



# Notice of variation and consolidation with introductory note

**The Environmental Permitting (England & Wales) Regulations 2016**

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Kendal Nutricare Ltd  
Kendal Skimmed Milk  
1 Mint Bridge Road  
Kendal  
Cumbria  
LA9 6NL

**Variation application number**

EPR/EP3536AH/V002

**Permit number**

EPR/EP3536AH

# Kendal Skimmed Milk

## Permit number EPR/EP3536AH

### 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 4<sup>th</sup> 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 site is located in a designated flood plain adjacent to the confluence of the Rivers Kent and Mint. Both Rivers receive rainwater run-off from the site.

To the north of the site lies agricultural land, to the east a light industrial estate whilst the south of the plant borders extensive playing fields, on the other side are residential properties. Private housing also occupies the western side of the River Kent.

The plant manufactures a range of dried, milk-based infant and dietetic products based on whole milk in liquid form. Recipes are made up in a dairy, concentrated on an evaporator, injected with vegetable oil and finally dried in a spray drier. As the products are marketed to the very young, energy intensive heat processes are employed to minimise the chance of microbial contamination. The dried product is then blended with other dried ingredients before being packed under nitrogen. The finished products are then stored on site until all microbiological and chemistry test results have been received.

The process uses town's water for product makeup and cleaning. Effluent is pH adjusted prior to discharge to foul sewer under Trade Effluent Consent from United Utilities.

Natural gas is consumed in an on-site boiler house to raise steam primarily for the evaporation process as well as for indirect air heating as part of the spray drier process. It is also used to heat the building.

Electricity is used for plant processing, product transport, instrumentation and lighting. Utility usage is considered to be the site's main environmental impact.

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

<b>Status log of the permit</b>		
<b>Description</b>	<b>Date</b>	<b>Comments</b>
Application received EPR/BN8806IR/A001	Duly made 04/03/2005	Application received for the treatment and processing of milk
Additional information received	28/09/2005	Requested 28/09/2005
Additional Information received	14/10/2005	Requested 14/10/2005

<b>Status log of the permit</b>		
<b>Description</b>	<b>Date</b>	<b>Comments</b>
Permit determined	22/12/2005	Permit issued to H.J. Heinz Manufacturing UK Limited
Variation SP3538ML (EPR/BN8806IR/V002)	13/11/2006	
Agency variation determined EPR/BN8806IR/V003	10/01/2014	Agency initiated variation to implement the changes introduced by IED
Application EPR/EP3536AH/T001 (full transfer of permit EPR/BN8806IR)	Duly made 08/07/2015	Application to transfer the permit in full to Kendal Nutricare Ltd.
Transfer determined EPR/EP3536AH (Billing ref: EP3536AH)	12/08/2015	Full transfer of permit complete.
Application EPR/EP3536AH/V002 (variation and consolidation)	Regulation 61 Notice response received 02/11/2022	Environment Agency initiated variation and consolidation following the Food, Drink & Milk Industries sector permit review.
Request for further information dated 08/03/2023	29/03/2023	Further information provided regarding the following BATc: 2, 3, 5, 6, 7, 8, 9, 11, 21, 23, and the completion of the water emissions tab, air emissions, MCPD, Climate change adaptation, RHS assessment and containment
Request for further information dated 05/04/2023	06/04/2023	Further information provided regarding the annual report for energy, water and productivity
Request for further information dated 05/04/2023	13/04/2023	Further information provided surface water discharges and the Recon Powder Vessel.
Request for further information dated 05/04/2023	25/04/2023	Further information on spill procedures
Request for further information dated 05/04/2023	12/05/2023	Further information provided on EPLs for energy consumption and waste water discharge. Details of substances stored on site.
Variation determined and consolidation issued EPR/EP3536AH (Billing ref. LP3744QH).	07/06/2023	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/EP3536AH

### Issued to

**Kendal Nutricare Ltd** (“the operator”)

whose registered office is

**1 Mint Bridge Road**

**Kendal**

**Cumbria**

**LA9 6NL**

company registration number 09389871.

to operate a regulated facility at

**Kendal Skimmed Milk**

**1 Mint Bridge Road**

**Kendal**

**Cumbria**

**LA9 6NL**

to the extent set out in the schedules.

