

Notice of variation and consolidation with introductory note

The Environmental Permitting (England & Wales) Regulations 2016

Muller UK and Ireland Group LLP

Market Drayton
Tern Valley Business Park
Shrewsbury
Market Drayton
Shropshire
TF9 3SQ

Variation application number

EPR/YP3633WP/V005

Permit number

EPR/YP3633WP

Market Drayton

Permit number EPR/YP3633WP

Introductory note

This introductory note does not form a part of the notice

Under the Environmental Permitting (England & Wales) Regulations 2016 (schedule 5, part 1, paragraph 19) a variation may comprise a consolidated permit reflecting the variations and a notice specifying the variations included in that consolidated permit.

Schedule 1 of the notice specifies the conditions that have been varied and schedule 2 comprises a consolidated permit which reflects the variations being made. All the conditions of the permit have been varied and are subject to the right of appeal.

This consolidated permit has been issued following a full review against the best available techniques (BAT) conclusions for the Food, Drink and Milk Industries published on 4th December 2019 in the official journal of the European Union.

We have implemented the requirements of the Medium Combustion Plant directive and incorporated post-dated requirements for 2025.

The schedules specify the changes made to the permit.

The main features of the permit are as follows.

Market Drayton dairy is located within the Tern Valley Business Park on the South-West side of Market Drayton town, on the Shrewsbury Road taking the A53 exit at National Grid Reference SJ 65289 33387, approximately 26km South-West from Stoke-on-Trent. The site produces and supplies dairy products as part of an activity listed in Section 6.8 Part A(1)(e) of the Environmental Permitting (England & Wales) Regulations (“EPR”) 2016: Treating and processing milk, the quantity of milk received being 600 tonnes daily (average value on an annual basis). The Installation produces a range of dairy based products such as flavoured yoghurts, butter, and cream.

The processes used include milk and fruit preparation, fruit cooking, yoghurt manufacture, conversion of cream into butter the production and filling of the yoghurt packaging and the storage of the product prior to transport to the customer. Ancillary operations include the operation of gas-fired boilers, generation of electricity through gas powered engines, the cleaning and sterilisation of the production units and the operation of a large wastewater treatment plant.

During the operation of the installation and manufacturing process, wastewaters are created; these are treated in the on-site effluent treatment plant (ETP) through biological treatment prior to discharge treated wastewater into River Tern through water emission point W1. Uncontaminated cooling water, surface water from roofs and yards are discharged in the same river via interceptor through water emission points W2 and W3.

Steam is needed for the manufacturing process and is generated by two existing boilers, Boiler 1 with a capacity of 6.94 MWth and Boiler 2 of 9.26 MWth capacity. The flue gases from the combustion of natural gas to operate the boilers are emitted through air emission points A1 and A2. There are also three new combined heat and power (CHP) plants with a combined capacity of 15.46 MWth divided between CHPs 1 and 2 with a capacity of 4.74 MWth each, and CHP 3 having a 5.96 MWth capacity. The CHPs emit flue gases through air emission points A5, A6, and A7.

The operator has an environmental management system accredited to ISO 14001 and is a member of a Climate Change Levy Agreement.

The Installation is located within 2km of three Local Wildlife Sites. The nearest residential receptor is located 40m northwest of the site.

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The status log of a permit sets out the permitting history, including any changes to the permit reference number.

Status log of the permit		
Description	Date	Comments
Application received BO8950IV	Received 18/03/2005	Application received for the treatment and processing of milk.
Request for further information (17/08/2005)	Received 31/08/2005	
Variation application BO8950IV	08/05/2007	Issued
Transfer Application EPR/LP3839CG/T001	Duly made 20/01/2012	Application for change of operator name.
Permit determined EPR/LP3839CG	17/02/2012	Full transfer of permit complete.
Application variation EPR/LP3839CG/V002	Duly made 05/09/2013	Addition of activity additional 6.8 Part A(1)(e) (Butter Plant), increase capacity of existing ETP, remove Cadmium and Mercury reporting requirements, amend Table 1.1.1 activities in accordance with IED requirements.
Variation determined EPR/LP3839CG	06/11/2013	Varied permit issued.
Application EPR/LP3839CG/V003 (administrative variation)	Duly made 19/11/2013	Environment Agency led variation to amend typographical errors in Table 2.2.5 of the permit
Variation determined EPR/LP3839CG	26/11/2013	Varied permit issued.
Application EPR/YP3633WP/T001 (full transfer of permit EPR/LP3839CG)	21/07/2014	Application to transfer the permit in full to Muller UK & Ireland Group LLP (limited management change).
Transfer determined EPR/YP3633WP	30/07/2014	Full transfer of permit complete.
Application EPR/YP3633WP/V002 (variation and consolidation)	Duly made 26/06/2017	Application to vary and update the permit to modern conditions.
Variation determined EPR/YP3633WP	19/07/2017	Varied permit issued.

Status log of the permit		
Description	Date	Comments
Application EPR/YP3633WP/V003 (variation and consolidation)	Duly made 23/03/2019	Application to add two 4.75MWth natural gas-fired generators.
Response to Schedule 5 Notice issued on 12/04/19	30/04/2019	Further information regarding recovery of heat from the generators and containment of the oil storage tanks.
	10/05/2019	Receipt of updated site boundary plan.
	23/05/2019	Updated Accident Management Plan, oil spill procedure and further information regarding containment of the oil storage tanks.
Additional information received	21/06/2019	Updated site layout plan.
Variation determined EPR/YP3633WP	21/06/2019	Varied permit issued.
Application EPR/YP3633WP/V004 (variation and consolidation)	Duly made 10/03/2021	Variation to add a CHP gas engine and relocate two existing gas engines.
Variation determined and consolidation issued EPR/YP3633WP	27/07/2021	Varied and consolidated permit issued in modern format.
Application EPR/YP3633WP/V005 (variation and consolidation)	Regulation 61 Notice response received 26/07/2022	Environment Agency initiated variation and consolidation following the Food, Drink & Milk Industries sector permit review.
Request for further information (10/02/2023)	Received (10/03/2023)	Information provided in relation to EMS ISO certification, refrigerant gases used, process description, and site plan.
Clarifications on request for further information (14/03/2023)	Received (21/03/2023)	Information provided in relation to energy efficiency techniques, buffer storage capacity, air emission points, updated site plan.
Variation determined and consolidation issued EPR/YP3633WP (Billing ref. HP3147JW).	24/04/2023	Varied and consolidated permit issued in modern format

