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/RP3931VA
The Operator is:	Hovis Limited
The Installation is:	Hovis Wellingborough Mill
This Variation Notice number is:	EPR/RP3931VA/V002

What this document is about

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

We have reviewed the permit for this installation against the BAT Conclusions for the Food, Drink and Milk Industries published on 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. It also provides a justification for the inclusion of any specific conditions in the permit that are in addition to those included in our generic permit template.

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

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

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 06/05/2022.

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

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

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

Based on our records and previous experience in the regulation of the installation we consider that the Operator will be able to comply with the techniques and standards described in the BAT Conclusions other than for those techniques and requirements described in BAT Conclusion 5. The operator does not currently comply with the requirements of BATc 5. In relation to this BAT Conclusion, the operator has committed compliance by 4 December 2023. We have therefore included Improvement Conditions 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 07/03/2023 and 28/03/2023. A copy of each further information request was placed on our public register. The information requested on 07/03/2023 included an updated Reg61 response to clarify which emission points required monitoring to satisfy BATc 28. The information requested on 28/03/2023 included confirmation of a derogation not being required for compliance against the requirements of BATc 1, an updated site drainage plan, an updated site emissions plan, and a copy of the site flood emergency response plan.

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	**Environmental Management System - Improve overall environmental performance.** Implement an EMS that incorporates all the features as described within BATc 1.	**CC**	**Environment Agency Assessment** 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. The operator has demonstrated compliance with all BATc 1 elements except for **(xv) implementation of a monitoring and measurement programme**. The original Reg61 response tool submission indicated the operator's need for a derogation in relation to this BAT conclusion. Discussion with the operator led to written agreement that a derogation would not be required and that future compliance could be achieved by updating the existing EMS alongside implementing improvement condition IC9. 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.
2	**EMS Inventory of inputs & outputs. Increase resource efficiency and reduce emissions.**	**CC**	**Environment Agency Assessment** 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.

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
	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.		The operator undertakes monthly KPI monitoring of resource use, including energy, water, and raw materials consumption. Reduction in water usage is integrated into the EMP. Environmental auditing is undertaken monthly regarding water usage. The has a process-integrated Environment Management System aimed at reducing waste and emissions.
3	**Monitoring key process parameters at key locations for emissions to water.** 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).	**NA**	**Environment Agency Assessment** We are satisfied that BATc 3 is not applicable to this installation. There are no discharges of process effluent arising from this installation. Uncontaminated site surface water runoff leaves the site to the River Nene via Harrowden Brook and River Isle.
4	**Monitoring emissions to water to the required frequencies and standards.** BAT is to monitor emissions to water with at least the frequency given [refer to BAT 4 table in BATc] and in accordance with EN standards. If EN standards are not available, BAT is to use ISO, national or other international standards that ensure the provision of data of an equivalent scientific quality.	**NA**	**Environment Agency Assessment** We are satisfied that BATc 4 is not applicable to this installation, as there are no direct discharges of process effluent.
5	**Monitoring channelled emissions to air to the required frequencies and standards.** BAT is to monitor channelled emissions to air with at least the frequency given and in accordance with EN standards.	**FC**	**Environment Agency Assessment** We have assessed the information provided and we are not satisfied that the operator has provided information to support compliance with BATc 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
			The operator last monitored emission points A1 to A10 inclusive, and A11, in 2006. The site does not currently monitor emission to air from the grain milling process however they are currently in the process of assigning an external contractor to carry out dust emissions monitoring. 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 on the key processing stages wheat cleaning, wheat milling and finished product handling. 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.
6	**Energy Efficiency** In order to increase energy efficiency, BAT is to use an energy efficiency plan (BAT 6a) and an appropriate combination of the common techniques listed in technique 6b within the table in the BATc.	**CC**	**Environment Agency Assessment** 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.

