

Notice of variation and consolidation with introductory note

The Environmental Permitting (England & Wales) Regulations 2016

The First Milk Cheese Company Limited

Lake District Creamery
Station Road
Aspatria
Wigton
Cumbria
CA7 2AR

Variation application number

EPR/KP3931MS/V004

Permit number

EPR/KP3931MS

Lake District Creamery

Permit number EPR/KP3931MS

Introductory note

This introductory note does not form a part of the notice

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

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

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

We have implemented the requirements of the Medium Combustion Plant directive and incorporated post-dated requirements for 2025 and 2030.

The schedules specify the changes made to the permit.

In addition as part of the partial permit transfer to Biogest UK Ltd, the following listed activities and directly related activities have now been transferred, thus removed from this present variation:

- Effluent treatment plant: Section 5.4 Part A(1)(a)(i) – ‘Disposal of non-hazardous waste with a capacity exceeding 50 tonnes per day involving biological treatment’.
- Anaerobic digestion: Section 5.4 Part A(1)(b)(i) – ‘Recovery or a mix of recovery and disposal of non-hazardous waste with a capacity exceeding 75 tonnes per day (or 100 tonnes per day if the only waste treatment activity is anaerobic digestion) involving biological treatment’.
- Biogas refining: Section 1.2 Part A(1)(a) – ‘Refining gas where this is likely to involve the use of 1,000 or more tonnes of gas in any 12-month period’.
- Biogas CHP and biogas Boiler.
- Emergency flare operation.
- Gas storage.
- Air emission points A9, A10, A11, A12, A13, and A14.
- Water emission points W1 and W2.
- Updated site plan showing the location and emission points associated only with Lake District Creamery.

Process effluent and bioproducts produced by the Lake District Creamery are now being transferred for treatment at the ETP and AD now operated by Biogest UK Ltd, installation located at Lake District Biogas site. This is reflected in the schedules.

The main features of the permit are as follows.

The installation, located at national grid reference NY 14404 41176, produces approximately 1214 tonnes of cheddar cheese and whey powder per day. Milk is received in bulk tankers, pumped into storage silos, and held until required for processing. The milk is then pasteurised prior to being processed into cheese.

The cheese manufacturing process involves the addition of bacterial starter organisms and rennet to the pasteurised milk, which develops acidity, coagulates and separates into curds and whey. The curds are physically separated from the whey, salted and conveyed to the packing area producing 20kg blocks of cheddar cheese. The whey is pumped directly to the whey process area where fat is extracted by separation, before being concentrated using membranes, and crystallised. After crystallisation the whey is spray dried into whey powder, stored in silos, bagged, and palletised, prior to despatch.

The site operates a range of medium combustion plants for the generation of steam through Boilers A, B, and C of 24.5 MWth combined capacity, running on natural gas. Associated air emissions of flue gases is monitored at emission points A5, A6, and A8. In parallel, there is a combined heat and power MCP with a thermal input capacity of 2.8 MWth, running on natural gas – CHP 1 releasing flue gases via air emission point A7. Other particulate matter air emission point is A4 associated with drying of whey operations; these emission point use a bag filter to capture particulate matter.

The site used to operate a biological effluent treatment plant and an anaerobic digester that have been transferred in 2023 to Biogest UK Ltd operating under its own environmental permit, EPR/HP3748QN. Process effluent and food waste generated at Lake District Creamery site are now being transferred to and processed by Biogest UK Ltd via emission point S1. There are no water emissions from processes or surface run-off, that are now sent off-site for treatment at Lake District Biogas.

There are four European sites within 10km of the site, specifically the Clints Quarry Special Area of Conservation (SAC) (4.8km), the River Derwent & Bassenthwaite Lake SAC (7.4km), the Upper Solway Flats and Marshes Special Protection Area (SPA) (8.0km) and the Solway Firth SAC (8.7km). The Upper Solway Flats and Marshes SPA is in hydraulic continuity with discharges to the River Ellen.

