

Permitting Decisions - Bespoke Permit

We have decided to grant the permit for Navara Oat Processing Facility operated by Navara Oat Milling Limited.

The permit number is EPR/BP3040QS.

The application is for an installation and a discharge of treated sewage effluent.

The installation activity comprises the processing of oats in accordance with section 6.8 Part A(1)(d)(ii) of schedule 1 of the Environmental Permitting (England and Wales) Regulations 2016.

The discharge is of sewage effluent from the showers and toilets which is treated prior to discharge to groundwater via a dry ditch and a soakaway.

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
- 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.

Decision considerations

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:

- Local authority environmental health
- Local authority Director of Public Health
- Food Standards Agency
- Health and Safety Executive
- UK Health Security Agency
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The comments and our responses are summarised in the [consultation responses](#) section.

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 facilities

We considered the extent and nature of the facilities at the site in accordance with RGN2 'Understanding the meaning of regulated facility', Appendix 1 of RGN 2 'Interpretation of Schedule 1' and Appendix 2 of RGN2 'Defining the scope of the installation'.

The extent of the facilities are 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 which we consider to be satisfactory.

This shows the extent of the site of the facilities including the discharge points.

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 is satisfactory. The decision was taken in accordance with our guidance on site condition reports and baseline reporting under the Industrial Emissions Directive.

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 - Installations

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

The assessment shows that, applying the conservative criteria in our guidance on environmental risk assessment all emissions may be screened out as environmentally insignificant.

Environmental risk - Discharge of treated domestic sewage

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

The assessment shows that there are no abstraction or water supply boreholes within 250m of the discharge, no groundwater was encountered up to 16m below ground level during the investigation for the construction of the soakaway and the groundwater is not in continuity with the River Ise located 400m to the south. Therefore, the discharge is unlikely to impact the groundwater.

Operating techniques – Discharge of treated domestic sewage

We have reviewed the techniques proposed by the operator and compared these with the relevant technical guidance and we consider them to represent appropriate techniques for the facility.

General operating techniques - Installation

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 - Installation

Emissions of oxides of nitrogen (NO_x) and particulates 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.

Dust management

We have reviewed the dust and emission management plan in accordance with our guidance on emissions management plans for dust.

Although a dust and emission management plan is not required for this facility, we consider it to be appropriate measures based on information available to us at the current time.

The plan has been incorporated into the operating techniques S1.2.

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:

- The operator characterises the emissions of treated effluent comprising kiln condensate and wash water to determine whether monitoring of specific pollutants is required (IC1).
- The operator implements a rolling-programme of monitoring for the principal emission points, in accordance with our sector specific approach (IC2).

Emission Limits - Installation

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

Emissions to air:

- Dust
- Oxides of nitrogen (NO_x)

We have set the limit for dust based on the BAT AEL for dust emissions from grain milling activities in accordance with the BAT Conclusions for the food, drink and milk industries. We have set the NO_x limit for the boilers based on the requirements of schedule 25A of the EPR.

Emission Limits - Discharge of treated domestic sewage

It is considered that the descriptive and numeric limits described below will prevent significant deterioration of receiving waters.

We have imposed descriptive limits on visual appearance and visible oil and grease.

We have included a limit on the volume of the discharge.

Monitoring - Installation

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.

These monitoring requirements have been included in order to that the operator demonstrates compliance with the BAT AELs and ELVs for emissions to air. We have included an IC for the operator to demonstrate whether monitoring of the discharge of process water to land is required to be monitored.

We made these decisions in accordance with the BAT Conclusions for the food, drink and milk industries, schedule 25A of the EPR and the risk assessment provided by the operator.

The monitoring of particulates will be undertaken in accordance with a rolling-monitoring programme, established by completion of IC2. This is a standard approach for the grain milling sector.

Reporting - Installation

We have specified reporting in the permit of the emissions to air.

We made these decisions in accordance with the BAT Conclusions for the food, drink and milk sector, schedule 25A of the EPR and the risk assessment provided by the operator.

Considerations of foul sewer

We agree with the operator's justification for not connecting to foul sewer.

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 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: UK Health Security Agency.

Brief summary of issues raised:

The main emissions of potential concern are products from combustion, dust, odour and emissions to groundwater. We recommend that the following are taken into account in the permit conditions:

- Reduction of public exposure to non-threshold pollutants
- Storage of grain at Camgrain facility and whether requires a separate permit
- Whether dust control measures will be applied to off-site waste removal
- Clarification of whether odour abatement is required.

Summary of actions taken:

The operator has carried out detailed air dispersion modelling of emissions from the combustion plant and from the dust vents. We have assessed the modelling and agree with the operator's conclusions that the emissions are insignificant at both human and ecological receptors. We have set BAT AELs and ELVs in accordance with the BAT Conclusions for the food, drink and milk industries and schedule 25A of the EPR.

We asked the operator via schedule 5 notice to confirm whether the storage of the oats at the Camgrain facility is required to be included in the permit as a directly associated activity (DAA). The operator has provided information to say that as the oat processing site is not the principal user of the oat storage silos the oat storage is not a DAA to the oat processing activity. Therefore, the Camgrain grain storage area does not require a separate permit.

Any dusty wastes removed off-site will be contained within bags. Other wastes are made into pellets for use as animal feed or fuel so have a low risk of dust generation.

It is considered that the activity has a low risk of odour. The requirement in the BAT Conclusions for an odour management plan is only applicable where there is a high risk of odour or the facility is near sensitive receptors.