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
			The operator has an electricity and gas usage plan as an Environmental management Plan integrated within their EMP which includes the periodic monitoring of and reviews of energy consumption to ensure energy efficiency. Techniques used at this installation to increase energy efficiency include: • sensor lighting • process control monitoring systems
7	**Water and wastewater minimisation** In order to reduce water consumption and the volume of waste water discharged, BAT is to use BAT 7a and one or a combination of the techniques b to k given below. (a) water recycling and/or reuse (b) Optimisation of water flow (c) Optimisation of water nozzles and hoses (d) Segregation of water streams Techniques related to cleaning operations: (e) Dry cleaning (f) Pigging system for pipes (g) High-pressure cleaning (h) Optimisation of chemical dosing and water use in cleaning-in-place (CIP) (i) Low-pressure foam and/or gel cleaning (j) Optimised design and construction of equipment and process areas	**CC**	**<u>Environment Agency Assessment</u>** The operator has supplied 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. Dry cleaning is the main method of cleaning used on-site.

BATC No.	Summary of BAT Conclusion requirement for Food, Drink and Milk Industries	Status NA/ CC / FC / NC	Assessment of the installation capability and any alternative techniques proposed by the operator to demonstrate compliance with the BAT Conclusion requirement
	(k) Cleaning of equipment as soon as possible		
8	**Prevent or reduce the use of harmful substances** In order to prevent or reduce the use of harmful substances, e.g. in cleaning and disinfection, BAT is to use one or a combination of the techniques given below. (a) Proper selection of cleaning chemicals and/or disinfectants (b) Reuse of cleaning chemicals in cleaning-in-place (CIP) (c) Dry cleaning (d) Optimised design and construction of equipment and process areas	**CC**	**Environment Agency Assessment** The operator has supplied 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. Mainly dry cleaning is carried out on site with the occasional floor washing using water and approved chemicals for a food environment. No other hazardous substances are used on site.
9	**Refrigerants** In order to prevent emissions of ozone-depleting substances and of substances with a high global warming potential from cooling and freezing, BAT is to use refrigerants without ozone depletion potential and with a low global warming potential.	**NA**	**Environment Agency Assessment** We are satisfied that BATc 9 is not applicable to this installation. Refrigerants are only used for non-process purposes at the 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**	**Environment Agency Assessment** The operator has supplied 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. The installation makes use of its co-product (i.e., residue), wheatfeed, to produce animal feed.
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**	**Environment Agency Assessment** We are satisfied that BATc 11 is not applicable this installation.

BATC No.	Summary of BAT Conclusion requirement for Food, Drink and Milk Industries	Status NA/ CC / FC / NC	Assessment of the installation capability and any alternative techniques proposed by the operator to demonstrate compliance with the BAT Conclusion requirement
			No wastewater is generated from production.
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 (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 nitration - 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	**NA**	**Environment Agency Assessment** We are satisfied that BATc 12 is not applicable to this installation. There are no process emissions to surface waters or ground from the operation. Emissions to surface water are uncontaminated surface waters only.
13	**Noise management plan**	**NA**	**Environment Agency Assessment**

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
	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; - 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.		The operator has supplied information to support compliance with BATc 13. We have assessed the information and we are satisfied that BATc 13 is not applicable to this installation. A noise management plan (NMP) is only required where noise nuisance at sensitive receptors is expected or has been substantiated. There have been no substantiated noise nuisances from the site therefore an NMP is not a requirement for this site.
14	**Noise management** 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. (a) Appropriate location of equipment and buildings (b) Operational measures (c) Low-noise equipment (d) Noise control equipment (e) Noise abatement	**CC**	**Environment Agency Assessment** The operator has supplied information to support compliance with BATc 14. We have assessed the information and we are satisfied that the operator has demonstrated compliance with BATc 14. The site reduces noise emissions using operational measures in the form of process performance measures and noise abatement in the form of noise barriers and enclosures.
15	**Odour Management** In order to prevent or, where that is not practicable, to reduce odour emissions, BAT is to set up, implement and regularly review an	**NA**	**Environment Agency Assessment** The operator has supplied information to support compliance with BATc 15. We are satisfied that BATc 15 is not applicable to this

<table>
<tr><th>BATC No.</th><th>Summary of BAT Conclusion requirement for Food, Drink and Milk Industries</th><th>Status NA/ CC / FC / NC</th><th>Assessment of the installation capability and any alternative techniques proposed by the operator to demonstrate compliance with the BAT Conclusion requirement</th></tr>
<tr><td></td><td>odour 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 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.</td><td></td><td>installation. The site has no history of complaints or compliance in relation to odour.