The operator has an Environmental Management System and is in a Climate Change Levy Agreement.

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

Status log of the permit		
Description	Date	Comments
Application received BS9059IB	Duly made 20/04/2005	Application for production of cheese and whey powder.
Additional information received	05/09/2005 29/09/2005	
Permit determined BS9059IB	03/11/2005	Permit issued to Dairy Crest Limited.
Transfer determined EPR/KP3931MS/T001	23/01/2007	Full transfer of permit to The First Milk Cheese Company Limited
Application EPR/KP3931MS/V002 (variation and consolidation)	Duly made 04/09/2013	Application to replace the boilers, add a CHP plant, expand and update the whey processing system, include the surface water emissions and update the permit to modern conditions.
Additional information	Received 31/10/2013	Response to Schedule 5 Notice requiring further information.
Variation determined EPR/KP3931MS/V002	10/12/2013	Varied and consolidated permit issued in modern condition format.
Application EPR/KP3931MS/V003 (variation and consolidation)	Duly made 24/02/2016	Application to upgrade the ETP with an AD and associated CHP plant and to reduce the phosphorus limit to water.
Further Information request dated 26/02/2016	11/03/2016	Updated dispersion modelling (VOCs) Noise survey Monitoring ETP/AD – Containment strategy (outline design)
Additional Information provided in response to our email sent 08/04/2016	13/04/2016	AD process monitoring
Additional Information provided	25/04/2016	DSEAR Risk Assessment (pre-commissioning)
Variation determined EPR/KP3931MS	09/05/2016	Varied and consolidated permit issued.
Application EPR/KP3931MS/V004 (variation and consolidation)	Regulation 61 Notice	Environment Agency initiated variation and consolidation following the Food, Drink & Milk Industries sector permit review.

Status log of the permit		
Description	Date	Comments
	response received 22/07/2022	
Request for further information (09/03/2023)	30/03/2023	Monitoring of total nitrogen in discharged water, ETP accidental discharge protection, noise management techniques, air emissions of particulate matter monitoring results, number of cooling towers, product lines, updated site plan.
Request for further information (09/03/2023)	30/03/2023	Information provided in relation to BATc 4, 6(a), 11, 14, RHS, CCA, cooling towers, product lines, updated site plan.
Part transfer application EPR/HP3748QN/T001 (dated 08/06/2022)	Duly made 05/06/2023	Transfer of effluent treatment plant, anaerobic digester, Biogas Boiler of 1.0 MWth, and CHP2 of 1.3 MWth to Biogest UK Ltd.
Variation determined and consolidation issued EPR/KP3931MS (Billing ref. HP3146QJ).	26/07/2023	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/KP3931MS

Issued to

The First Milk Cheese Company Limited (“the operator”)

whose registered office is

The Lake District Creamery

Station Road

Aspatria

Wigton

Cumbria

CA7 2AR

company registration number 05893846

to operate a regulated facility at

Lake District Creamery

Station Road

Aspatria

Wigton

Cumbria

CA7 2AR

to the extent set out in the schedules.

The notice shall take effect from 26/07/2023.

Name	Date
Marcus Woodward	26/07/2023

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/KP3931MS

This is the consolidated permit referred to in the variation and consolidation notice for application EPR/KP3931MS/V004 authorising,

The First Milk Cheese Company Limited (“the operator”),

whose registered office is

The Lake District Creamery

Station Road

Aspatria

Wigton

Cumbria

CA7 2AR

company registration number 05893846

to operate an installation at

Lake District Creamery

Station Road

Aspatria

Wigton

Cumbria

CA7 2AR

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

Name	Date
Marcus Woodward	26/07/2023

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 and S3.2.

- 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 activity referenced in schedule 1, table S1.1 (AR3) the first monitoring measurements shall be carried out within four months of 01/01/2025 or 01/01/2030, 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.