The notice shall take effect from 07/06/2023

Name	Date
Beccy Brough	07/06/2023

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/EP3536AH**

This is the consolidated permit referred to in the variation and consolidation notice for application EPR/EP3536AH/V002 authorising,

**Kendal Nutricare Ltd** (“the operator”),

whose registered office is

**1 Mint Bridge Road**

**Kendal**

**Cumbria**

**LA9 6NL**

company registration number 09389871

to operate an installation at

**Kendal Skimmed Milk**

**1 Mint Bridge Road**

**Kendal**

**Cumbria**

**LA9 6NL**

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

Name	Date
Beccy Brough	07/06/2023

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 For the following activities referenced in schedule 1, table S1.1 (AR3, boilers 2 and 3) 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 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 report(s) 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

<b>Table S1.1 activities</b>			
<b>Activity reference</b>	<b>Activity listed in Schedule 1 of the EP Regulations</b>	<b>Description of specified activity</b>	<b>Limits of specified activity</b>
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 processed packaged milk and other products  Volume of raw milk permitted at the site is limited to 200 tonnes per day.
AR2	Section 5.4 Part A1 (a) (ii)	Physico-chemical Treatment of non-hazardous waste waters by pH adjustment.	Treatment of trade effluent within the onsite effluent treatment plant, from generation of effluents to discharge to United Utilities foul sewer.
<b>Directly Associated Activity</b>			
AR3	Steam supply	Medium Combustion plant: 2 x 9.69 MWth natural gas boilers	From receipt of fuel to release of products of combustion to air.
AR4	Heat generation	Gas burner used for generating heat for the spray drier.	Receipt of natural gas from burning of fuel in appliances to release of air emissions.
AR5	Use of refrigerants	Use of refrigerants in cooling and chilling systems at the installation.	From receipt of raw materials to dispatch of final product.
AR6	Waste storage and handling	Storage and handling of waste materials	From generation of waste to storage pending removal for disposal or recovery.
AR7	Surface water drainage	Collection of uncontaminated site surface waters	Handling and storage of site drainage until discharge to the site surface water system.
AR8	Raw material storage and handling	Storage and handling of raw materials at the installation	From receipt of raw materials to dispatch of final product.
AR9	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.

<b>Table S1.2 Operating techniques</b>		
<b>Description</b>	<b>Parts</b>	<b>Date Received</b>
Regulation 61 (1) Notice – Responses to questions dated 24/03/2022	All parts	Received 02/11/2022
Regulation 61 (1) Notice – Responses to questions dated 24/03/2022	Kendal Nutricare, Kendal Skimmed Milk, Site Protection and Monitoring Programme	02/11/2022
Regulation 61(1) Notice – request for further information dated 08/03/2023	Further information regarding the following BATc 2,3,5,6,7,8,9,11,21,23	29/03/2023 06/04/2023 13/04/2023 18/04/2023 25/04/2023 11/05/2023

<b>Table S1.3 Improvement programme requirements</b>		
<b>Reference</b>	<b>Requirement</b>	<b>Date</b>
IC5	<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 (emission point A5). The report shall include, but not be limited to, the following:</p> <ol style="list-style-type: none"> <li>1) Current performance against the BAT-AELs.</li> <li>2) Methodology for reaching the BAT-AELs.</li> <li>3) Associated targets /timelines for reaching compliance by 4 December 2023.</li> <li>4) Any alterations to the initial plan (in progress reports).</li> </ol> <p>The report shall address the BAT Conclusions for Food, Drink and Milk industries with respect to the following:</p> <ul style="list-style-type: none"> <li>• BAT 23 Table 10 (compliance with BAT-AELs for channelled dust emission to air from drying)</li> </ul> <p>Refer to BAT Conclusions for a full description of the BAT requirement.</p>	04/12/2023
IC6	<p>The operator shall submit, for approval by Environment Agency, a report setting out progress to achieving the ‘Narrative’ BAT 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"> <li>1) Methodology for achieving BAT</li> <li>2) Associated targets /timelines for reaching compliance by 4 December 2023</li> <li>3) Any alterations to the initial plan (in progress reports).</li> </ol> <p>The report shall address the BAT Conclusions for Food, Drink and Milk Industries with respect to BAT 6, 7 and 11.</p> <p>Refer to BAT Conclusions for a full description of the BAT requirement.</p>	04/12/2023
IC7	<p>The operator shall submit, for approval by the Environment Agency, a report setting out progress to achieving the Environmental Performance Levels (EPLs) for specific energy consumption, where the EPL is not currently achieved.</p> <p>The report shall include, but not be limited to, the following:</p> <ol style="list-style-type: none"> <li>1) Methodology for achieving EPL in accordance with general techniques given in section 1.3 of the BAT conclusions</li> <li>2) Associated targets /timelines for reaching compliance by 4 December 2023</li> </ol>	04/12/2023

