Permitting Decisions- Bespoke Permit

We have decided to grant the permit for Waterloo House operated by l'Anson Bros Limited.

The permit number is EP3429SG/A001.

The permit was granted on 21/03/2024.

The application is for the manufacture animal compound feeds under the following scheduled activity:

Section 6.8 part A (1) (d)(ii) production of animal feeds which are suitable for consumption by an animal without further processing with a capacity greater than 300 tonnes per day.

The maximum production capacity is 1095 tonnes per day with manufacturing carried out 24 h/d 7 days per week. Up to 400,000 tonnes per annum of animal feeds, meal and coarse rations from various formulations or single materials. The products manufactured are based upon a core recipe of cereals (such as wheat and barley) and other natural ingredients (such as soya, rapeseed, and sugar beet), which are mixed with supplements, processed, and coated with fats to produce the final product. The installation will produce a wide range of products to meet specific customer demands on four process lines and a meal mash and coarse product line. Typically, around 50 different products, based on variations to specific types of formulation, will be produced on a monthly basis.

The processing of compound products is carried out on a batch basis typically comprising the following key stages: intake and raw material storage, weighing, grinding, mixing, conditioning, pressing, cooling and coating.

The processing is undertaken to a specific formulation on a batch basis, with the key stages being weighing, grinding, mixing, conditioning, pressing, cooling and coating. Depending upon the specific formulation, the required feed materials/additives and minerals are weighed out prior to grinding to a uniform grist size. The ground materials are transferred to the mixing stage of the process. Following this, most of the batches are conditioned through the addition of steam and molasses to improve the workability of the mix. Some products are finished prior to conditioning such as meals mashes and coarse feeds. After conditioning, the hot mix is extruded through dies to produce pellets of various sizes. The hot products are then passed through a counter flow air cooler to reduce their temperature, causing them to harden and become durable. The majority of the pellets are subsequently coated in fat to produce the finished

product. Finished product is conveyed to one of the dedicated finished product bins located in the bulk delivery plant. Product despatch is conducted within the bulk plant the bulk vehicles drive into bulk delivery area and the vehicle is positioned under the appropriate bin to receive the pelleted feed. The manufacturing process is automated and computer systems are employed throughout the installation to support the control of the processes.

As part of the process steam is primarily used to condition the product. It is also used to heat specific items of the processing plant. There are two steam boilers, each with a thermal input of 2.14MW fueled by natural gas.

The site located in Dalton, North Yorkshire, (National Grid Reference SE 41811 76298) approximately 1km west of the village of Dalton. Surrounding land uses are as follows: North is agricultural land. To the East lie a number of industrial premises and two residential properties, the closest being 450m from the site. To the South lies agricultural land and more units comprising the industrial estate and to the West lies agricultural land and a small number of residential properties. Cod Beck is located to the west and north of the site.

We consider in reaching that decision we have taken into account all relevant considerations and legal requirements and that the permit will ensure that the appropriate level of environmental protection is provided.

Purpose of this document

This decision document provides a record of the decision-making process. It:

- summarises the decision making process in the decision considerations section to show how the main relevant factors have been taken into account
- highlights key issues in the determination
- shows how we have considered the consultation responses

Unless the decision document specifies otherwise we have accepted the applicant's proposals.

Read the permitting decisions in conjunction with the environmental permit.

Key issues of the decision

Water Management

Surface water from the site is discharged to controlled waters. The discharge comprises:

- Boiler blowdown water;
- A minor amount due to air compressor condensate; and
- Storm water from the roads, yard and roof runs

This water is transferred off site via two full retention oil separators and joins flow from the wider industrial site at W1. The combined culvert discharge into Cod Beck at an approximate of 60 meters from W1.

The nearest foul sewer is approximately 1400 m from the site and it is not feasible to connect to it.

Although the process is largely a dry process, the boiler blowdown water from the activity is considered process water and the operator is required to assess whether this could have an impact on the receiving waters.

The Fisheries, Biodiversity and Geomorphology team were consulted on the application and commented that there was not enough detail in relation to the planned discharge into Cod Beck which is a salmonid waterbody and more information would be required on the amounts to be discharged, the quality of the discharge and the frequency. The team was also concerned that the blown boiler water would be 40 degrees C.