3.4 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.

3.5 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 and S3.2.
- 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 and S3.2 unless otherwise agreed in writing by the Environment Agency.

3.6 Pests

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

4 Information

4.1 Records

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

4.2 Reporting

- 4.2.1 The operator shall send all reports and notifications required by the permit to the Environment Agency using the contact details supplied in writing by the Environment Agency.
- 4.2.2 A report or reports on the performance of the activities over the previous year shall be submitted to the Environment Agency by 31 January (or other date agreed in writing by the Environment Agency) each year. The 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

Table S1.1 activities			
Activity reference	Activity listed in Schedule 1 of the EP Regulations	Description of specified activity	Limits of specified activity
AR1	Section 6.8 Part A1 (e)	Treating and processing milk with the quantity of milk received being more than 200 tonnes per day (average value on annual basis)	From receipt of raw milk delivered to the site to the production and dispatch of cheese, whey protein concentrate powder, and cream. Production capacity is limited to 1214 tonnes per day.
Directly Associated Activity			
AR2	Steam and electrical power supply	Medium Combustion plants: Boiler A: 8.4 MWth Boiler B: 8.4 MWth Boiler C: 7.7 MWth CHP 1: 2.8 MWth Boilers A, B, C, and CHP 1 are fuelled by Natural Gas	From receipt of fuel to release of products of combustion to air.
AR3	Raw material storage and handling	Storage and handling of raw materials at the installation	From receipt of raw materials to dispatch of final product.
AR4	Use of refrigerants	Use of refrigerants in cooling, chilling and/or freezing systems at the installation.	From receipt of raw materials to dispatch of final product.
AR5	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.
AR6	Waste storage and handling	Storage and handling of waste materials	From generation of waste to storage pending removal for disposal or recovery.
AR7	Process cooling waters	Operation of three cooling towers	From operation of cooling towers, including chemical dosing.
AR8	Surface water drainage	Collection of uncontaminated site surface waters	Handling and storage of site drainage until discharge to the site surface water system leading to River Ellen.

Table S1.2 Operating techniques		
Description	Parts	Date Received
Application BS9059IB	The response to questions 2.1 and 2.2 given in sections B2.1.13, B2.2.5-6, B2.2.13, B2.2.24, B2.2.46-49, B2.2.52-57 and B2.4.7 – B2.4.12 of the application	20/04/2005
Application EPR/KP3931MS/V002	Application form Part C3 - Section 3 on Operating Techniques, Table 3 Technical Standards and document 47065378/LERP00001 – Section 4 Description of the Proposed Changes.	04/09/2013
Response to Schedule 5 Notice dated 04/10/13	Response to: question 2 regarding operation of the combination boiler; question 3 detailing updated timescales for the phased transition of the boilers; and question 7 explaining the control measures on W2.	31/10/2013
Application EPR/KP3931MS/V003	Application form Part C3 - Section 3 on Operating Techniques, Table 3 Technical Standards and document 47074323/LERP0001 – Section 4 Operating Techniques. Sections - 2 Odours, 4 Gas Flare, 5 Refining gas – document dated 22 February 2016	24/02/2016
Additional information provided in response to our email sent 08/04/16	Response to Item 2 – AD plant - daily checks and process monitoring	13/04/2016
Approved Odour Management Plan (OMP)	To be provided in response to IC10 in Table S1.3 of this permit.	--
Regulation 61 (1) Notice – Responses to questions dated 25/03/2022	All parts	Received 22/07/2022
Request for further information dates 09/03/2023	Information provided in respect to BATc 4, 6, 11, 14, AELs to water and air, CCA, product range, updated site plan.	30/03/2023

