

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/KP3732SX
The Operator is: DACSA Limited
The Installation is: Liverpool Grain Mill
This Variation Notice number is: EPR/KP3732SX/V003

What this document is about

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

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

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

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

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

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

How this document is structured

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

1 Our decision

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

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

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

2 How we reached our decision

2.1 Requesting information to demonstrate compliance with BAT Conclusion techniques

We issued a Notice under Regulation 61(1) of the Environmental Permitting (England and Wales) Regulations 2016 (a Regulation 61 Notice) on 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 18/07/2022.

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 5. The operator does not currently comply with the requirements of BATc 5. In relation to these BAT Conclusions, the operator has committed compliance by 4 December 2023. We have therefore included Improvement Condition IC9 in the Consolidated Variation Notice to ensure that the requirements of the BAT Conclusions are delivered before 4 December 2023.

2.3 Requests for further information during determination

Although we were able to consider the Regulation 61 Notice response generally satisfactory at receipt, we did in fact need more information in order to complete our permit review assessment, and issued further information requests on 31/01/2023 and 28/03/2023. A copy of the further information request was placed on our public register. The information requested included an updated Reg61 response document, clarifying the operator's answer to BATc 1 and BATc 2.

3 The legal framework

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

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

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

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

Annex 1: decision checklist regarding relevant BAT Conclusions

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

There are 37 BAT Conclusions.

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

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

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

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

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

NA – Not Applicable

CC – Currently Compliant

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

NC – Not Compliant

BATC No.	Summary of BAT Conclusion requirement for Food, Drink and Milk Industries	Status NA/ CC / FC / NC	Assessment of the installation capability and any alternative techniques proposed by the operator to demonstrate compliance with the BAT Conclusion requirement
GENERAL BAT CONCLUSIONS (BAT 1-15)			
1	<p>Environmental Management System - Improve overall environmental performance.</p> <p>Implement an EMS that incorporates all the features as described within BATc 1.</p>	CC	<p><u>Environment Agency Assessment</u></p> <p>The operator has provided information to support compliance with BATc 1. We have assessed the information and we are satisfied that the operator has demonstrated compliance with BATc 1.</p> <p>Though the operator currently lacks the implementation of a monitoring and measurement programme within their EMS, we consider that they are currently compliant due to the implementation of Improvement Condition IC9 in relation to BATc 5. This implementation of this IC will ensure that the applicant is fully compliant with BATc 1.</p>
2	<p>EMS Inventory of inputs & outputs. Increase resource efficiency and reduce emissions.</p> <p>Establish, maintain and regularly review (including when a significant change occurs) an inventory of water, energy and raw materials consumption as well as of waste water and waste gas streams, as part of the environmental management system (see BAT 1), that incorporates all of the features as detailed within the BATCs.</p>	CC	<p><u>Environment Agency Assessment</u></p> <p>The operator has provided information to support compliance with BATc 2. We have assessed the information and we are satisfied that the operator has demonstrated compliance with BATc 2.</p> <p>Though the operator currently lacks information about the characteristics of their waste gas streams as a party of their EMS inventory, we consider that they are currently compliant due to the implementation of Improvement Condition IC9 in relation to BATc 5. This implementation of this IC will ensure that the applicant is fully compliant with BATc 2.</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
3	<p>Monitoring key process parameters at key locations for emissions to water.</p> <p>For relevant emissions to water as identified by the inventory of waste water streams (see BAT 2), BAT is to monitor key process parameters (e.g. continuous monitoring of waste water flow, pH and temperature) at key locations (e.g. at the inlet and/or outlet of the pre-treatment, at the inlet to the final treatment, at the point where the emission leaves the installation).</p>	NA	<p><u>Environment Agency Assessment</u></p> <p>We are satisfied that BATc 3 is not applicable to this installation.</p> <p>There are no discharges of process effluent arising from this installation. Boiler blowdown, foul sewage from amenities and surface water runoff are discharged to a United Utilities sewer.</p>
4	<p>Monitoring emissions to water to the required frequencies and standards.</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><u>Environment Agency Assessment</u></p> <p>We are satisfied that BATc 4 is not applicable to this installation, as there are no direct discharges of process effluent</p>
5	<p>Monitoring channelled emissions to air to the required frequencies and standards.</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><u>Environment Agency Assessment</u></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 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</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>on the key processing stages grain cleaning, grain milling and finished product handling.</p> <p>We have included an improvement condition IC9 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 December 2023. See Annex 3.</p>
6	<p>Energy Efficiency</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><u>Environment Agency Assessment</u></p> <p>The operator has provided information to support compliance with BATc 6. We have assessed the information and we are satisfied that the operator has demonstrated compliance with BATc 6.</p> <p>The operator has an Energy Management Plan which aims to improve the energy efficiency of the installation by identifying project specific initiatives to reduce energy consumption. This document is associated with an Energy Management Action Plan document which identifies specific improvement targets and related actions.</p> <p>The site utilises LED lighting, alongside a planned review of the optimisation of their steam distribution system and, as well as the recent installation (2017) of two new Rollair VSD compressors to reduce compressed air system leaks.</p>
7	Water and wastewater minimisation	CC	<u>Environment Agency Assessment</u>