<b>Table S1.3 Improvement programme requirements</b>		
<b>Reference</b>	<b>Requirement</b>	<b>Date</b>
	3) Any alterations to the initial plan (in progress reports). The report shall address the BAT Conclusions for Food, Drink and Milk Industries with respect to sections 1.3 and 4.1 of the BAT conclusions. Refer to BAT Conclusions for a full description of the requirements.	
IC8	The operator shall submit, for approval by the Environment Agency, a report setting out progress to achieving the Environmental Performance Levels (EPLs) for specific water consumption, where the EPL is not currently achieved. The report shall include, but not be limited to, the following: 1) Methodology for achieving EPL in accordance with general techniques given in section 1.4 of the BAT conclusions 2) Associated targets /timelines for reaching compliance by 4 December 2023 3) Any alterations to the initial plan (in progress reports). The report shall address the BAT Conclusions for Food, Drink and Milk Industries with respect to sections 1.4 and 4.2 of the BAT conclusions. Refer to BAT Conclusions for a full description of the requirements.	04/12/2023
IC9	The operator shall produce a climate change adaptation plan. The approved plan will form part of the EMS. The plan shall include, but not be limited to: • Details of how the installation has or could be affected by severe weather; • The scale of the impact of severe weather on the operations within the installation; • An action plan and timetable for any improvements to be made to minimise the impact of severe weather at the installation. The Operator shall implement any necessary improvements to a timetable agreed in writing with the Environment Agency.	12 Months from permit issue or other date as agreed in writing with the Environment Agency
IC10	The Operator shall undertake a survey of the site effluent treatment plant (ETP) primary, secondary and tertiary containment and review measures against relevant standard including: • CIRIA Containment systems for the prevention of pollution (C736) – Secondary, tertiary and other measures for industrial and commercial premises, • EEMUA 159 - Above ground flat bottomed storage tanks The operator shall submit a written report to the Environment Agency approval which outlines the results of the survey and the review of standard and provide details of • current containment measures • any deficiencies identified in comparison to relevant standards, • improvements proposed • time scale for implementation of improvements. The operator shall implement the proposed improvements in line with the timescales agreed by the Environment Agency.	12 Months from permit issue or other date as agreed in writing with the Environment Agency
IC11	The Operator shall submit a written report to the Environment Agency of monitoring carried out to determine the size distribution of particulate matter in the exhaust gas emissions to air from emission point A4 and A5 identifying the fractions within the PM10 and PM2.5 ranges. The monitoring shall be carried out under representative operating conditions and shall be in accordance with EN ISO 23210 unless otherwise agreed with the Environment Agency.	12 Months from permit issue or other date as agreed in writing with the Environment Agency

## Schedule 2 – Waste types, raw materials and fuels

Table S2.1 Raw materials and fuels	
Raw materials and fuel description	Specification
-	-