End of introductory note

Notice of variation and consolidation

The Environmental Permitting (England and Wales) Regulations 2016

The Environment Agency in exercise of its powers under regulation 20 of the Environmental Permitting (England and Wales) Regulations 2016 varies

Permit number

EPR/YP3633WP

Issued to

Muller UK and Ireland Group LLP (“the operator”)

whose registered office is

**Tern Valley Business Park
Shrewsbury Road
Market Drayton
Shropshire
TF9 3SQ**

limited liability partnership number OC384928

to operate a regulated facility at

**Market Drayton
Tern Valley Business Park
Shrewsbury
Market Drayton
Shropshire
TF9 3SQ**

to the extent set out in the schedules.

The notice shall take effect from 24/04/2023

Name	Date
Marcus Woodward	24/04/2023

Authorised on behalf of the Environment Agency

Schedule 1

All conditions have been varied by the consolidated permit as a result of an Environment Agency initiated variation.

Schedule 2 – consolidated permit

Consolidated permit issued as a separate document.

Permit

The Environmental Permitting (England and Wales) Regulations 2016

Permit number

EPR/YP3633WP

This is the consolidated permit referred to in the variation and consolidation notice for application EPR/YP3633WP/V005 authorising,

Muller UK and Ireland Group LLP (“the operator”),

whose registered office is

**Tern Valley Business Park
Shrewsbury Road
Market Drayton
Shropshire
TF9 3SQ**

company registration number OC384928

to operate an installation at

**Market Drayton
Tern Valley Business Park
Shrewsbury
Market Drayton
Shropshire
TF9 3SQ**

to the extent authorised by and subject to the conditions of this permit.

Name	Date
Marcus Woodward	24/04/2023

Authorised on behalf of the Environment Agency

Conditions

1 Management

1.1 General management

- 1.1.1 The operator shall manage and operate the activities:
- (a) in accordance with a written management system that identifies and minimises risks of pollution, including those arising from operations, maintenance, accidents, incidents, non-conformances, closure and those drawn to the attention of the operator as a result of complaints; and
 - (b) using sufficient competent persons and resources.
- 1.1.2 Records demonstrating compliance with condition 1.1.1 shall be maintained.
- 1.1.3 Any person having duties that are or may be affected by the matters set out in this permit shall have convenient access to a copy of it kept at or near the place where those duties are carried out.

1.2 Energy efficiency

- 1.2.1 The operator shall:
- (a) take appropriate measures to ensure that energy is used efficiently in the activities;
 - (b) review and record at least every four years whether there are suitable opportunities to improve the energy efficiency of the activities; and
 - (c) take any further appropriate measures identified by a review.

1.3 Efficient use of raw materials

- 1.3.1 The operator shall:
- (a) take appropriate measures to ensure that raw materials and water are used efficiently in the activities;
 - (b) maintain records of raw materials and water used in the activities;
 - (c) review and record at least every four years whether there are suitable alternative materials that could reduce environmental impact or opportunities to improve the efficiency of raw material and water use; and
 - (d) take any further appropriate measures identified by a review.

1.4 Avoidance, recovery and disposal of wastes produced by the activities

- 1.4.1 The operator shall take appropriate measures to ensure that:
- (a) the waste hierarchy referred to in Article 4 of the Waste Framework Directive is applied to the generation of waste by the activities; and
 - (b) any waste generated by the activities is treated in accordance with the waste hierarchy referred to in Article 4 of the Waste Framework Directive; and
 - (c) where disposal is necessary, this is undertaken in a manner which minimises its impact on the environment.
- 1.4.2 The operator shall review and record at least every four years whether changes to those measures should be made and take any further appropriate measures identified by a review.

2 Operations

2.1 Permitted activities

2.1.1 The operator is only authorised to carry out the activities specified in schedule 1 table S1.1 (the “activities”).

2.2 The site

2.2.1 The activities shall not extend beyond the site, being the land shown edged in green on the site plan at schedule 7 to this permit.

2.3 Operating techniques

2.3.1 The activities shall, subject to the conditions of this permit, be operated using the techniques and in the manner described in the documentation specified in schedule 1, table S1.2, unless otherwise agreed in writing by the Environment Agency.

2.3.2 If notified by the Environment Agency that the activities are giving rise to pollution, the operator shall submit to the Environment Agency for approval within the period specified, a revision of any plan or other documentation (“plan”) specified in schedule 1, table S1.2 or otherwise required under this permit which identifies and minimises the risks of pollution relevant to that plan, and shall implement the approved revised plan in place of the original from the date of approval, unless otherwise agreed in writing by the Environment Agency.

2.3.3 Any raw materials or fuels listed in schedule 2 table S2.1 shall conform to the specifications set out in that table.

2.3.4 The operator shall ensure that where waste produced by the activities is sent to a relevant waste operation, that operation is provided with the following information, prior to the receipt of the waste:

- (a) the nature of the process producing the waste;
- (b) the composition of the waste;
- (c) the handling requirements of the waste;
- (d) the hazardous property associated with the waste, if applicable; and
- (e) the waste code of the waste.

2.3.5 The operator shall ensure that where waste produced by the activities is sent to a landfill site, it meets the waste acceptance criteria for that landfill.

2.4 Improvement programme

2.4.1 The operator shall complete the improvements specified in schedule 1 table S1.3 by the date specified in that table unless otherwise agreed in writing by the Environment Agency.