Table S1.3 Improvement programme requirements		
Reference	Requirement	Date
IC17	The operator shall submit, for approval by Environment Agency, a report setting out progress to achieving the 'Narrative' BAT where BATc is currently not achieved but will be achieved before 4 December 2023. The report shall include, but not be limited to, the following: 1) Methodology for achieving BAT 2) Associated targets /timelines for reaching compliance by 4 December 2023 3) Any alterations to the initial plan (in progress reports). The report shall address the BAT Conclusions for Food, Drink and Milk Industries with respect to BAT 1 and 6. Refer to BAT Conclusions for a full description of the BAT requirement.	04/12/2023
IC18	The operator shall use refrigerants without ozone depletion potential and with a low global warming potential (GWP) in accordance with BAT 9 from the Food, Drink and Milk Industries BATCs. To demonstrate compliance against BAT 9, the operator shall develop a replacement plan for the refrigerant system(s) at the installation. This shall	04/12/2023

Table S1.3 Improvement programme requirements		
Reference	Requirement	Date
	<p>be incorporated within the existing environmental management system by the specified date.</p> <p>The plan should include, but not be limited to, the following:</p> <ul style="list-style-type: none"> • Where practicable, retro filling systems containing high GWP refrigerants e.g. R-404A with lower GWP alternatives as soon as possible. • An action log with timescales, for replacement of end-of-life equipment using refrigerants with the lowest practicable GWP. 	
IC19	<p>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 points A4 and A5 (driers), 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.</p>	12 months from permit issue
IC20	<p>The operator shall produce a monitoring plan detailing how the management of relevant hazardous substances which did not screen out as low risk, based on the RHS baseline assessment, will be maintained, and monitored to mitigate the risks of pollution. The plan shall be submitted for approval.</p> <p>The plan shall be implemented in accordance with the Environment Agency's written approval.</p>	12 months from permit issue
IC21	<p>The operator shall produce a climate change adaptation plan. The approved plan will form part of the EMS.</p> <p>The plan shall include, but not be limited to:</p> <ul style="list-style-type: none"> • Details of how the installation has or could be affected by severe weather; • The scale of the impact of severe weather on the operations within the installation; • An action plan and timetable for any improvements to be made to minimise the impact of severe weather at the installation. <p>The Operator shall implement any necessary improvements to a timetable agreed in writing with the Environment Agency.</p>	12 months from permit issue
IC22	<p>The operator shall submit, for approval by the Environment Agency, a report setting out progress to achieving the Best Available Techniques Conclusion Associated Emission Levels (BAT-AELs) where BAT is currently not achieved, but will be achieved before 4 December 2023. The report shall include, but not be limited to, the following:</p> <ol style="list-style-type: none"> 1) Current performance against the BAT-AELs. 2) Methodology for reaching the BAT-AELs. 3) Associated targets /timelines for reaching compliance by 4 December 2023. 4) Any alterations to the initial plan (in progress reports). <p>The report shall address the BAT Conclusions for Food, Drink and Milk industries with respect to the following:</p> <ul style="list-style-type: none"> • BAT 23 Table 10 (compliance with BAT-AELs for channelled dust emissions to air from drying). 	04/12/2023