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>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 [for detail of each technique, refer BAT 7 table in BATc].</p> <ul style="list-style-type: none"> (a) water recycling and/or reuse (b) Optimisation of water flow (c) Optimisation of water nozzles and hoses (d) Segregation of water streams <p>Techniques related to cleaning operations:</p> <ul style="list-style-type: none"> (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 		<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> <p>Grain Milling is essentially a dry process, with low water usage and limited potential for water saving & application of BAT techniques.</p> <p>The site utilises dry cleaning techniques.</p>
8	<p>Prevent or reduce the use of harmful substances</p> <p>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.</p> <ul style="list-style-type: none"> (a) Proper selection of cleaning chemicals and/or disinfectants (b) Reuse of cleaning chemicals in cleaning-in-place (CIP) (c) Dry cleaning 	CC	<p>The operator has provided information to support compliance with BATc 8. We have assessed the information and we are satisfied that the operator has demonstrated compliance with BATc 8.</p> <p>The site utilises dry cleaning techniques.</p>

BATC No.	Summary of BAT Conclusion requirement for Food, Drink and Milk Industries	Status NA/ CC / FC / NC	Assessment of the installation capability and any alternative techniques proposed by the operator to demonstrate compliance with the BAT Conclusion requirement
	(d) Optimised design and construction of equipment and process areas [for detail of each technique, refer BAT 8 table in BATc]		
9	Refrigerants In order to prevent emissions of ozone-depleting substances and of substances with a high global warming potential from cooling and freezing, BAT is to use refrigerants without ozone depletion potential and with a low global warming potential.	NA	<u>Environment Agency Assessment</u> We are satisfied that BATc 9 is not applicable to this installation.
10	Resource efficiency In order to increase resource efficiency, BAT is to use one or a combination of the techniques given below: (a) Anaerobic digestion (b) Use of residues (c) Separation of residues (d) Recovery and reuse of residues from the pasteuriser (e) Phosphorus recovery as struvite (f) Use of waste water for land spreading	CC	<u>Environment Agency Assessment</u> The operator has provided information to support compliance with BATc 10. We have assessed the information and we are satisfied that the operator has demonstrated compliance with BATc 10. All waste from the process is re-processed and residues are used as animal food or feed product.
11	Waste water buffer storage In order to prevent uncontrolled emissions to water, BAT is to provide an appropriate buffer storage capacity for waste water.	NA	<u>Environment Agency Assessment</u> 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.
12	Emissions to water – treatment In order to reduce emissions to water, BAT is to use an appropriate combination of the techniques given below. Preliminary, primary and general treatment (a) Equalisation	NA	<u>Environment Agency Assessment</u> We are satisfied that BATc 12 is not applicable to this installation. The installation has no discharges to surface waters from process effluents.