## 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]	Existing medium combustion fuelled on natural gas 1 x 9.69 MWth boiler	Oxides of Nitrogen (NO and NO <sub>2</sub> expressed as NO <sub>x</sub> )	200 mg/m <sup>3</sup> Limit applies from 01/01/2025	Periodic	Every 3 years from date of acceptance of first monitoring measurements under condition 3.1.4.	MCERTS BS EN 14792 [Note 1]
		Carbon monoxide	No limit	Periodic	Every 3 years from date of acceptance of first monitoring measurements under condition 3.14.	MCERTS BS EN15058
A2 [Point A2 on site plan in Schedule 7]	Existing medium combustion fuelled on natural gas 1 x 9.69 MWth boiler	Oxides of Nitrogen (NO and NO <sub>2</sub> expressed as NO <sub>x</sub> )	200 mg/m <sup>3</sup> Limit applies from 01/01/2025	Periodic	Every 3 years from date of acceptance of first monitoring measurements under condition 3.1.4.	MCERTS BS EN 14792 [Note 1]
		Carbon monoxide	No Limit	Periodic	Every 3 years from date of acceptance of first monitoring measurements under condition 3.1.4.	MCERTS BS EN15058
A3 [Point A3 on site plan in Schedule 7]	Spray drier gas burner – indirect air heating exhaust (3.96 MWth)	No parameters set	No limit set	--	--	--
A4 [Point A4 on site plan in Schedule 7]	Cyclones 1-4 on spray drier	Particulate matter	10 mg/m <sup>3</sup>	Average over sampling period	Annually	BS EN 13284-1
A5 [Point A5 on site plan in Schedule 7]	Cyclone 5 on spray drier	Particulate matter	10 mg/m <sup>3</sup> [Note 2]	Average over sampling period	Annually	BS EN 13284-1

<b>Table S3.1 Point source emissions to air – emission limits and monitoring requirements</b>						
<b>Emission point ref. &amp; location</b>	<b>Source</b>	<b>Parameter</b>	<b>Limit (including unit)</b>	<b>Reference period</b>	<b>Monitoring frequency</b>	<b>Monitoring standard or method</b>
<p>Note 1: Monitoring requirements are defined at a temperature of 273.15 K, a pressure of 101.3 kPa and after correction for the water vapour content of the waste gases at a standardised O<sub>2</sub> content of 6% for solid fuels, 15% for engines and gas turbines and 3% all other MCPs</p> <p>Note 2: This emission limit and monitoring requirements shall only apply upon completion of IC5 – at the latest by 04/12/2023.</p>						

<b>Table S3.2 Point Source emissions to water (other than sewer) and land – emission limits and monitoring requirements</b>						
<b>Emission point ref. &amp; location</b>	<b>Source</b>	<b>Parameter</b>	<b>Limit (incl. unit)</b>	<b>Reference Period</b>	<b>Monitoring frequency</b>	<b>Monitoring standard or method</b>
W1 on site plan in schedule 7 emission to River Kent	Uncontaminated surface water via interceptor	No parameters set	No limit set	-	-	-
W2 on site plan in schedule 7 emission to River Mint	Uncontaminated surface water via interceptor	No parameters set	No limit set	-	-	-

**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 [Point S1 on site plan in schedule 7] emission to United Utilities Kendal Wattsfield Wastewater Treatment Plant	Treated process effluent from onsite effluent treatment plant	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.

<b>Table S4.1 Reporting of monitoring data</b>			
<b>Parameter</b>	<b>Emission or monitoring point/reference</b>	<b>Reporting period</b>	<b>Period begins</b>
Point source emissions to air Parameters as required by condition 3.5.1	A4, A5	Every 12 months	1 January
	A1 and A2 (MCPD Boiler emission point)	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

<b>Table S4.2: Annual production/treatment</b>	
<b>Parameter</b>	<b>Units</b>
Milk products produced.	tonnes

<b>Table S4.3 Performance parameters</b>		
<b>Parameter</b>	<b>Frequency of assessment</b>	<b>Units</b>
Water usage	Annually	m <sup>3</sup>
Energy usage	Annually	MWh
Waste	Annually	tonnes
Food waste	Annually	Tonnes

<b>Table S4.4 Reporting forms</b>		
<b>Parameter</b>	<b>Reporting form</b>	<b>Form version number and date</b>
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
Water usage	Water Usage Reporting Form, or other form as agreed in writing by the Environment Agency	Version 1, 08/03/2021
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	

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

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

<b>Time periods for notification following detection of a breach of a limit</b>	
<b>Parameter</b>	<b>Notification period</b>

<b>(c) Notification requirements for the breach of permit conditions not related to limits</b>	
<b>To be notified within 24 hours of detection</b>	
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.	