A odour management plan (OMP) is only required where odour nuisance at sensitive receptors is expected or has been substantiated. There have been no substantiated odour nuisances from the site therefore an OMP is not a requirement for this site.</td></tr>
<tr><td></td><td>GRAIN MILLING BAT CONCLUSION (BAT 28)</td><td></td><td></td></tr>
<tr><td>28</td><td>Emissions to air
In order to reduce channelled dust emission to air, BAT is to use a bag filter.
<table>
<tr><th>Parameter</th><th>Unit</th><th>BAT-AEL
(average over the sampling period)</th></tr>
<tr><td>Dust</td><td>mg/Nm3</td><td><2-5</td></tr>
</table></td><td>FC</td><td><u>Environment Agency Assessment</u>
We have assessed the information provided and we are not satisfied that the operator has provided information to support compliance with BATc 28.

All of the relevant channelled emission points to air are abated appropriately via bag filters. The operator has stated they will carry out an assessment in order to ensure appropriate monitoring is in place and to confirm they are complaint with the BAT-AELs by 2023.

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, A3, A6, A7, A10, and A12-A20 inclusive with an emission limit of 5mg/m^3 for each point listed.</td></tr>
</table>

<table>
<tr><th>BATC No.</th><th>Summary of BAT Conclusion requirement for Food, Drink and Milk Industries</th><th>Status NA/ CC / FC / NC</th><th>Assessment of the installation capability and any alternative techniques proposed by the operator to demonstrate compliance with the BAT Conclusion requirement</th></tr>
<tr><td></td><td></td><td></td><td>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.</td></tr>
<tr><td></td><td>Grain Milling Environmental Performance Levels</td><td></td><td></td></tr>
<tr><td>EPL</td><td>Environmental Performance Level – Energy Consumption for Grain Milling<table><tr><td>Unit</td><td>Specific energy consumption (yearly average)</td></tr><tr><td>MWh/tonne of products</td><td>0.05 – 0.13</td></tr></table></td><td>CC</td><td><u>Environment Agency Assessment</u>
The operator has supplied information to support compliance with the BAT-EPL. We have assessed the information and we are satisfied that the operator has demonstrated compliance with the BAT-EPL

We have assessed the information provided and are satisfied that the operator is currently compliant with the EPL provisions.
The operations meet the indicative BAT performance level with a yearly average energy consumption of 0.0682MWh/tonne.</td></tr>
</table>

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
- 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. Since this time, the operator has confirmed that production demand has increased from 300t/d to 780t/d. This includes the production of 625t/d of flour per day and approximately 150t/d of wheatfeed pellets, totalling the current capacity of 750t/d.

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

Emissions to Air

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

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

Implementing the requirements of the Medium Combustion Plant Directive

The operator has confirmed that there are no boilers associated with this installation that are above a thermal rated output of >1MW.

Existing small combustion plant (<1MW)

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

Particulate Emissions

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

For emission points noted to be future complaint we would incorporate an interim ELV and monitoring requirements from the date of permit issue. This is relevant for emission points A1, A3, A6, A7, A10, and A12-A20 inclusive.

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. Uncontaminated site surface water runoff discharges to the River Nene via Harrowden Brook and River Ise.

Due to the non-hazardous nature site surface water runoff, we are satisfied that the discharge will not impact on the WFD requirements and will 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.

Whilst the Operator was unable to provide the original site condition report, they did provide a copy of the Site Protection and Monitoring Programme (SPMP) dated 2006. Condition 4.1.7 of the original permit states the operator shall carry out regular reviews of their SPMP every two years and that the result of such review should be submitted to the EA within 1 month of completion. This linked to condition 2.1.2 of the original permit which states that the Installation shall be operated using the techniques and in the manner described in the SPMP under condition 4.1.7 (as amended from time to time under this condition).

It is the conclusion of the SPMP that intrusive environmental monitoring was inappropriate for those potentially polluting substances used in the activity, as agreed by the Environment Agency (EA). The effectiveness of pollution prevention measures, monitoring programmes, and testing and maintenance of infrastructure for pollution prevention that have been put in place, are deemed adequate to demonstrate that the land at the installation is in a satisfactory state for the purposes of transferring or surrendering the permit.