Schedule 2 – Waste types, raw materials and fuels

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

Table S3.1 Point source emissions to air – emission limits and monitoring requirements						
Emission point ref. & location	Source	Parameter	Limit (including unit)	Reference period	Monitoring frequency	Monitoring standard or method
A4 [Point A4 on site plan in Schedule 7]	Spray drier exhaust stack via bag filter	Particulate matter	Until 04/12/2023 50 mg/m ³	Instantaneous	Annually	BS EN 13284-1
			From 04/12/2023 10 mg/m ³	Average over sampling period	Annually	BS EN 13284-1
A5 [Point A5 on site plan in Schedule 7]	Boiler A 8.4 MWth Natural gas fired	Oxides of Nitrogen (NO and NO ₂ expressed as NO _x)	200 mg/m ³ [NOTE 1]	Periodic	Every three years	BS EN 14792
		Carbon monoxide	No Limit	Periodic	Every three years	BS EN15058
A6 [Point A6 on site plan in Schedule 7]	Boiler B 8.4 MWth Natural gas fired	Oxides of Nitrogen (NO and NO ₂ expressed as NO _x)	200 mg/m ³ [NOTE 1]	Periodic	Every three years	BS EN 14792
		Carbon monoxide	No Limit	Periodic	Every three years	BS EN15058
A7 [Point A7 on site plan in Schedule 7]	CHP 1 2.8 MWth Natural gas fired	Oxides of Nitrogen (NO and NO ₂ expressed as NO _x)	190 mg/m ³ [NOTE 2]	Periodic	Every three years	BS EN 14792
		Carbon monoxide	No Limit	Periodic	Every three years	BS EN15058
A8 [Point A8 on site plan in Schedule 7]	Boiler C (combination boiler) 7.7 MWth Natural gas fired	Oxides of Nitrogen (NO and NO ₂ expressed as NO _x)	200 mg/m ³ [NOTE 1]	Periodic	Every three years	BS EN 14792
		Carbon monoxide	No Limit	Periodic	Every three years	BS EN 15058
NOTE 1: Emission limit and/or monitoring requirements apply from 1 January 2025, unless otherwise advised by the Environment Agency.						
NOTE 2: Emission limit and/or monitoring requirements apply from 1 January 2030, unless otherwise advised by the Environment Agency						

**Table S3.2 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] transfer of effluent to Lake District Biogas treatment facility	Process effluent	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.

Table S4.1 Reporting of monitoring data			
Parameter	Emission or monitoring point/reference	Reporting period	Period begins
Point source emissions to air Parameters as required by condition 3.5.1	Driers A4 and A5	Every 12 months	1 January
	A5 – Boiler A A6 – Boiler B A8 – Boiler C	First monitoring undertaken in accordance with Condition 3.1.4 to be reported within 3 months, and then every 12 months thereafter (Starting from 01/01/2025)	1 January
	A7 – CHP 1	First monitoring undertaken in accordance with Condition 3.1.4 to be reported within 3 months, and then every 3 years thereafter (Starting from 01/01/2030)	1 January

Table S4.2: Annual production/treatment	
Parameter	Units
Cheese produced	tonnes
Whey protein powder	tonnes
Cream despatched	tonnes

Table S4.3 Performance parameters		
Parameter	Frequency of assessment	Units
Water usage	Annually	m ³
Energy usage	Annually	MWh
Waste	Annually	tonnes
Food waste	Annually	Tonnes
COD efficiency	Annually*	COD te/te product
*COD efficiency to be calculated on a weekly frequency, reported annually		

Table S4.4 Reporting forms		
Parameter	Reporting form	Form version number and date
Point source emissions to air	Emissions to Air Reporting Form, or other form as agreed in writing by the Environment Agency	Version 1, 08/03/2021
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
Other performance parameters	Other Performance Parameters 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

Schedule 5 – Notification

These pages outline the information that the operator must provide.

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

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

Part A

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

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

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

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

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

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

Part B – to be submitted as soon as practicable

Any more accurate information on the matters for notification under Part A.	
Measures taken, or intended to be taken, to prevent a recurrence of the incident	
Measures taken, or intended to be taken, to rectify, limit or prevent any pollution of the environment which has been or may be caused by the emission	
The dates of any unauthorised emissions from the facility in the preceding 24 months.	

Name*	
Post	
Signature	
Date	

* authorised to sign on behalf of the operator

Schedule 6 – Interpretation

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

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

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

“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.

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

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

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

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

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

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

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

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

Pests” means Birds, Vermin and Insects.