2.4.2 Except in the case of an improvement which consists only of a submission to the Environment Agency, the operator shall notify the Environment Agency within 14 days of completion of each improvement.

3 Emissions and monitoring

3.1 Emissions to water, air or land

3.1.1 There shall be no point source emissions to water, air or land except from the sources and emission points listed in schedule 3 tables S3.1, S3.2 and S3.3.

- 3.1.2 The limits given in schedule 3 shall not be exceeded.
- 3.1.3 Periodic monitoring shall be carried out at least once every 5 years for groundwater and 10 years for soil, unless such monitoring is based on a systematic appraisal of the risk of contamination.
- 3.1.4 The the first monitoring measurements shall be carried out within four months of 01/01/2025 or of the date when the MCP is first put into operation, whichever is later.

3.2 Emissions of substances not controlled by emission limits

- 3.2.1 Emissions of substances not controlled by emission limits (excluding odour) shall not cause pollution. The operator shall not be taken to have breached this condition if appropriate measures, including, but not limited to, those specified in any approved emissions management plan, have been taken to prevent or where that is not practicable, to minimise, those emissions.
- 3.2.2 The operator shall:
- (a) if notified by the Environment Agency that the activities are giving rise to pollution, submit to the Environment Agency for approval within the period specified, an emissions management plan which identifies and minimises the risks of pollution from emissions of substances not controlled by emission limits;
 - (b) implement the approved emissions management plan, from the date of approval, unless otherwise agreed in writing by the Environment Agency.
- 3.2.3 All liquids in containers, whose emission to water or land could cause pollution, shall be provided with secondary containment, unless the operator has used other appropriate measures to prevent or where that is not practicable, to minimise, leakage and spillage from the primary container.

3.3 Odour

- 3.3.1 Emissions from the activities shall be free from odour at levels likely to cause pollution outside the site, as perceived by an authorised officer of the Environment Agency, unless the operator has used appropriate measures, including, but not limited to, those specified in any approved odour management plan, to prevent or where that is not practicable to minimise the odour.
- 3.3.2 The operator shall:
- (a) if notified by the Environment Agency that the activities are giving rise to pollution outside the site due to odour, submit to the Environment Agency for approval within the period specified, an odour management plan which identifies and minimises the risks of pollution from odour;
 - (b) implement the approved odour management plan, from the date of approval, unless otherwise agreed in writing by the Environment Agency.

3.4 Noise and vibration

- 3.4.1 Emissions from the activities shall be free from noise and vibration at levels likely to cause pollution outside the site, as perceived by an authorised officer of the Environment Agency, unless the operator has used appropriate measures, including, but not limited to, those specified in any approved noise and vibration management plan to prevent or where that is not practicable to minimise the noise and vibration.
- 3.4.2 The operator shall:
- (a) if notified by the Environment Agency that the activities are giving rise to pollution outside the site due to noise and vibration, submit to the Environment Agency for approval within the period specified, a noise and vibration management plan which identifies and minimises the risks of pollution from noise and vibration;

- (b) implement the approved noise and vibration management plan, from the date of approval, unless otherwise agreed in writing by the Environment Agency.

3.5 Monitoring

- 3.5.1 The operator shall, unless otherwise agreed in writing by the Environment Agency, undertake the monitoring specified in the following tables in schedule 3 to this permit:
 - (a) point source emissions specified in tables S3.1, S3.2 and S3.3.
- 3.5.2 The operator shall maintain records of all monitoring required by this permit including records of the taking and analysis of samples, instrument measurements (periodic and continual), calibrations, examinations, tests and surveys and any assessment or evaluation made on the basis of such data.
- 3.5.3 Monitoring equipment, techniques, personnel and organisations employed for the emissions monitoring programme and the environmental or other monitoring specified in condition 3.5.1 shall have either MCERTS certification or MCERTS accreditation (as appropriate), where available, unless otherwise agreed in writing by the Environment Agency.
- 3.5.4 Permanent means of access shall be provided to enable sampling/monitoring to be carried out in relation to the emission points specified in schedule 3 tables S3.1, S3.2 and S3.3 unless otherwise agreed in writing by the Environment Agency.

3.6 Pests

- 3.6.1 The activities shall not give rise to the presence of pests which are likely to cause pollution, hazard or annoyance outside the boundary of the site. The operator shall not be taken to have breached this condition if appropriate measures, including, but not limited to, those specified in any approved pests management plan, have been taken to prevent or where that is not practicable, to minimise the presence of pests on the site.
- 3.6.2 The operator shall:
 - (a) if notified by the Environment Agency, submit to the Environment Agency for approval within the period specified, a pests management plan which identifies and minimises risks of pollution from pests;
 - (b) implement the pests management plan, from the date of approval, unless otherwise agreed in writing by the Environment Agency.

4 Information

4.1 Records

- 4.1.1 All records required to be made by this permit shall:
 - (a) be legible;
 - (b) be made as soon as reasonably practicable;
 - (c) if amended, be amended in such a way that the original and any subsequent amendments remain legible, or are capable of retrieval; and
 - (d) be retained, unless otherwise agreed in writing by the Environment Agency, for at least 6 years from the date when the records were made, or in the case of the following records until permit surrender:
 - (i) off-site environmental effects; and
 - (ii) matters which affect the condition of the land and groundwater.

4.1.2 The operator shall keep on site all records, plans and the management system required to be maintained by this permit, unless otherwise agreed in writing by the Environment Agency.

4.2 Reporting

4.2.1 The operator shall send all reports and notifications required by the permit to the Environment Agency using the contact details supplied in writing by the Environment Agency.

4.2.2 A report or reports on the performance of the activities over the previous year shall be submitted to the Environment Agency by 31 January (or other date agreed in writing by the Environment Agency) each year. The reports shall include as a minimum:

- (a) a review of the results of the monitoring and assessment carried out in accordance with the permit including an interpretive review of that data;
- (b) the annual production/treatment data set out in schedule 4 table S4.2; and
- (c) the performance parameters set out in schedule 4 table S4.3 using the forms specified in table S4.4 of that schedule.