<b>(d) Notification requirements for the detection of any significant adverse environmental effect</b>	
<b>To be notified within 24 hours of detection</b>	
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.

“average over the sampling period” means the average value of three consecutive measurements of at least 30 minutes each, unless otherwise stated, as defined in the General Considerations section of the Food, Drink & Milk Industries BAT Conclusions.

“disposal” means any of the operations provided for in Annex I to the Waste Framework Directive.

“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.

“recovery” means any of the operations provided for in Annex II to the Waste Framework Directive.

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.

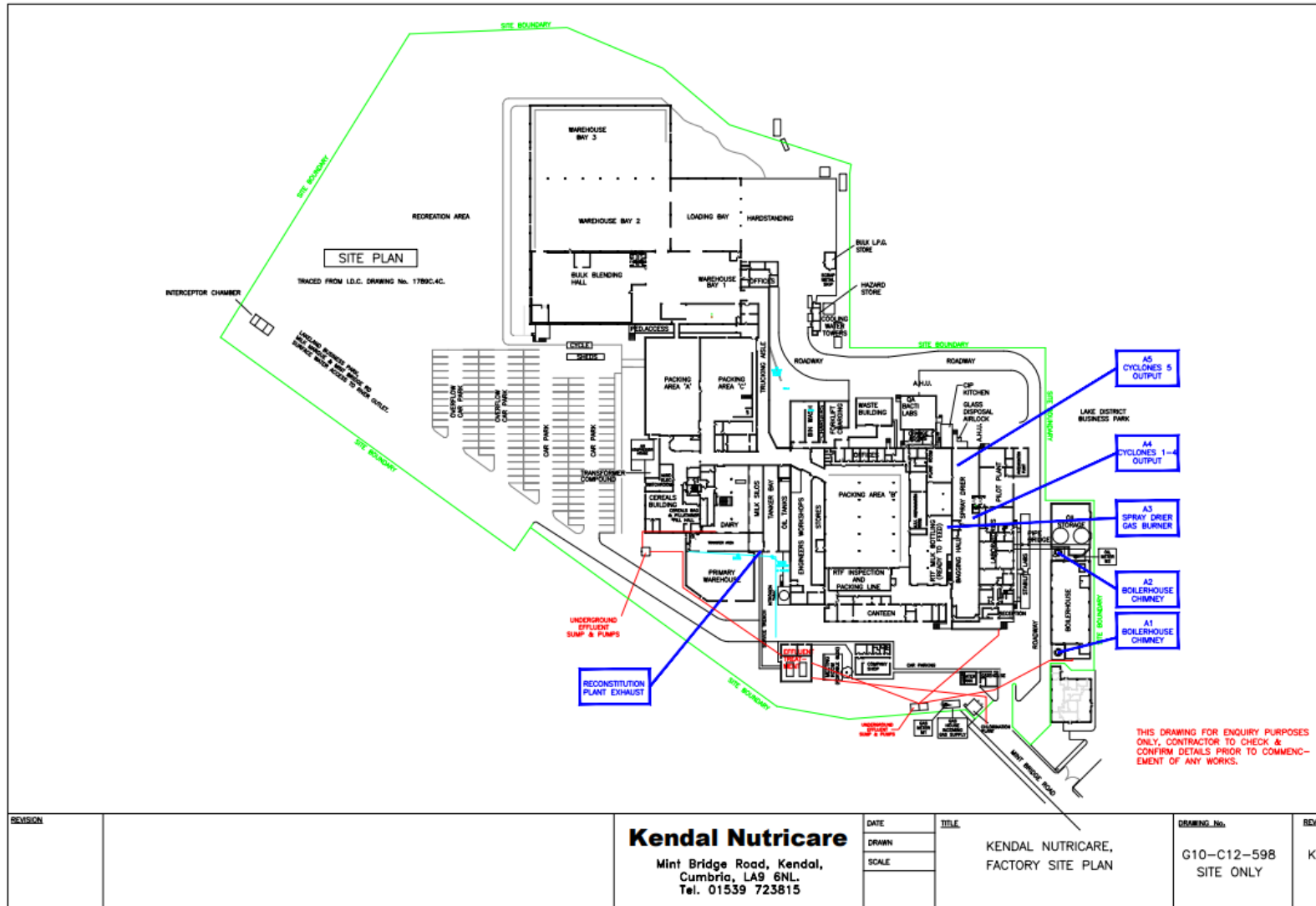
Unless otherwise stated, any references in this permit to concentrations of substances in emissions into air means:

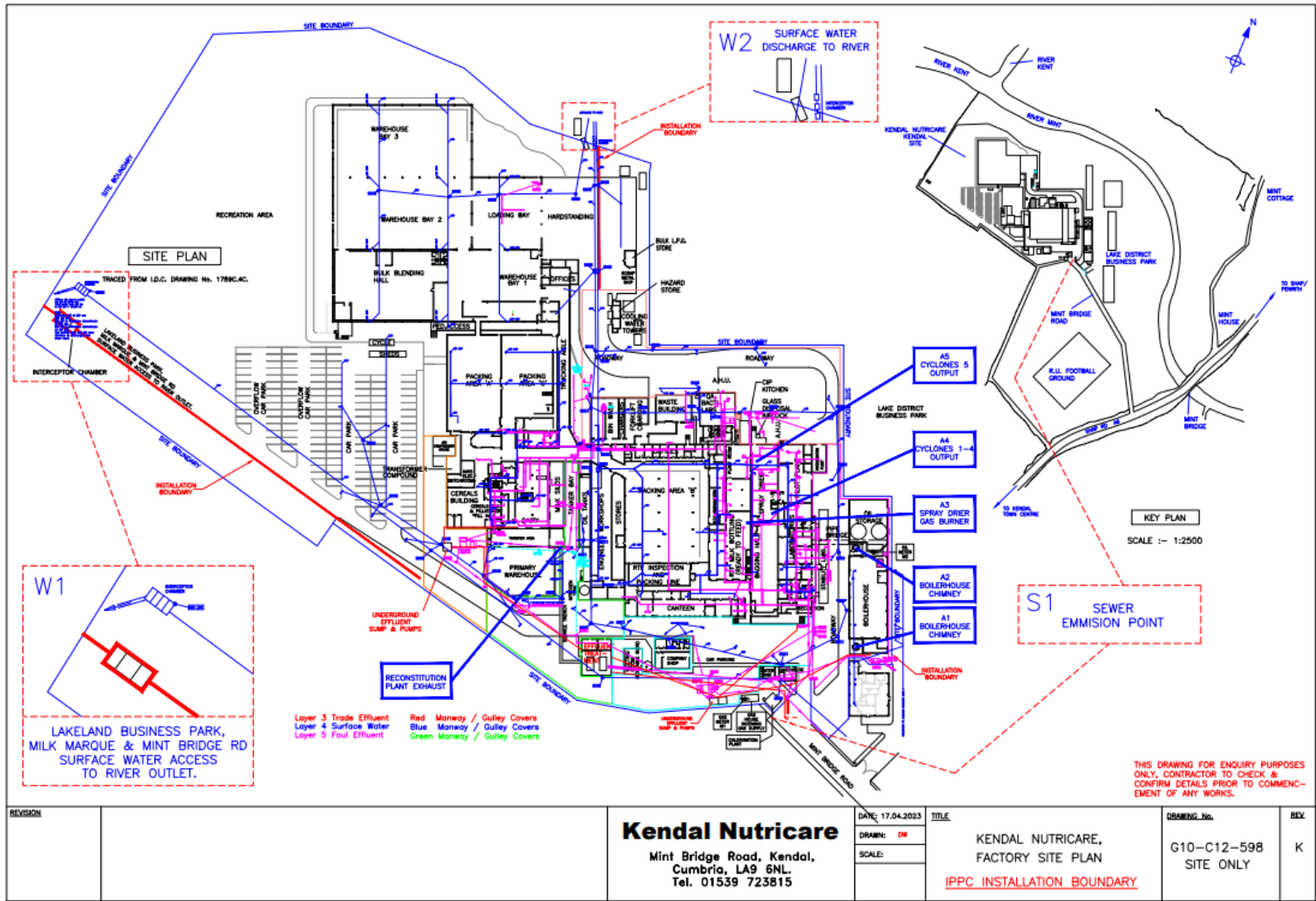
- in relation to emissions from combustion processes, the concentration in dry air at a temperature of 273K, at a pressure of 101.3 kPa and with an oxygen content of 3% dry for liquid and gaseous fuels 6% dry for solid fuels; and/or