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) Neutralisation (c) Physical separate (eg screens, sieves, primary settlement tanks etc) Aerobic and/or anaerobic treatment (secondary treatment) (d) Aerobic and/or anaerobic treatment (eg activated sludge, aerobic lagoon etc) (e) Nitrification and/or denitrification (f) Partial nitrification - anaerobic ammonium oxidation 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	Noise management plan 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: - a protocol containing actions and timelines; - a protocol for conducting noise emissions monitoring;	CC	<u>Environment Agency Assessment</u> 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. In association with improvement conditions on the current permit, a Noise Management Plan in accordance with BATc 13 is required. The site has an existing plan which is continually updated. This

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"> - a protocol for response to identified noise events, eg complaints; - a noise reduction programme designed to identify the source(s), to measure/estimate noise and vibration exposure, to characterise the contributions of the sources and to implement prevention and/or reduction measures. 		<p>plan outlines the successful noise reduction programme undertaken on this site.</p> <p>Actions and timelines that have brought the operator back into compliance based on the conditions of the permit describe acceptable levels of noise being achieved by February 10, 2023.</p> <p>Vibration analysis of all equipment listed as noise-emitting outlets will be carried out on a monthly basis. The regular cleaning and monitoring of filters, and planned preventative maintenance of all systems will ensure that noise control measures set out in the Noise Management Plan are being complied with.</p> <p>Identified noise events follow a protocol of consulting with the complainant, site/equipment specific investigation to identify the noise source, and prompt action to reduce noise emission levels back to baseline measurements.</p>
14	<p>Noise management</p> <p>In order to prevent or, where that is not practicable, to reduce noise emissions, BAT is to use one or a combination of the techniques given below.</p> <ul style="list-style-type: none"> (a) Appropriate location of equipment and buildings (b) Operational measures (c) Low-noise equipment (d) Noise control equipment (e) Noise abatement <p>[for detail of each technique, refer BAT 14 table in BATCs]</p>	CC	<p><u>Environment Agency Assessment</u></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 noise reduction measures in place are:</p> <ul style="list-style-type: none"> - Operational measures, including noise control training for the persons responsible for the maintenance and operation of equipment deemed as noise sources. - Low noise equipment, including the installation of low noise cowls to all fan outlets. - Noise control equipment, including a silencer fitted to a blower inlet, sound-deadening material fitted to blow line elbows, and fan-motor bracing and impeller balancing.

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						
15	<p>Odour Management</p> <p>In order to prevent or, where that is not practicable, to reduce odour emissions, BAT is to set up, implement and regularly review an odour management plan, as part of the environmental management system (see BAT 1), that includes all of the following elements:</p> <ul style="list-style-type: none"> - a protocol containing actions and timelines; - a protocol for conducting odour monitoring. - a protocol for response to identified odour incidents eg complaints; - an odour prevention and reduction programme designed to identify the source(s); to measure/estimate odour exposure: to characterise the contributions of the sources; and to implement prevention and/or reduction measures. 	NA	<p><u>Environment Agency Assessment</u></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> <p>There has been no reported odour nuisance from the site and there are minimal odours from the suite that could be considered a nuisance to sensitive receptors.</p>						
GRAIN MILLING BAT CONCLUSION (BAT 28)									
28	<p>Emissions to air</p> <p>In order to reduce channelled dust emission to air, BAT is to use a bag filter.</p> <table border="1" data-bbox="277 967 1077 1137"> <thead> <tr> <th>Parameter</th> <th>Unit</th> <th>BAT-AEL (average over the sampling period)</th> </tr> </thead> <tbody> <tr> <td>Dust</td> <td>mg/Nm3</td> <td><2-5</td> </tr> </tbody> </table>	Parameter	Unit	BAT-AEL (average over the sampling period)	Dust	mg/Nm3	<2-5	FC	<p><u>Environment Agency Assessment</u></p> <p>All of the relevant channelled emission points to air are abated appropriately via bag filters. There are pellet coolers and dryers on site which are abated via cyclones, this is considered BAT for pellet cooling in compound feed manufacturing. This is relevant for emission points A2, A6, A36 and A37, we consider cyclone abatement appropriate BAT for these emission points.</p> <p>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>
Parameter	Unit	BAT-AEL (average over the sampling period)							
Dust	mg/Nm3	<2-5							

