

# **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/YP3830ZB  
The Operator is:                         ADM Milling Limited  
The Installation is:                     Seaforth Flour Mill  
This Variation Notice number is:   EPR/YP3830ZB/V002

### **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 4<sup>th</sup> 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. It also provides a justification for the inclusion of any specific conditions in the permit that are in addition to those included in our generic permit template.

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 and any changes to the operation of the installation.

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 31/01/2022 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 26/05/2022.

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 consider that the Operator will be able to comply with the techniques and standards described in the BAT Conclusions other than for those techniques and requirements described in BAT Conclusion 1 and BAT Conclusion 5. The operator does not currently comply with the requirements of BATc 1(ii), BATc 1(xv), and BATc 5. In relation to BAT Conclusion 1 (ii) and BAT Conclusion 1 (xv), the operator has committed compliance by 4 December 2023. In relation to BAT Conclusion 5 the operator has committed compliance by 4 June 2023. We have therefore included Improvement Conditions IC4 and IC5 in the Consolidated Variation Notice to ensure that the requirements of the BAT Conclusions are delivered before 4 June 2023 and 4 December 2023 respectively.

## 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 a further information request on 13/12/2022. The information requested, included: an answer to section 5 of the “climate change adaptation” tab of the Regulation 61 Notice Response, a clarification of the unit of measurement provided for the indicative EPL for specific energy consumption under the “grain milling” tab of the Regulation 61 Notice Response, and a confirmation of whether there had been any increase in production capacity since the permit was first issued. A copy of the further information request 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
<b>GENERAL BAT CONCLUSIONS (BAT 1-15)</b>			
1	<p><b>Environmental Management System - Improve overall environmental performance.</b></p> <p>Implement an EMS that incorporates all the features as described within BATc 1.</p>	<b>FC</b>	<p><b><u>Environment Agency Assessment</u></b></p> <p>The operator has provided information to support compliance with BATc 1.</p> <p>The operator has demonstrated compliance with most of the BATc 1 elements except for (ii) analysis of an existing EMS, and (xv) implementation of a monitoring and measurement programme.</p> <p>BATc 1(ii) is considered future compliant because of the continued updating of the company's EMS which has not, at this point in time, reached completion.</p> <p>BATc 1(xv) is considered future compliant due to the lack of the implementation of a monitoring and measurement programme, in particular to monitor emissions to air.</p> <p>We consider that the operator will be future complaint with BATc 1. Improvement condition IC5 has been included in the permit to achieve compliance (see Annex 3).</p>
2	<p><b>EMS Inventory of inputs &amp; outputs. Increase resource efficiency and reduce emissions.</b></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>	<b>CC</b>	<p><b><u>Environment Agency Assessment</u></b></p> <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 is externally credited to ISO50001. The site holds inventories for Water, Energy, Raw Material Consumption, Waste</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
			Water & Waste Gas Streams which form part of site Global & site EMS.
3	<p><b>Monitoring key process parameters at key locations for emissions to water.</b></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><b><u>Environment Agency Assessment</u></b></p> <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> <p>There are no direct discharges from the site to water. Waste water from boiler blowdown and tanker wash station discharge to sewer. A biannual sample is taken to demonstrate compliance against consent limits to discharge with the sewer company, United Utilities Water Limited.</p>
4	<p><b>Monitoring emissions to water to the required frequencies and standards.</b></p> <p>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><b><u>Environment Agency Assessment</u></b></p> <p>We are satisfied that BATc 4 is not applicable to this installation, as there are no direct discharges of process effluent to water.</p>
5	<p><b>Monitoring channelled emissions to air to the required frequencies and standards.</b></p> <p>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>	FC	<p><b><u>Environment Agency Assessment</u></b></p> <p>The site does not currently monitor emission to air from the grain milling process. However, the operator has confirmed they will be compliant by the compliance date.</p> <p>Due to the large number of emission points of dust at various stages of the milling process and the relatively low environmental risk of the dust emissions the Environment Agency position is to implement a proportionate approach to monitoring. The Operator</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>should produce a rolling monitoring procedure focusing on the principal emission points on site. This procedure should implement a monitoring protocol which should include 3 samples per annum on the key processing stages wheat cleaning, wheat milling and finished product handling.</p> <p>We have included an improvement condition IC4 to ensure that a monitoring procedure is submitted, agreed and implemented. The monitoring requirements of the BATc 5 are included, post-dated, in the permit to ensure compliance. The operator is required to complete the improvement condition and demonstrate compliance with BATc 5 by the compliance date, 4 June 2023. See Annex 3.</p>
6	<p><b>Energy Efficiency</b></p> <p>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><b><u>Environment Agency assessment</u></b></p> <p>The operator has provided information to support the compliance with BAT6c 6. We have assessed the information provide and we are satisfied that the operator has demonstrated compliance with BATc 6.</p> <p>The site has an Energy Management System which is ISO 50001 certified. They also implement appropriate techniques such as considerations of machinery such as energy efficient motors and variable speed drives.</p>
7	<p><b>Water and wastewater minimisation</b></p> <p>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.</p> <p>(a) water recycling and/or reuse</p> <p>(b) Optimisation of water flow</p>	CC	<p><b><u>Environment Agency Assessment</u></b></p> <p>The operator has provided information to support compliance with BATc 7. We have assessed the information and we are satisfied that the operator has demonstrated compliance with BATc 7.</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
	(c) Optimisation of water nozzles and hoses (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		Grain Milling is essentially a dry process, with low water usage and limited potential for water saving & application of BAT techniques.  The Operator has stated that water is only used within the process for the conditioning of wheat. The water is 100% absorbed by the wheat. The only waste water emission is the condensate from the steam generator. The waste water produced cannot be reused in the conditioning process.  The site also utilises dry cleaning techniques and ensures the design of equipment is optimised to reduce leakage and therefore reduce the amount of cleaning.
8	<b>Prevent or reduce the use of harmful substances</b> 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	CC	<b><u>Environment Agency Assessment</u></b> 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. The site utilises dry cleaning techniques such as vacuum systems.
9	<b>Refrigerants</b> 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	<b><u>Environment Agency Assessment</u></b> We are satisfied that BATc 9 is not applicable to this installation. Refrigerants are only used for non-process purposes at the installation.