In response to a Schedule 5 Notice requesting further information on the water discharge, the operator submitted a screening assessment using the Environment Agency H1 tool which identified pollutants released from the Installation, data on the pollutants and a screening test. Two chemicals were identified that boiler blowdown will be treated with the following two chemicals, BT2016 and BT2072. It was determined that neither substance is labelled with an eco-toxicological hazard statement or poses significant risk to aquatic environments. However, BT2072 contains 0.007% cobalt by weight. Cobalt is designated as a freshwater priority substance and this has been screened following the EA’s H1 methodology.

As the site is not yet operational, the assessment made a number of conservative assumptions which were considered to be the worst case scenario. It was assumed the highest anticipated dosing of BT2072 is continuously dosed and assumes that all cobalt input is discharged. Furthermore, this assessment assumes that neat boiler blowdown may enter Cod Beck. It is acknowledged that in reality much lower concentrations than those assessed would be discharged, due to the mixing of blowdown water with surface water and treated domestic effluent prior to the discharge into Cod Beck.

Following the process flow of the EA's H1 assessment, it was calculated that neat boiler blowdown passed Tests 3, 4a and 4b. Therefore, blowdown cobalt can be screened out as having an no significant impact on the relevant freshwater.

In respect of the temperature, the operator has confirmed that the temperature of the blowdown water will be controlled by an automatic system which will continuously monitor it on exit from the vessel. The actual temperature will be compared with that set and when necessary a modulating valve will open to admit ambient water to reduce the temperature of the blowdown water as it is discharged from the boiler house. It is considered that a dry flow situation will be unlikely because the site domestic foul joins the flow at W1, together with any storm water. There is also the cooling distance the water has to travel before it joins the combined estate discharge in the shared culvert of some 200 meters from the initial discharge. The flow rate of Cod Beck has been determined to be 17,107.2M³ per day whilst the additional worst case contribution from the site blow down is 6.84M³ per day just 0.0004% of the total flow which was concluded to be an insignificant additional volume contribution.

The Environment Agency accepts the conclusions of both the H1 screening assessment and the additional information on the temperature of the boiler blowdown water but has added an improvement condition to the permit (IC2) to review the risk assessment once on site data is available – see 'Improvement Programme' below.

Table S3.2 of the permit has no parameters set for monitoring at permit issue. We have assessed the application against the requirements of the BAT Conclusions for the food, drink and milk industries, specifically BAT3 and BAT 4.

The purpose of BAT 3 is to ensure the Operator understands the characteristics of their waste water streams and does so by undertaking monitoring of these streams, as appropriate. However, it is for those significant producers of process effluent and ancillary effluent (boiler blowdown/vehicle wash etc) are not in scope.

Therefore, as the site doesn't produce process effluent, and the ancillary effluent is out of scope, BAT 3 does not apply.

The purpose of BAT4 is to ensure Operators are undertaking appropriate monitoring of their waste water discharges. It relates to process effluents only and to direct discharges. As the process is a relatively dry one, BAT4 does not apply.

Decision considerations

Confidential information

A claim for commercial or industrial confidentiality has not been made.

Identifying confidential information

We have not identified information provided as part of the application that we consider to be confidential.

The decision was taken in accordance with our guidance on confidentiality.

Consultation

The consultation requirements were identified in accordance with the Environmental Permitting (England and Wales) Regulations (2016) and our public participation statement.

The application was publicised on the GOV.UK website.

We consulted the following organisations:

Local Authority – Environmental Health

Local Authority – Planning

Health and Safety Executive

UKHSA

The comments and our responses are summarised in the consultation responses section.

Operator

We are satisfied that the applicant (now the operator) is the person who will have control over the operation of the facility after the grant of the permit. The decision was taken in accordance with our guidance on legal operator for environmental permits.

The regulated facility

We considered the extent and nature of the facility at the site in accordance with RGN2 ‘Understanding the meaning of regulated facility’, Appendix 2 of RGN2 ‘Defining the scope of the installation’, Appendix 1 of RGN 2 ‘Interpretation of Schedule 1’.