4.2.3 Within 28 days of the end of the reporting period the operator shall, unless otherwise agreed in writing by the Environment Agency, submit reports of the monitoring and assessment carried out in accordance with the conditions of this permit, as follows:

- (a) in respect of the parameters and emission points specified in schedule 4 table S4.1;
- (b) for the reporting periods specified in schedule 4 table S4.1 and using the forms specified in schedule 4 table S4.4; and
- (c) giving the information from such results and assessments as may be required by the forms specified in those tables.

4.2.4 The operator shall, unless notice under this condition has been served within the preceding four years, submit to the Environment Agency, within six months of receipt of a written notice, a report assessing whether there are other appropriate measures that could be taken to prevent, or where that is not practicable, to minimise pollution.

4.3 Notifications

4.3.1 In the event:

- (a) that the operation of the activities gives rise to an incident or accident which significantly affects or may significantly affect the environment, the operator must immediately—
 - (i) inform the Environment Agency,
 - (ii) take the measures necessary to limit the environmental consequences of such an incident or accident, and
 - (iii) take the measures necessary to prevent further possible incidents or accidents;
- (b) of a breach of any permit condition the operator must immediately—
 - (i) inform the Environment Agency, and
 - (ii) take the measures necessary to ensure that compliance is restored within the shortest possible time;
- (c) of a breach of permit condition which poses an immediate danger to human health or threatens to cause an immediate significant adverse effect on the environment, the operator must immediately suspend the operation of the activities or the relevant part of it until compliance with the permit conditions has been restored.

- 4.3.2 Any information provided under condition 4.3.1 shall be confirmed by sending the information listed in schedule 5 to this permit within the time period specified in that schedule.
- 4.3.3 Where the Environment Agency has requested in writing that it shall be notified when the operator is to undertake monitoring and/or spot sampling, the operator shall inform the Environment Agency when the relevant monitoring and/or spot sampling is to take place. The operator shall provide this information to the Environment Agency at least 14 days before the date the monitoring is to be undertaken.
- 4.3.4 The Environment Agency shall be notified within 14 days of the occurrence of the following matters, except where such disclosure is prohibited by Stock Exchange rules:
- Where the operator is a registered company:
- (a) any change in the operator's trading name, registered name or registered office address; and
 - (b) any steps taken with a view to the operator going into administration, entering into a company voluntary arrangement or being wound up.
- Where the operator is a corporate body other than a registered company:
- (a) any change in the operator's name or address; and
 - (b) any steps taken with a view to the dissolution of the operator.
- In any other case:
- (a) the death of any of the named operators (where the operator consists of more than one named individual);
 - (b) any change in the operator's name(s) or address(es); and
 - (c) any steps taken with a view to the operator, or any one of them, going into bankruptcy, entering into a composition or arrangement with creditors, or, in the case of them being in a partnership, dissolving the partnership.
- 4.3.5 Where the operator proposes to make a change in the nature or functioning, or an extension of the activities, which may have consequences for the environment and the change is not otherwise the subject of an application for approval under the Regulations or this permit:
- (a) the Environment Agency shall be notified at least 14 days before making the change; and
 - (b) the notification shall contain a description of the proposed change in operation.
- 4.3.6 The Environment Agency shall be given at least 14 days' notice before implementation of any part of the site closure plan.
- 4.3.7 Where the operator has entered into a climate change agreement with the Government, the Environment Agency shall be notified within one month of:
- (a) a decision by the Secretary of State not to re-certify the agreement;
 - (b) a decision by either the operator or the Secretary of State to terminate the agreement; and
 - (c) any subsequent decision by the Secretary of State to re-certify such an agreement.

4.4 Interpretation

- 4.4.1 In this permit the expressions listed in schedule 6 shall have the meaning given in that schedule.
- 4.4.2 In this permit references to reports and notifications mean written reports and notifications, except where reference is made to notification being made "immediately", in which case it may be provided by telephone.

Schedule 1 – Operations

Table S1.1 activities			
Activity reference	Activity listed in Schedule 1 of the EP Regulations	Description of specified activity	Limits of specified activity
AR1	Section 6.8 Part A1 (e)	Treating and processing milk with the quantity of milk received being more than 200 tonnes per day (average value on annual basis)	From receipt of raw milk delivered to the site to the dispatch of yogurt, butter, skimmed concentrate, and fruit sauces. Production capacity is limited to 600 tonnes per day.
AR2	Section 5.4 Part A1 (a) (i)	Disposal of non-hazardous waste with a capacity exceeding 50 tonnes per day (or 100 tonnes per day if the only waste treatment activity is anaerobic digestion) involving biological treatment	From generation of wastewater to discharge to River Tern following treatment consisting of equalisation, neutralisation, primary filtration, DAF, aerobic and anoxic treatment, oxidation, denitrification, sludge removal, flocculation, MBR, sand filtration.
Directly Associated Activity			
AR3	Steam and electrical power supply	Medium Combustion plants natural gas fired: Boiler 1: 6.94 MWth Boiler 2: 9.26 MWth CHP 1: 4.75 MWth CHP 2: 4.75 MWth CHP 3: 5.96 MWth	From receipt of fuel to release of products of combustion to air.
AR4	Raw material storage and handling	Storage and handling of raw materials at the installation	From receipt of raw materials to dispatch of final product.
AR5	Use of refrigerants	Use of refrigerants in cooling, chilling and/or freezing systems at the installation.	From receipt of raw materials to dispatch of final product.
AR6	Storage and use of chemicals and oils	Storage and use of chemicals and oils at the installation.	From receipt of chemicals and oils to disposal of wastes arising.
AR7	Waste storage and handling	Storage and handling of waste materials	From generation of waste to storage pending removal for disposal or recovery.
AR8	Surface water drainage	Collection of uncontaminated site surface waters	Handling and storage of site drainage until discharge to the site surface water system leading to River Tern.