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><b>Resource efficiency</b> 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"> <li>(a) Anaerobic digestion</li> <li>(b) Use of residues</li> <li>(c) Separation of residues</li> <li>(d) Recovery and reuse of residues from the pasteuriser</li> <li>(e) Phosphorus recovery as struvite</li> <li>(f) Use of waste water for land spreading</li> </ul>	CC	<p><b><u>Environment Agency Assessment</u></b> 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. All waste/residue created on site is recovered either by recycling or use as animal feed.</p>
11	<p><b>Waste water buffer storage</b> In order to prevent uncontrolled emissions to water, BAT is to provide an appropriate buffer storage capacity for waste water.</p>	NA	<p><b><u>Environment Agency Assessment</u></b> We are satisfied that BATc 11 is not applicable to this installation. All water discharged from site including surface water runoff is discharged to sewer which is covered with consent to discharge from United Utilities Water Limited.</p>
12	<p><b>Emissions to water – treatment</b> In order to reduce emissions to water, BAT is to use an appropriate combination of the techniques given below. Preliminary, primary and general treatment</p> <ul style="list-style-type: none"> <li>(a) Equalisation</li> <li>(b) Neutralisation</li> <li>(c) Physical separate (eg screens, sieves, primary settlement tanks etc)</li> <li>Aerobic and/or anaerobic treatment (secondary treatment)</li> <li>(d) Aerobic and/or anaerobic treatment (eg activated sludge, aerobic lagoon etc)</li> <li>(e) Nitrification and/or denitrification</li> <li>(f) Partial nitrification - anaerobic ammonium oxidation</li> </ul>	NA	<p><b><u>Environment Agency Assessment</u></b> We are satisfied that BATc 12 is not applicable to this installation. The installation has no discharges to surface waters from process effluents.</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
	Phosphorus recovery and/or removal (g) Phosphorus recovery as struvite (h) Precipitation (i) Enhanced biological phosphorus removal Final solids removal (j) Coagulation and flocculation (k) Sedimentation (l) Filtration (eg sand filtration, microfiltration, ultrafiltration) (m) Flotation [for detail of each technique, refer BAT 12 table 1]		
13	<p><b>Noise management plan</b></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"> <li>- a protocol containing actions and timelines;</li> <li>- a protocol for conducting noise emissions monitoring;</li> <li>- a protocol for response to identified noise events, eg complaints;</li> <li>- 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.</li> </ul>	CC	<p><b><u>Environment Agency Assessment</u></b></p> <p>The operator has provided information to support compliance with BATc 13 and have stated they are currently compliant. We have assessed the information provided and we are satisfied that the operator has demonstrated compliance with BATc 13.</p> <p>As there is a history of noise complaints at the site a Noise Management Plan in accordance with BATc 13 is required. The site has an existing plan which is continually updated. This plan outlines the successful noise reduction programme undertaken on site.</p> <p>Actions and timelines that have brought the operator back into compliance based on the conditions of their permit describe acceptable levels of noise being achieved by December 2020. Noise emission monitoring will be carried out on all listed noise-emitting outlets on a six monthly basis and a systematic assessment of noise and vibration emissions from the premises will be conducted by external experts every two years in the future. Identified noise events follow a protocol of consulting with the complainant, site/equipment specific investigation to identify the</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
			noise source, and prompt action to reduce noise emission levels back to baseline measurements.
