'
IC7	The Operator shall develop and implement a documented system of environmental management techniques, having regard to the Agency Guidance Note IPPC S6.10 Section 2.3, Aug 2003.
IC8	The Operator shall develop a written Site Closure Plan with regard to the requirements set out in Section 2.11 of the Agency Guidance Note IPPC S6.10, Aug 2003 and the methods detailed therein. Upon completion of the plan a summary of the document shall be submitted to the Agency.

Improvement programme requirements		
Reference	Requirements	Deadline for submission
IC9	The Operator shall submit a written report to the Environment Agency of monitoring carried out to determine the size distribution of particulate matter in the exhaust gas emissions to air from emission points A2 and A3 identifying the fractions within the PM10 and PM2.5 ranges. The monitoring shall be carried out under representative operating conditions and shall be in accordance with EN ISO 23210 unless otherwise agreed with the Environment Agency.	31/03/2023 or other date as agreed in writing with the Environment Agency
IC10	The operator shall review and update the H1 risk assessment for particulate emissions to air at the capacity levels stated within table S1.1 of this permit. The H1 shall be submitted to the Environment Agency for review.	31/03/2023 or other date as agreed in writing with the Environment Agency
IC11	The operator shall submit as climate change adaptation plan to the Environment Agency for approval. The plan shall include, but not be limited to: <ul style="list-style-type: none"> • Details of how the installation has or could be affected by severe weather; 	31/03/2023 or other date as agreed in writing with the

	<ul style="list-style-type: none"> • The scale of the impact of severe weather on the operations within the installation; • An action plan and timetable for any improvements to be made to minimise the impact of severe weather at the installation. <p>The Operator shall implement any necessary improvements to a timetable agreed in writing with the Environment Agency.</p>	Environment Agency
IC12	<p>The Operator shall submit a written methodology to the Environment Agency for undertaking odour monitoring on emissions to air. The methodology shall determine worst case scenarios for odour emissions and confirmation of production line status when monitoring will be undertaken. Odour monitoring shall also be undertaken when organic feed is being manufactured. Following approval of the methodology the Operator shall undertake a monitoring exercise and shall submit a written report to the Environment Agency.</p> <p>The written report shall include the results of the odour monitoring and a comparison against the monitoring undertaken in 2018 in order to determine whether changes made to mill have improved the situation with regard to odour and whether further mitigation is required.</p> <p>The Operator shall implement any necessary improvements to a timetable agreed in writing with the Environment Agency.</p>	31/03/2023 or other date as agreed in writing with the Environment Agency