Table S1.2 Operating techniques		
Description	Parts	Date Received
Application	The response to questions 2.2.6, 2.2.24, 2.2.46-49, 2.2.52-57, 2.10.8 and 2.10.19 of the application.	18/03/2005
Application	Variation EPR/BO8950IV/V002	01/03/2007
Variation application EPR/LP3839CG/V002	The response to questions in Section 3 of application Form EPC –Part C3 and Parts 2, 3 and 4 of the application.	29/07/2013
Variation application EPR/YP3633WP/V002	Application Form Part C2, response to question 2b. Response to request for further information dated 22/05/17, includes details of: <ul style="list-style-type: none"> • New recycling/dry waste yard - construction material, condition, containment, and effluent discharge route. • Additional buildings used to store dry materials: details of emission points/vents, and abatement systems. • Dry compactor: mitigation from additional risk from noise. 	26/06/2017
Variation application EPR/YP3633WP/V003	Section 3 of application form Part C3: Sections 1 and 3.8 of the 'Operating Techniques Document'.	18/12/2018
Response to Schedule 5 (12/04/2019)	'Drainage Layout' site plan and responses to question 1 regarding the recovery of heat from generators and question 2 regarding containment.	30/04/2019
Additional information received	Accident Management Plan, Oil Delivery Spill Procedure and information contained in email regarding containment of the oil tanks.	23/05/2019
	Site layout plan (drawing number MD-SL-OV-10-L0).	21/06/2019
Variation application EPR/YP3633WP/V004	Section 3 of application form Part C3: <ul style="list-style-type: none"> • Non-Technical Summary – dated Feb 2021 • Air Emission Risk Assessment – dated Sept 2020 • Best Available Techniques and Operating Techniques Assessment – dated Feb 2021 • Environmental Risk Assessment – Feb 2021 • Markey Drayton Site Layout Plan – Drawing No. MD-SL-OV-10-LO Rev.01 – dated 01/03/2018 	Duly made 10/03/2021
Additional information received	Response to questions 1 -3. Drainage Layout Drawing Number 8200434-1901 Z1.	28/05/2021, 08/06/2021, 15/06/2021.
Regulation 61 (1) Notice – Responses to questions dated 25/03/2023	All parts	26/07/2022
Request for further information dates 10/02/2023	Further information requested in relation to BATc 6(a) and (b), 9, 10, 11, 12, EPL, range of products, air emission, updated site plan.	10/03/2023
Additional information 14/03/2023	Clarifications requested in relation to BATc 6, 11, BAT-EPL, air emission points, and updated site plan.	21/03/2023

Table S1.3 Improvement programme requirements		
Reference	Requirement	Date
IC11	<p>The operator shall submit, for approval by Environment Agency, a report setting out progress to achieving the 'Narrative' BAT where BATc is currently not achieved but will be achieved before 4 December 2023. The report shall include, but not be limited to, the following:</p> <ol style="list-style-type: none"> 1) Methodology for achieving BAT 2) Associated targets /timelines for reaching compliance by 4 December 2023 3) Any alterations to the initial plan (in progress reports). <p>The report shall address the BAT Conclusions for Food, Drink and Milk Industries with respect to BAT 2, 4, 6, and AELs.</p> <p>Refer to BAT Conclusions for a full description of the BAT requirement.</p>	04/12/2023
IC12	<p>The operator shall submit, for approval by the Environment Agency, a report setting out progress to achieving the Best Available Techniques Conclusion Associated Emission Levels (BAT-AELs) where BAT is currently not achieved but will be achieved before 4 December 2023. The report shall include, but not be limited to, the following:</p> <ol style="list-style-type: none"> 1) Current performance against the BAT-AELs. 2) Methodology for reaching the BAT-AELs. 3) Associated targets /timelines for reaching compliance by 4 December 2023. 4) Any alterations to the initial plan (in progress reports). <p>The report shall address the BAT Conclusions for Food, Drink and Milk industries with respect to the following:</p> <ul style="list-style-type: none"> • BAT 12 Table 1 (compliance with BAT-AELs for direct discharges to a receiving water body) 	04/12/2023
IC13	<p>Submit a written plan for the control/management of phosphorus emissions released to Water to the Environment Agency for approval. The plan must contain options for the removal/minimisation of total phosphorus to a mean concentration of 0.7 mg/l or better from the effluent treatment plant wastewaters prior to discharge via point source W1.</p> <p>As part of these investigations the operator shall review techniques for reducing product losses to wastewaters and the impact these techniques have on the resulting phosphorus content in the effluent. The plan must contain dates for the implementation of individual measures.</p> <p>The notification requirements of condition 1.4.1 will be deemed to have been complied on submission of the plan. The plan shall be implemented as approved, and from the date stipulated by the Environment Agency.</p>	31/12/2023
IC14	<p>The operator shall submit to the Environment Agency for approval a risk assessment considering the possibility of soil and groundwater contamination at the installation where the activity involves the use, production or release of a hazardous substances (as defined in Article 3 of Regulation (EC) No. 1272/2008 on classification, labelling and packaging of substances and mixtures).</p> <p>A stage 1-3 assessment should be completed (as detailed within the EC Commission Guidance 2014/C 136/-3) as follows;</p>	6 months from date of permit issue.