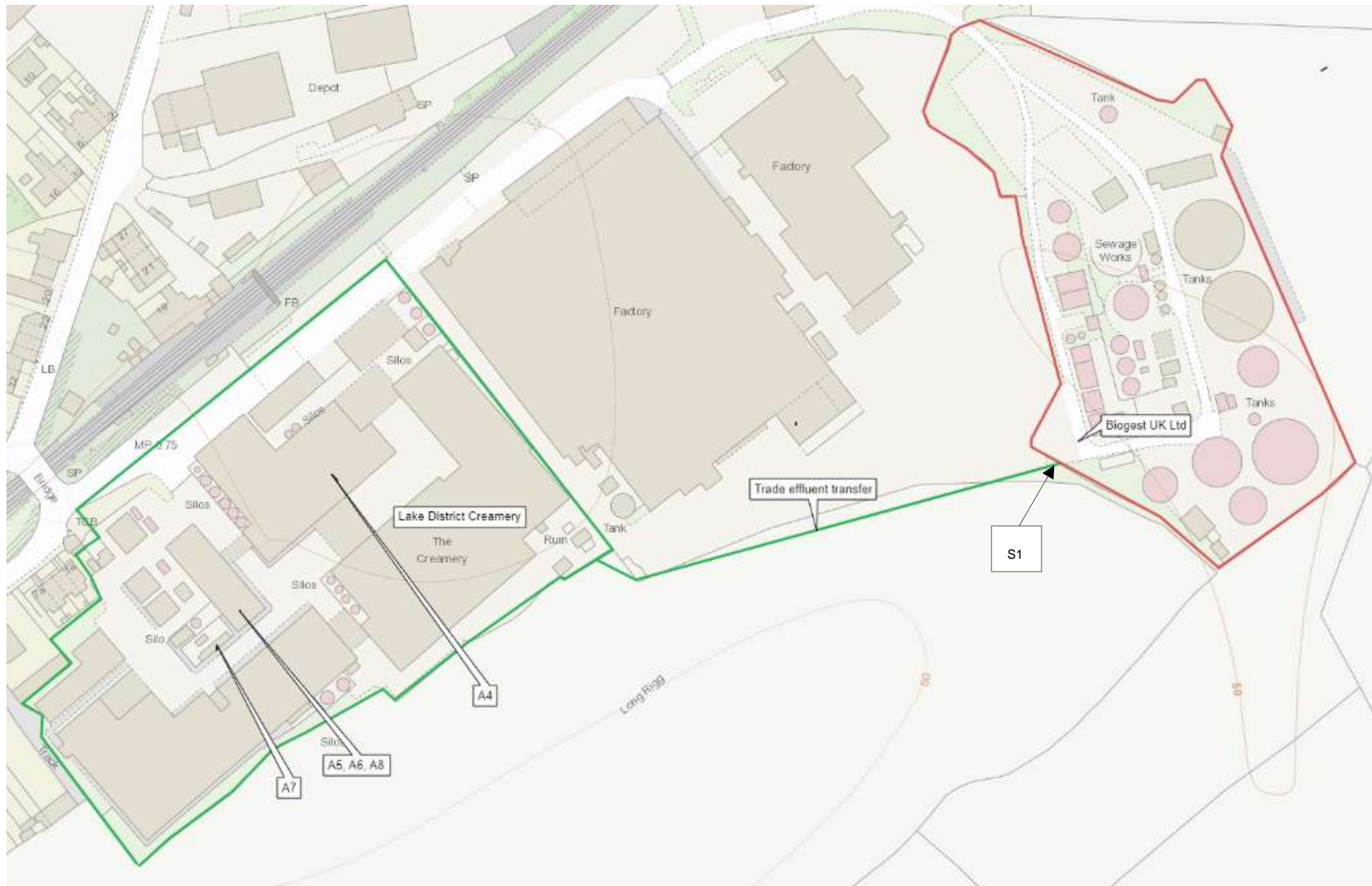
Where a minimum limit is set for any emission parameter, for example pH, reference to exceeding the limit shall mean that the parameter shall not be less than that limit.

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

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

“year” means calendar year ending 31 December.

Schedule 7 – Site plan



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END OF PERMIT

Permit number
EPR/KP3931MS