- 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

Permit number  
EPR/EP3536AH

## Emissions to Air Reporting Form

**Permit number:** EPR/EP3536AH

**Operator:** Kendal Nutricare Limited

**Facility name:** Kendal Skimmed Milk

**Emissions to Air Reporting Form: version 1, 08/03/2021**

Reporting of emissions to air for the period from *[DD/MM/YY]* to *[DD/MM/YY]*

<b>Emission point</b>	<b>Substance / parameter</b>	<b>Emission Limit Value</b>	<b>Reference period</b>	<b>Test method <sup>1</sup></b>	<b>Result <sup>2</sup></b>	<b>Sample dates and times <sup>3</sup></b>	<b>Uncertainty <sup>4</sup></b>
<i>[e.g. A1]</i>	<i>[e.g. Oxides of nitrogen (NO and NO<sub>2</sub> expressed as NO<sub>2</sub>)]</i>	<i>[e.g. 200 mg/m<sup>3</sup>]</i>	<i>[e.g. daily average]</i>	<i>[e.g. BS EN 14181]</i>	<i>[State result]</i>	<i>[State relevant dates and time periods]</i>	<i>[State uncertainty if not 95% confidence interval]</i>

**Signed:** *[Name]*

**Date:** *[DD/MM/YY]*

(Authorised to sign as representative of the operator)

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**Guidance for use:** Use this form to report your monitoring results.

Example text is shown in bracketed grey italics. Replace the example text by entering your own site specific information. Complete columns 1 to 5 using the information from schedule 3 of your permit. Complete columns 6 to 8 with your monitoring data. Add additional rows as necessary.

<sup>1</sup> Where an internationally recognised standard test method is used, give the reference number. Where another method that has been formally agreed with the Environment Agency, give the appropriate identifier. In other cases state the principal technique, for example gas chromatography.

- <sup>2</sup> Give the result as the maximum value (or the minimum value in the case of a limit that is expressed as a minimum) obtained during the reporting period, expressed in the same terms as the emission limit value. Where the emission limit value is expressed as a range, give the result as the 'minimum to maximum' of the measured values.
- <sup>3</sup> For non-continuous measurements give the date and time of the sample that produced the result. For continuous measurements give the percentage of the process operating time covered by the result.
- <sup>4</sup> Complete if the uncertainty associated with the result is not a 95% confidence interval. Leave blank for 95% confidence intervals.

## Water Usage Reporting Form

**Permit number:** EPR/EP3536AH

**Operator:** Kendal Nutricare Limited

**Facility name:** Kendal Skimmed Milk

**Water Usage Reporting Form: version 1, 08/03/2021**

Reporting of water usage for the year [YYYY]

<b>Water source</b>	<b>Water usage (m<sup>3</sup>)</b>	<b>Specific water usage (m<sup>3</sup>/tonne of product) <sup>2</sup></b>
Mains water	<i>[insert annual usage in m<sup>3</sup> where mains water is used]</i>	Not Applicable
Site borehole	<i>[insert annual usage in m<sup>3</sup> where water is used from a site borehole]</i>	Not Applicable
River abstraction	<i>[insert annual usage in m<sup>3</sup> where abstracted river water is used]</i>	Not Applicable
Other – <i>[specify other water source where applicable]. Add extra rows where needed]</i>	<i>[insert annual usage in m<sup>3</sup> where applicable]</i>	Not Applicable
Total water usage	<i>[insert total annual water usage in m<sup>3</sup>]</i>	<i>[insert total water use per tonne of product produced m<sup>3</sup>/t]</i>

**Operator's comments**

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<b>Operator's comments</b>

**Signed:**     *[Name]*

**Date:**       *[DD/MM/YY]*

(Authorised to sign as representative of the operator)

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**Guidance for use:** Use this form to report your annual water usage.

Example text is shown in bracketed grey italics. Replace the example text by entering your own site specific information. Add additional rows as necessary.