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>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, A6, A11, A12, A13, A14, A15, A16, A17, A18, A19, A20, A21, A23, A24, A25, A26, A27, A28, A29, A30, A31, A32, A33, A34, A35, A36, A37, A38, and A39.</p> <p>We consider that the operator will be future compliant with BATc 28. Due to the rolling programme of monitoring (IC9), 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>				
	Grain Milling Environmental Performance Levels						
EPL	<p>Environmental Performance Level – Energy Consumption for Grain Milling</p> <table border="1" data-bbox="277 927 1077 1050"> <thead> <tr> <th data-bbox="277 927 680 1002">Unit</th> <th data-bbox="680 927 1077 1002">Specific energy consumption (yearly average)</th> </tr> </thead> <tbody> <tr> <td data-bbox="277 1002 680 1050">MWh/tonne of products</td> <td data-bbox="680 1002 1077 1050">0.05 – 0.13</td> </tr> </tbody> </table>	Unit	Specific energy consumption (yearly average)	MWh/tonne of products	0.05 – 0.13	CC	<p><u>Environment Agency Assessment</u></p> <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 0.12MWh/tonne.</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 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 – SITE PLAN EMISSION POINTS 2022.

The following changes have been made to table S3.1:

- Emission point A41 has been added.
- Relevant non-process vents have been merged together in order to make the table more readable.
- Emission point A6 has been changed from “Cyclone serving a flaking grit cooler to “F10 mill filter”.

Implementing the requirements of the Medium Combustion Plant Directive

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

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

The Operator provided the information in the table below:

Boilers

1. Rated thermal input (MW) of the medium combustion plant.	Boiler 1 – 2.5 MWth Boiler 2 – 2.5 MWth
2. Type of the medium combustion plant (diesel engine, gas turbine, dual fuel engine, other engine or other medium combustion plant).	2 x Boilers
3. Type and share of fuels used according to the fuel categories laid down in Annex II.	Boiler 1 – 100% Natural gas Boiler 2 – 100% Natural gas
4. Date of the start of the operation of the medium combustion plant or, where the exact date of the start of the operation is unknown, proof of the fact that the operation started before 20 December 2018.	Boiler 1 – January 1988 Boiler 2 – January 1988

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

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

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

Particulate Emissions

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

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, A6, A11, A12, A13, A14, A15, A16, A17, A18, A19, A20, A21, A23, A24, A25, A26, A27, A28, A29, A30, A31, A32, A33, A34, A35, A36, A37, A38, and A39.

We have incorporated an improvement condition (IC9) 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 Investigation and Environmental Risk Assessment, September 2005] during the original application received on 26/10/2005. The site condition report included a report on the baseline conditions as required by Article 22. We reviewed that report and considered that it adequately described the condition of the soil and groundwater at that time.

The operator has confirmed that the site has remained largely unchanged since the submission of the original site condition report in October 2005 and therefore the current condition of the soil and groundwater on site is likely the same as at the time of the original site condition report. 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/groundwater to be unlikely.

Due to sufficient bunding existing around the diesel and lubricant storage stored on site, we deem these two potentially hazardous substances as subject to the appropriate duty of care measures, and the appropriate permit conditions.

On that basis, we are satisfied that the operator has the necessary risk assessments and measures in place.

Climate Change Adaptation

The operator stated that they did not considered the site to be at risk of impacts from adverse weather (flooding, unavailability of land for land spreading, prolonged dry weather / drought). However, we disagreed as the site is located in an area which is high risk for surface water flooding.

We therefore 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 (IC10) 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.