14	<p><b>Noise management</b></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> <p>(a) Appropriate location of equipment and buildings</p> <p>(b) Operational measures</p> <p>(c) Low-noise equipment</p> <p>(d) Noise control equipment</p> <p>(e) Noise abatement</p> <p>[for detail of each technique, refer BAT 14 table in BATCs]</p>	CC	<p><b><u>Environment Agency Assessment</u></b></p> <p>The operator has provided information to support compliance with BATc 14. We have assessed the information provided and are satisfied that the operator has demonstrated compliance with BATc 14.</p> <p>Relevant operational measures in place:</p> <ul style="list-style-type: none"> <li>- Daily inspections of all equipment to ensure optimal operating, including all filters and fans.</li> <li>- Noise reduction and measurement training undertaken by all existing engineers and all future engineers employed on site.</li> <li>- Weekly thermal and vibration checks of bearings and drives.</li> <li>- Biannual monitoring of outlets.</li> <li>- Closed windows and self-closing doors in processing areas.</li> <li>- Noise control equipment, including silencers, installed across numerous outlets.</li> </ul>
15	<p><b>Odour Management</b></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"> <li>- a protocol containing actions and timelines;</li> <li>- a protocol for conducting odour monitoring.</li> </ul>	NA	<p><b><u>Environment Agency Assessment</u></b></p> <p>BATc 15 is only applicable to cases where an odour nuisance at sensitive receptors is expected and/or has been sustained, or if it forms part of an existing permit requirement.</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						
	<ul style="list-style-type: none"> <li>- a protocol for response to identified odour incidents eg complaints;</li> <li>- 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.</li> </ul>		There has been no reported odour nuisance from the site and there are minimal odours from the site that could be considered a nuisance to sensitive receptors.						
<b>GRAIN MILLING BAT CONCLUSION (BAT 28)</b>									
28	<p>Emissions to air In order to reduce channelled dust emission to air, BAT is to use a bag filter.</p> <table border="1" data-bbox="277 751 1077 919"> <thead> <tr> <th data-bbox="277 751 501 858">Parameter</th> <th data-bbox="501 751 736 858">Unit</th> <th data-bbox="736 751 1077 858">BAT-AEL (average over the sampling period)</th> </tr> </thead> <tbody> <tr> <td data-bbox="277 858 501 919">Dust</td> <td data-bbox="501 858 736 919">mg/Nm<sup>3</sup></td> <td data-bbox="736 858 1077 919">&lt;2-5</td> </tr> </tbody> </table>	Parameter	Unit	BAT-AEL (average over the sampling period)	Dust	mg/Nm <sup>3</sup>	<2-5	<b>FC</b>	<p>All of the relevant channelled emission points to air are abated appropriately via bag filters. The operator has stated they will carry out an assessment in order to ensure appropriate monitoring is in place and to confirm they are compliant with the BAT-AELs by 2023. The previous limited monitoring conducted indicates that they are able to meet the BAT-AELs.</p> <p>There are currently no emission limit values (ELVs) in the permit for particulate emissions. We have included future dated ELVs in the permit for the emission points A1 to A14.</p> <p>We consider that the operator will be future compliant with BATc 28. Due to the rolling programme of monitoring (IC4), we are unable to add an improvement condition for the operator to demonstrate compliance by 04/12/2023. However, we are satisfied that the BAT-AEL will be achieved and we have no evidence that a derogation is required. On that basis, compliance will be achieved through the rolling programme.</p>
Parameter	Unit	BAT-AEL (average over the sampling period)							
Dust	mg/Nm <sup>3</sup>	<2-5							
<b>Grain Milling Environmental Performance Levels</b>									