Table S1.3 Improvement programme requirements		
Reference	Requirement	Date
	<p>Stage 1 – Identify hazardous substance(s) used / stored on site.</p> <p>Stage 2 – Identify if the hazardous substance(s) are capable of causing pollution. If they are capable of causing pollution, they are then termed Relevant Hazardous Substances (RHS).</p> <p>Stage 3 – Identify if pollution prevention measures & drains are fit for purpose in areas where hazardous substances are used / stored.</p> <p>If the outcomes of Stage 3 identifies that pollution of soil / ground water to be possible. The operator shall produce and submit a monitoring plan to the Environment Agency for approval detailing how the substance(s) will be monitored to demonstrate no pollution. The operator shall commence monitoring of the RHS within a timescale as agreed by the Environment Agency.</p>	

Schedule 2 – Waste types, raw materials and fuels

Table S2.1 Raw materials and fuels	
Raw materials and fuel description	Specification
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Schedule 3 – Emissions and monitoring

Table S3.1 Point source emissions to air – emission limits and monitoring requirements						
Emission point ref. & location	Source	Parameter	Limit (including unit)	Reference period	Monitoring frequency	Monitoring standard or method
A1 [Point A1 on site plan in Schedule 7]	Boiler 1 6.94 MWth Natural gas fired	Oxides of Nitrogen (NO and NO ₂ expressed as NO _x)	From 01/01/2025 200 mg/m ³	Periodic	Every three years	BS EN 14792 [Note 1]
		Carbon monoxide	No Limit	Periodic	Every three years	MCERTS BS EN15058
A2 [Point A2 on site plan in Schedule 7]	Boiler 2 9.26 MWth Natural gas fired	Oxides of Nitrogen (NO and NO ₂ expressed as NO _x)	From 01/01/2025 200 mg/m ³	Periodic	Every three years	BS EN 14792 [Note 1]
		Carbon monoxide	No Limit	Periodic	Every three years	MCERTS BS EN15058
A5 [Point A5 on site plan in Schedule 7]	CHP 1 4.75 MWth Natural gas fired	Oxides of Nitrogen (NO and NO ₂ expressed as NO _x)	95 mg/m ³	Periodic	Every three years	BS EN 14792 [Note 1]
		Carbon monoxide	No Limit	Periodic	Every three years	MCERTS BS EN15058
A6 [Point A6 on site plan in Schedule 7]	CHP 2 4.754.75 MWth Natural gas fired	Oxides of Nitrogen (NO and NO ₂ expressed as NO _x)	95 mg/m ³	Periodic	Every three years	BS EN 14792 [Note 1]
		Carbon monoxide	No Limit	Periodic	Every three years	MCERTS BS EN15058
A7 [Point A7 on site plan in Schedule 7]	CHP 3 5.96 MWth Natural gas fired	Oxides of Nitrogen (NO and NO ₂ expressed as NO _x)	95 mg/m ³	Periodic	Every three years	BS EN 14792 [Note 1]
		Carbon monoxide	No Limit	Periodic	Every three years	MCERTS BS EN15058
Note 1: certification to the MCERTS performance standards indicates compliance with BS EN 14792						

Table S3.2 Point Source emissions to water (other than sewer) and land – emission limits and monitoring requirements						
Emission point ref. & location	Source	Parameter	Limit (incl. unit)	Reference Period	Monitoring frequency	Monitoring standard or method
W1 on site plan in schedule 7 emission to River Tern	Effluent treatment plant	Total daily volume of discharge (dry weather flow)	3,500 m ³ /day	24-hour total	Continuous	MCERTS self-monitoring of effluent flow scheme
W1 on site plan in schedule 7 emission to River Tern	Effluent Treatment Plant	Biological Oxygen Demand (BOD)	15 mg/l	Average	Monthly	EN 1899-1
W1 on site plan in schedule 7 emission to River Tern	Effluent Treatment Plant	pH	6 – 9	Instantaneous	Continuous	BS 6068-2.50
W1 on site plan in schedule 7 emission to River Tern	Effluent Treatment Plant	Ammoniacal nitrogen expressed as N	3 mg/l	Average	Monthly	BS EN ISO 11732:1997
W1 on site plan in schedule 7 emission to River Tern	Effluent Treatment Plant	Temperature	30 °C	Instantaneous	Monthly	Note 4
W1 on site plan in schedule 7 emission to River Tern	Effluent Treatment Plant	Chemical Oxygen Demand (COD) ^{Note1}	From 04/12/2023 125 mg/l	24-hour flow proportional sample	Daily ^[Note 2]	--
W1 on site plan in schedule 7 emission to River Tern	Effluent Treatment plant	Total suspended solids (TSS)	25 mg/l	24-hour flow proportional sample	Daily ^[Note 2]	BS EN 872
W1 on site plan in schedule 7 emission to River Tern	Effluent Treatment Plant	Total Nitrogen (TN)	From 04/12/2023 20 mg/l	24-hour flow proportional sample	Daily ^[Note 2]	EN 12260, EN ISO 11905-1.
W1 on site plan in schedule 7 emission to River Tern	Effluent Treatment Plant	Total Phosphorus (TP)	From 31/12/2023 0.7 mg/l ^[Note 3]	24-hour flow proportional sample	Daily ^[Note 2]	EN ISO 6878, EN ISO 15681-1 and -2, ENISO 11885.

Table S3.2 Point Source emissions to water (other than sewer) and land – emission limits and monitoring requirements						
Emission point ref. & location	Source	Parameter	Limit (incl. unit)	Reference Period	Monitoring frequency	Monitoring standard or method
W2 on site plan in schedule 7 emission to River Tern	Cooling and uncontaminated surface water	Total daily volume of discharge (dry weather flow)	1944 m ³ /day	24-hour total	Continuous	MCERTS self-monitoring of effluent flow scheme
W2 on site plan in schedule 7 emission to River Tern	Cooling and uncontaminated surface water	Free chlorine	0.025 mg/l	Spot sample	Monthly	EN ISO 10304-1, EN ISO 15682
W2 on site plan in schedule 7 emission to River Tern	Cooling and uncontaminated surface water	pH	6 – 10	Instantaneous	Continuous	BS6068-2.50
W2 on site plan in schedule 7 emission to River Tern	Cooling and uncontaminated surface water	Temperature	28 °C	Instantaneous	Monthly	Note 4
W2 on site plan in schedule 7 emission to River Tern	Cooling and uncontaminated surface water	Dissolved oxygen (DO)	Above 60% saturation	Spot sample	Monthly	Note 4
W3 on site plan in schedule 7 emission to River Tern	Uncontaminated surface water	Oil and grease	No visible oil and grease	--	Weekly	Visual assessment

Note 1: TOC and COD are alternatives. TOC is the preferred option because it does not rely upon the use of very toxic chemicals.