Superseded Improvement Conditions	
Previous ICs	Improvement condition wording
IC1	The Operator shall investigate options for reducing fugitive emissions to air from bins 12-15 during product loading activities, having regard to Section 2.2.4 of Agency Guidance Note S6.10. A written report summarising the options shall be submitted to the Agency together with a timetable for the implementation of any improvements.
IC2	The Operator shall develop a Site Closure Plan having regard to the requirements set out in Section 2.11 of the Agency Guidance Note IPPC S6.10. Upon completion of the plan, a summary of the document shall be submitted to the Agency in writing.
IC3	The Operator shall develop and implement written procedures for the boiler plant. The procedures shall include servicing and monitoring arrangements to demonstrate that the boiler is operating correctly.
IC4	The Operator shall develop undertake monitoring of the boiler plant for emissions to air at emission point reference A1. The monitoring shall test for emissions of Oxides of Nitrogen (expressed as NO ₂), Oxides of Sulphur (expressed as SO ₂) and Carbon monoxide in accordance with Agency Technical Guidance Note M2. An impact assessment of the emissions on the environment shall be carried out in accordance with Agency Technical Guidance Note H1, which shall be submitted to the Agency in writing.
IC5	The operator shall provide the Agency with written proposal for a programme of monitoring for particulate releases from emission points A6, A11, A12, A13, A14, A15, A23, A24, A25, A26, A27, A28, A29, A30, A31, A32, A33, A35, A36, A37, A38. Monitoring shall be carried out to an appropriate recognised standard. The proposals shall include a justification for the frequency and method of monitoring and a justification for the exclusion of monitoring of any of the emission points.
IC6	The operator shall submit a report to the Agency in writing to consider the feasibility of installing automatic alarm systems to the pressure drop monitors, used to detect failures in abatement equipment. The report shall detail timescales for implementing alarm systems on the abatement, or justification as to why an alarm is not necessary.

IC7	<p>The operator shall demonstrate that the impact of noise emissions from the installation are insignificant by submitting a report to the Environment Agency for approval.</p> <p>This report shall include but no be limited to:</p> <ul style="list-style-type: none"> • Details of the improvements that have been made to operations and plant and equipment in line with the current Noise Impact Assessment, dated 07/06/21, with regards to acoustic insulation. • A comprehensive noise impact assessment for the whole site undertaken by an experienced and suitably qualified person (i.e. a noise consultant with an appropriate qualification accredited by the Institute of Acoustics), in accordance with BS4142:2014 (Rating industrial noise affecting mixed residential and industrial areas). The report must demonstrate that no significant noise pollution is caused by the operation of the site (all site operations) at local sensitive receptors. • Details demonstrating that noise attenuation measures and procedures comply with the requirements of Best Available Techniques for this type of installation These measures and procedures will be implemented in accordance with Environment Agency’s written approval.
IC8	<p>The operator shall submit a comprehensive Noise Management Plan (NMP) in accordance with our Noise and vibration management environmental permits guidance, for approval in writing by the Environment Agency.</p> <p>The operator shall implement the approved NMP and regularly review the plan in accordance with our guidance.</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.

Improvement programme requirements		
Reference	Reason for inclusion	Justification of deadline
IC9	<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"> 1. Methodology for how representative monitoring will be carried out annually, with a minimum of 3 point sources on a rolling-basis. 2. Ensuring the key process stages, wheat cleaning, wheat milling and finished product handling including wheatfeed, are prioritised. 3. Identify any principal emission points excluded from the rolling monitoring programme and provide a justification for this. 4. Provide a commencement date for the programme which will demonstrate compliance with the permit requirements. <p>The monitoring procedure shall address the requirements of BAT Conclusions for Food, Drink and Milk Industries with respect to BAT 5.</p>	04/07/2023
IC10	<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"> • Details of how the installation has or could be affected by severe weather; • The scale of the impact of severe weather on the operations of the within the installation; • An action plan and timetable for any improvements to be made to minimise the impact of severe weather at the installation. <p>The Operator shall implement any necessary improvements to a timetable agreed in writing with the Environment Agency.</p>	(DD/MM/YYYY) 12 months from permit date issue