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	<p><b>Environmental Performance Level – Energy Consumption for Grain Milling</b></p> <table border="1" data-bbox="275 451 1079 576"> <thead> <tr> <th data-bbox="275 451 678 528">Unit</th> <th data-bbox="678 451 1079 528">Specific energy consumption (yearly average)</th> </tr> </thead> <tbody> <tr> <td data-bbox="275 528 678 576">MWh/tonne of products</td> <td data-bbox="678 528 1079 576">0.05 – 0.13</td> </tr> </tbody> </table>	Unit	Specific energy consumption (yearly average)	MWh/tonne of products	0.05 – 0.13	CC	<p>The operator has provided information to support compliance with the energy EPL.</p> <p>We have assessed the information provided and are satisfied that the operator is currently compliant with the EPL provisions.</p> <p>The operations meet the indicative BAT performance level with a yearly average energy consumption of 0.083MWh/tonne based on consumption data from invoices and meter readings.</p>
	Unit	Specific energy consumption (yearly average)					
MWh/tonne of products	0.05 – 0.13						

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

### **Updating permit during permit review consolidation**

- Introductory note (updated)
- Site plan
- Table S1.1 overhaul
  - Activity Reference (AR) renumbering
  - Addition of production capacity
  - Directly associated activities (DAAs) standardisation

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 Operator has completed a H1 assessment of emissions for typical figures of production at the time of permitting.

The revised capacity threshold does not class as a significant increase under the Industrial Emissions Directive 2010/75/EU. Furthermore, condition IC4 addresses monitoring emissions to air, providing an additional level of environmental protection.

The existing H1 assessment of particulate emissions to air remains valid for the revised capacity threshold now placed within table S1.1 of the permit.

### **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**

#### **Existing small combustion plant (<1MW)**

For the existing combustion plant with a rated thermal input less than 1 MW we will not be including any emission limit values or monitoring requirements within the permit, unless any site specific conditions require us to do this.

### **Particulate Emissions**

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

For emission points noted to be future complaint we would incorporate an interim ELV and monitoring requirements from the date of permit issue. This is relevant for emission points A1, A2, A3, A4, A5, A6, A7, A8, A9, A10, A11, A12, A13, A14.

We have incorporated an improvement condition (IC4) to ensure the monitoring is carried out as soon as reasonably practical prior to December 2023 for these emission points

### **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. There are emissions of boiler blowdown, vehicle wash, interception of spillage from diesel filling and surface water runoff.

However, due to the low volumes, non-hazardous nature, 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, “Site condition report & non-tech summary” dated 18/02/2013, during the original application received on 16/10/2012. 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.

### **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 (IC6) to request a climate change adaptation plan is submitted by the operator for approval from the Environment Agency.

### **Containment**

We asked the Operator via the Regulation 61 Notice to:

- Provide details of any above-ground storage or process tanks including;
  - Contents;
  - Capacity;
  - Construction material(s);
  - Preventative maintenance measures;
  - Additional containment;

We reviewed the information provided by the operator. We are satisfied that the existing site containment measures for above-ground storage or process tanks are appropriate to minimise the risk of fugitive emissions from these tanks.