Note 2: if the emission levels are proven to be sufficiently stable, a lower monitoring frequency can be adopted, but in any case at least every month.

Note 3: Upon completion of Improvement Condition (IC) 13.

Note 4: As agreed in writing with the Environment Agency

Table S3.3 Point source emissions to sewer, effluent treatment plant or other transfers off-site– emission limits and monitoring requirements

Emission point ref. & location	Source	Parameter	Limit (incl. Unit)	Reference period	Monitoring frequency	Monitoring standard or method
S1 [not shown on site plan in schedule 7] emission to ETP.	Boiler blowdown and exhaust condensate from CHP compound boilers.	No parameters Set	No limit set	--	--	--

Schedule 4 – Reporting

Parameters, for which reports shall be made, in accordance with conditions of this permit, are listed below.

Parameter	Emission or monitoring point/reference	Reporting period	Period begins
Point source emissions to air Parameters as required by condition 3.5.1	MCPD Boiler emission points: A2 – Boiler 1 A1 – Boiler 2	First monitoring undertaken in accordance with Condition 3.1.4 to be reported within 3 months, and then every 3 years thereafter.	From first monitoring requirements in accordance with Condition 3.1.4
	A5 – CHP 1 A6 – CHP 2 A7 – CHP 3	Every 3 years	1 January

Parameter	Units
Yogurt produced	tonnes
Butter produced	tonnes
Skimmed concentrate	tonnes
Fruit sauces	tonnes

Parameter	Frequency of assessment	Units
Water usage	Annually	m ³
Energy usage	Annually	MWh
Waste	Annually	tonnes
COD efficiency	Annually*	COD te/te product
Food waste	Annually	Tonnes

*COD efficiency to be calculated on a weekly frequency, reported annually

Parameter	Reporting form	Form version number and date
Point source emissions to air	Emissions to Air Reporting Form, or other form as agreed in writing by the Environment Agency	Version 1, 08/03/2021
Point source emissions to water (other than sewer)	Emissions to Water Reporting Form, or other form as agreed in writing by the Environment Agency	Version 1, 08/03/2021
Water usage	Water Usage Reporting Form, or other form as agreed in writing by the Environment Agency	Version 1, 08/03/2021

Table S4.4 Reporting forms		
Parameter	Reporting form	Form version number and date
Energy usage	Energy Usage Reporting Form, or other form as agreed in writing by the Environment Agency	Version 1, 08/03/2021
Food Waste	Food waste Reporting Form, or other form as agreed in writing by the Environment Agency	Version 1 06/02/2023
Other performance parameters	Other Performance Parameters Reporting Form, or other form as agreed in writing by the Environment Agency	Version 1, 08/03/2021

Schedule 5 – Notification

These pages outline the information that the operator must provide.

Units of measurement used in information supplied under Part A and B requirements shall be appropriate to the circumstances of the emission. Where appropriate, a comparison should be made of actual emissions and authorised emission limits.

If any information is considered commercially confidential, it should be separated from non-confidential information, supplied on a separate sheet and accompanied by an application for commercial confidentiality under the provisions of the EP Regulations.

Part A

Permit Number	
Name of operator	
Location of Facility	
Time and date of the detection	

(a) Notification requirements for any malfunction, breakdown or failure of equipment or techniques, accident, or emission of a substance not controlled by an emission limit which has caused, is causing or may cause significant pollution	
To be notified within 24 hours of detection	
Date and time of the event	
Reference or description of the location of the event	
Description of where any release into the environment took place	
Substances(s) potentially released	
Best estimate of the quantity or rate of release of substances	
Measures taken, or intended to be taken, to stop any emission	
Description of the failure or accident.	

(b) Notification requirements for the breach of a limit	
To be notified within 24 hours of detection unless otherwise specified below	
Emission point reference/ source	
Parameter(s)	
Limit	
Measured value and uncertainty	
Date and time of monitoring	

(b) Notification requirements for the breach of a limit	
To be notified within 24 hours of detection unless otherwise specified below	
Measures taken, or intended to be taken, to stop the emission	

Time periods for notification following detection of a breach of a limit	
Parameter	Notification period

(c) Notification requirements for the breach of permit conditions not related to limits	
To be notified within 24 hours of detection	
Condition breached	
Date, time and duration of breach	
Details of the permit breach i.e. what happened including impacts observed.	
Measures taken, or intended to be taken, to restore permit compliance.	

(d) Notification requirements for the detection of any significant adverse environmental effect	
To be notified within 24 hours of detection	
Description of where the effect on the environment was detected	
Substances(s) detected	
Concentrations of substances detected	
Date of monitoring/sampling	

Part B – to be submitted as soon as practicable

Any more accurate information on the matters for notification under Part A.	
Measures taken, or intended to be taken, to prevent a recurrence of the incident	

Measures taken, or intended to be taken, to rectify, limit or prevent any pollution of the environment which has been or may be caused by the emission	
The dates of any unauthorised emissions from the facility in the preceding 24 months.	

Name*	
Post	
Signature	
Date	

* authorised to sign on behalf of the operator

Schedule 6 – Interpretation

“accident” means an accident that may result in pollution.

“application” means the application for this permit, together with any additional information supplied by the operator as part of the application and any response to a notice served under Schedule 5 to the EP Regulations.

“authorised officer” means any person authorised by the Environment Agency under section 108(1) of The Environment Act 1995 to exercise, in accordance with the terms of any such authorisation, any power specified in section 108(4) of that Act.

“emissions to land” includes emissions to groundwater.

“EP Regulations” means The Environmental Permitting (England and Wales) Regulations SI 2016 No.1154 and words and expressions used in this permit which are also used in the Regulations have the same meanings as in those Regulations.

“emissions of substances not controlled by emission limits” means emissions of substances to air, water or land from the activities, either from the emission points specified in schedule 3 or from other localised or diffuse sources, which are not controlled by an emission limit.