## Energy Usage Reporting Form

**Permit number:** EPR/EP3536AH

**Operator:** Kendal Nutricare Limited

**Facility name:** Kendal Skimmed Milk

**Energy Usage Reporting Form: version 1, 08/03/2021**

Reporting of energy usage for the year [YYYY]

Energy source	Energy consumption / production (MWh)	Specific energy consumption (MWh/tonne of product) <sup>2</sup>
Total	<i>[insert total energy use in MWh]</i>	<i>[insert total energy use per tonne of product MWh/tonne of product]</i>

<b>Operator's comments</b>

**Signed:** *[Name]*

**Date:** *[DD/MM/YY]*

(Authorised to sign as representative of the operator)

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**Guidance for use:** Use this form to report your annual energy usage.

Example text is shown in bracketed grey italics. Replace the example text by entering your own site specific information. Add additional rows as necessary.

<sup>1</sup> Multiply delivered electricity by 2.4 to convert to primary energy where the electricity is supplied from the national grid. If the electricity is supplied from another source, specify the conversion factor used. Add additional rows as needed if electricity is imported from multiple sources.

<sup>2</sup> Divide energy consumption by an appropriate unit of raw material processed or product output.

## Food Waste Reporting Form

**Permit number:** EPR/EP3536AH

**Operator:** Kendal Nutricare Limited

**Facility name:** Kendal Skimmed Milk

**Food Waste Reporting Form: version 1, 06/02/2023**

Reporting of food waste for the period from *[DD/MM/YY]* to *[DD/MM/YY]*

<b>Overall food waste (tonnes)</b>	
<b>Food waste as % of product</b>	
<b>Food waste disposal routes</b>	<i>As specified below</i>

<b>Source</b>	<b>Tonnage</b>
<b>Redistribution for human consumption</b>	
<b>Animal feed</b>	
<b>Bio-based materials/biochemical processing (e.g. feedstock for other industrial products)</b>	
<b>Anaerobic digestion/codigestion</b>	
<b>Composting/aerobic processes</b>	

<b>Incineration/controlled combustion</b>	
<b>Land application</b>	
<b>Landfill</b>	
<b>Sewer/wastewater treatment (<i>e.g. as COD</i>)</b>	
<b>Other (Please specify)</b>	

**Signed:** [Name]

**Date:** [DD/MM/YY]

(Authorised to sign as representative of the operator)

**Guidance for use:** Use this form to report your food waste metrics.

Example text is shown in bracketed grey italics. Replace the example text by entering your own site specific information.

**Rationale:** Avoidance of food waste is a key issue for the sector, both nationally and globally, and is subject to a United Nations Sustainable Development Goal: SDG 12.3: “By 2030, halve per capita global food waste at the retail and consumer levels and reduce food losses along production and supply chains, including post-harvest losses”.

This complements Defra’s Food and drink waste hierarchy: deal with surplus and waste - GOV.UK ([www.gov.uk](http://www.gov.uk)) and WRAP’s Target Measure Act Initiative.

Reporting of food waste should be to a set methodology such as the global Food Loss and Waste Accounting and Reporting Standard (FLW standard).

## Other Performance Parameters Reporting Form

**Permit number:** EPR/EP3536AH

**Operator:** Kendal Nutricare Limited

**Facility name:** Kendal Skimmed Milk  
**08/03/2021**

**Other Performance Parameters Reporting Form: version 1,**

Reporting of other performance parameters for the period from *[DD/MM/YY]* to *[DD/MM/YY]*

<b>Parameter</b>	<b>Units</b>
<i>[e.g. Total raw material usage]</i>	<i>[e.g. tonnes per production unit]</i>

<b>Operator's comments</b>

<b>Operator's comments</b>

**Signed:**     *[Name]*

**Date:**       *[DD/MM/YY]*

(Authorised to sign as representative of the operator)

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**Guidance for use:** Use this form to report the performance parameters (other than water and energy) required by your permit. Example text is shown in bracketed grey italics. Replace the example text by entering your own site specific information. The parameters to report and units to be used can be found in the 'Performance parameters' table in schedule 4 of your permit. Add additional rows as necessary.