## 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 are set out below - justifications for them is provided at the relevant section of the decision document (Annex 1 or Annex 2).

The following improvement conditions have been superseded or marked as complete and removed from the permit.

<b>Superseded Improvement Conditions</b>	
<b>Previous ICs</b>	<b>Improvement condition wording</b>
IC1a	<p>The operator shall develop an emissions monitoring plan for emission points A1 to A13 in order to validate particulate matter concentration figures provided with the application and to confirm the effectiveness of the particulate matter abatement system used on site.</p> <p>The plan shall be submitted to the Environment Agency for written approval.</p>
IC1b	<p>The operator shall carry out MCERTS-compliant emissions monitoring for particulate matter from emission points A1 and A13 (Table S3.1) to monitoring standard BS EN 13284-1 as per the approved monitoring plan in IC1a above. A written report shall be submitted to the Environment Agency detailing the findings from the monitoring together with the assessment of particulate emissions, identification of any required improvement measures (including proposed timescales for implementation). The report shall seek written approval from the Environment Agency.</p>
IC2	<p>The operator shall undertake a review of particle size distribution for emissions from emission points A1 to A13 using M15 Technical Guidance, or as otherwise agreed with the Environment Agency, to establish the proportion of PM2.5 and PM10 under "normal operating" conditions. The operator shall write a proposal of methods for the review.</p> <p>A copy of the proposal for the review shall be forwarded to the Environment Agency for approval, before starting the review. A copy of the report produced of the completed review shall then be forwarded to the Environment Agency.</p>
IC3	<p>The operator shall develop a written noise and vibration management plan having regard to the requirements set out in Environment Agency Horizontal Guidance H3, Part 2 Noise Assessment and Control and shall include a timetable for any improvements to be made.</p> <p>The plan should be submitted to the Environment Agency for written approval.</p>

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.

<b>Improvement programme requirements</b>		
<b>Reference</b>	<b>Reason for inclusion</b>	<b>Justification of deadline</b>
IC4	<p>The operator shall submit, for approval by the Environment Agency, a monitoring procedure for particulate matter emissions from principal emission points on site. The procedure must describe how the operator will implement a rolling monitoring programme which shall include, but not be limited to the following:</p> <ol style="list-style-type: none"> <li>1. Methodology for how representative monitoring will be carried out annually, with a minimum of 3 point sources on a rolling-basis.</li> <li>2. Ensuring the key process stages, wheat cleaning, wheat milling and finished product handling including wheatfeed, are prioritised.</li> <li>3. Identify any principal emission points excluded from the rolling monitoring programme and provide a justification for this.</li> <li>4. Provide a commencement date for the programme which will demonstrate compliance with the permit requirements.</li> </ol> <p>The monitoring procedure shall address the requirements of BAT Conclusions for Food, Drink and Milk Industries with respect to BAT 5.</p>	04/06/2023
IC5	<p>The operator shall submit, for approval by the Environment Agency, a report setting out progress to achieving BAT 1 (ii) and (xv). The report shall include, but not be limited to, the following:</p> <ol style="list-style-type: none"> <li>1. Methodology for achieving BAT</li> <li>2. Associated targets /timelines for reaching compliance by 4 December 2023</li> <li>3. Any alterations to the initial plan (in progress reports).</li> </ol> <p>The report shall address the BAT Conclusions for Food, Drink and Milk Industries with respect to BAT 1 (ii) and (xv).</p> <p>Refer to BAT Conclusions for a full description of the BAT requirement.</p>	04/12/2023

IC6	<p>The operator shall submit a climate change adaptation plan to the Environment Agency for approval.</p> <p>The plan shall include, but not be limited to:</p> <ul style="list-style-type: none"> <li>• Details of how the installation has or could be affected by severe weather;</li> <li>• The scale of the impact of severe weather on the operations of the within the installation;</li> <li>• An action plan and timetable for any improvements to be made to minimise the impact of severe weather at the installation.</li> </ul> <p>The Operator shall implement any necessary improvements to a timetable agreed in writing with the Environment Agency.</p>	12 months from permit issue date
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