“Food waste” reporting: Reporting of food waste to use a methodology such as the global Food Loss and Waste Accounting and Reporting Standard (FLW standard) , WRAP’s Target Measure Act initiative or similar.

“groundwater” means all water, which is below the surface of the ground in the saturation zone and in direct contact with the ground or subsoil.

“Industrial Emissions Directive” means DIRECTIVE 2010/75/EU OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL of 24 November 2010 on industrial emissions, as read in accordance with Schedule 1A to the Environmental Permitting (England and Wales) Regulations 2016.

“MCERTS” means the Environment Agency’s Monitoring Certification Scheme.

“Medium Combustion Plant” or “MCP” means a combustion plant with a rated thermal input equal to or greater than 1 MW but less than 50 MW. An “existing medium combustion plant” is combustion plant operating before 20 December 2018.

“Medium Combustion Plant Directive” or “MCPD” means Directive 2015/2193/EU of the European Parliament and of the Council on the limitation of emissions of certain pollutants into the air from medium combustion plants, as read in accordance with Schedule 1A to the Environmental Permitting (England and Wales) Regulations 2016.

Pests” means Birds, Vermin and Insects.

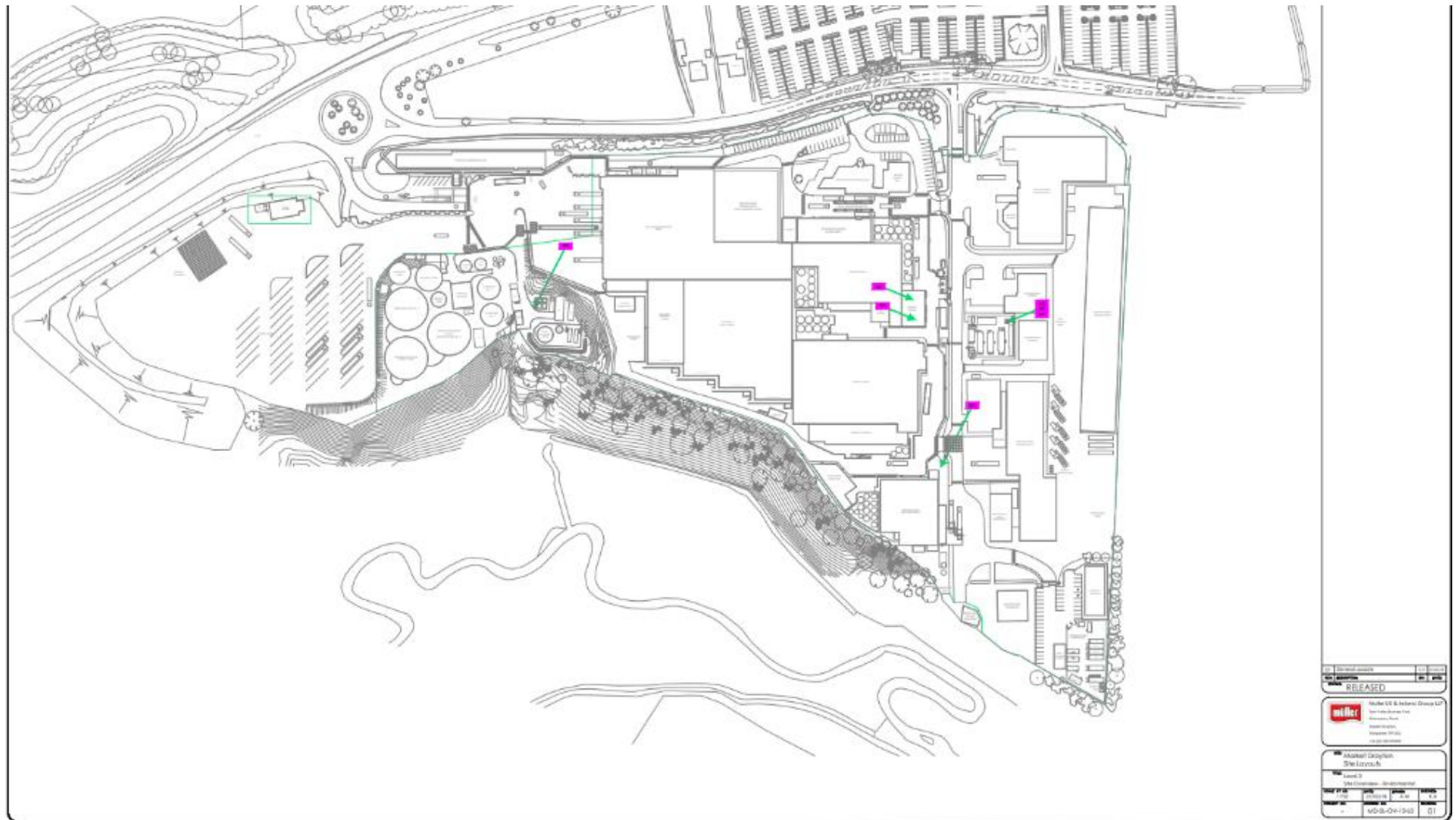
Where a minimum limit is set for any emission parameter, for example pH, reference to exceeding the limit shall mean that the parameter shall not be less than that limit.

Unless otherwise stated, any references in this permit to concentrations of substances in emissions into air means:

- in relation to emissions from combustion processes, the concentration in dry air at a temperature of 273K, at a pressure of 101.3 kPa and with an oxygen content of 3% dry for liquid and gaseous fuels other than gas engines or gas turbines, 6% dry for solid fuels; and/or
- in relation to emissions from gas engines or gas turbines, the concentration in dry air at a temperature of 273K, at a pressure of 101.3 kPa and with an oxygen content of 15% dry for liquid and gaseous fuels ; and/or
- in relation to emissions from non-combustion sources, the concentration at a temperature of 273K and at a pressure of 101.3 kPa, with no correction for water vapour content

“year” means calendar year ending 31 December.

Schedule 7 – Site plan



END OF PERMIT