Discussion with Area confirmed that the existing SPMP has been updated and reviewed in sections, in a rolling manner, on a biennial basis. Our Area colleagues were also able to confirm the low risk nature of potential pollution to land or groundwater occurring from this Installation. As a result, we have agreed to update the aforementioned permit conditions to modern conditions by replacing them with a bespoke version of condition 3.1.3, which will require the monitoring of groundwater and soil conditions every 5 years for this Installation. This is instead of every 5 years for groundwater and every 10 years for soil as usually required by condition 3.1.3. Consequently, we are satisfied that SPMP adequately describes the current conditions of soil and groundwater and the addition of condition 3.1.3 will ensure that baseline conditions remain unchanged.

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 not identified any hazardous substances used / stored at the installation that are capable of causing pollution.

Due to sufficient bunding existing around Diesel and Add Blue 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 this basis, we are satisfied that the operator has the necessary risk assessments and measures in place.

Climate Change Adaptation

The operator has considered the site at risk of impacts from adverse weather, in particular, flooding. The operator has submitted a flood emergency response plan, which considers the appropriate actions during a flooding event, including the allocation of flood response tasks and appropriate trigger points for specific actions. This includes: protecting staff, safeguarding hazardous processes, securing stock,

and post flood activities such as the removal of flood water and the managing the integrity of plant equipment.

As flooding is the major climate change related threat to this installation, we consider the existing flood emergency response plan, when incorporated into the existing EMS, to be appropriate for the installation.

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).

Superseded Improvement Conditions	
IC1	The operator shall provide the Agency with written proposals for a programme of monitoring for particulate releases from emission points A1 to A12 inclusive. 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.
IC2	The Operator shall undertake an environmental impact assessment of the installation's releases to air, using emissions data obtained through the monitoring required by improvement condition IC1. A written report detailing the results and conclusions of the assessment shall be submitted to the Agency along with an electronic copy of the H1 assessment (or other equivalent assessment to
IC3	The Operator shall develop and implement a formalised Environmental Management System, having regard for Agency Sector Guidance Note IPPC S6.11, Issue 1, July 2003.
IC4	The Operator shall review the measures and procedures in place to prevent and reduce fugitive emissions to air from the installation having regard to section 2.2.4 of Sector Guidance Note IPCC S6.10. The review shall include, but not be limited to, raw material intake, loading areas, transfer and handling systems, and associated vessels, containers, pipework and plant equipment. The Operator shall supply the Agency with a written copy of the review and shall implement any improvements to a timetable agreed with the Agency.
IC5	The Operator shall develop a written Site Closure Plan with regard to the requirements set out in Section 2.11 of the Agency Guidance Note IPPC S6.1, August 2003. Upon completion of the plan a summary of the document shall be submitted to the Agency in writing.
IC6	The Operator shall develop the written accident management plan having regard to the requirements set out in Section 2.8 of the Agency technical guidance note IPCC S6.11, July 2003, and shall submit the plan in writing to the Agency. The Plan shall include, but not be limited to, an assessment of the risk of fires occurring on site and release of firewater from the site. The report shall identify suitable measures and procedures aimed at minimising the potential for environmental impacts arising from identified scenarios including provisions for the containment of firewater. A written report shall be provided to the Agency detailing any deficiencies in the present accident management measures in place, the improvements proposed and the time scale for implementation.
IC7	The Operator shall develop and implement a formal, documented programme of preventative inspection and maintenance for the installation's particulate abatement equipment. The Operator shall provide the Agency with a written proposal for the programme of preventative inspection and maintenance and a timetable for its implementation by the date specified.

IC8	The Operator shall investigate options for installing a continuous, alarmed detection system to indicate the relevant performance of, and detect failures in, particulate abatement equipment where the exhaust flow exceeds 100m^3/min. A written report shall be submitted to the Agency summarising the options identified, along with a timetable for implementing the preferred option.

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	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: 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, grain cleaning, grain 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. The monitoring procedure shall address the requirements of BAT Conclusions for Food, Drink and Milk Industries with respect to BAT 5.	04/07/2023
IC10	The operator shall review and update the H1 risk assessment for particulate emissions to air at the capacity levels stated within table S1.1 of this permit. The H1 shall be submitted to the Environment Agency for review.	30/05/2024 or other date as agreed in writing with the Environment Agency