The operator has provided the grid reference for the emission points from the medium combustion plants.

The extent of the facility is defined in the site plan and in the permit. The activities are defined in table S1.1 of the permit.

The site

The operator has provided a plan which we consider to be satisfactory.

These show the extent of the site of the facility including the discharge points.

The plan is included in the permit.

Site condition report

The operator has provided a description of the condition of the site, which we consider is satisfactory. The decision was taken in accordance with our guidance on site condition reports.

Nature conservation, landscape, heritage and protected species and habitat designations

We have checked the location of the application to assess if it is within the screening distances we consider relevant for impacts on nature conservation, landscape, heritage and protected species and habitat designations. The application is not within our screening distances for these designations.

Environmental risk

We have reviewed the operator's assessment of the environmental risk from the facility.

The operator’s risk assessment is satisfactory.

General operating techniques

We have reviewed the techniques used by the operator and compared these with the relevant guidance notes and we consider them to represent appropriate techniques for the facility.

The operating techniques that the applicant must use are specified in table S1.2 in the environmental permit.

The operating techniques are in line with the following guidance: Develop a management system, Control and monitor emissions for your environmental permit, and the BAT Conclusions for the food, drink and milk industries.

Operating techniques for emissions that screen out as insignificant

Emissions of NOx, PM10 and PM2.5 for air and Cobalt for water have been screened out as insignificant, and so we agree that the applicant's proposed techniques are Best Available Techniques (BAT) for the installation.

We consider that the emission limits included in the installation permit reflect the BAT for the sector.

National Air Pollution Control Programme

We have considered the National Air Pollution Control Programme as required by the National Emissions Ceilings Regulations 2018. By setting emission limit values in line with technical guidance we are minimising emissions to air. This will aid the delivery of national air quality targets. We do not consider that we need to include any additional conditions in this permit.

Odour management

We have reviewed the odour management plan in accordance with our guidance on odour management.

We consider the plan is sufficient to enable us to issue the permit but has deficiencies and does not fully meet the requirements of our guidance. However, due to the remote location of the site and that the Area Compliance Team has confirmed the activity is not a particularly odorous one, we consider it sufficient in combination with Condition 3.3 of the permit to provide adequate control.

The plan has been incorporated into the operating techniques S1.2.

Improvement programme

Based on the information on the application, we consider that we need to include an improvement programme.

We have included an improvement programme to ensure that the conclusions made in both the air quality assessment and the H1 assessment for discharges to water, which state that emissions will be insignificant and have been based on predicted data, remain valid once the site is operational and actual on site

monitoring data is available. We require the assessments to be completed again if actual site data shows emissions are higher than those used in the assessments and further modelling if the new assessments show emissions are not insignificant.

Emission Limits

Emission Limit Values (ELVs) have been added for the following substances:

Particulate Matter from Coolers – 20mg/m^3

Particulate matter from Grinders – 5 mg/m^3

We made these decisions in accordance with the BAT Conclusions for the food, drink and milk industries.

NO_x from Boilers – 100 mg/m^3

We made these decisions in accordance with MCP technical guidance.

Medium Combustion Plant guidance: https://www.gov.uk/guidance/medium-combustion-plant-and-specified-generator-permits-how-to-comply

Monitoring

We have decided that monitoring should be carried out for the parameters listed in the permit, using the methods detailed and to the frequencies specified.

Point source emission points marked A1 – A6:

- Particulates

Point source emission points marked A7 – A8:

- Oxides of Nitrogen

These monitoring requirements have been included in order for the operator to demonstrate compliance with the emission limits specified in the permit. The operator will carry out monitoring in accordance with the relevant methods specified in the permit.

We made these decisions in accordance with BAT Conclusions for the food, drink and milk industries and MCP technical guidance.

Reporting

We have specified reporting in the permit.

We made these decisions in accordance with BAT Conclusions for the food, drink and milk industries and MCP technical guidance.

Management System

We are not aware of any reason to consider that the operator will not have the management system to enable it to comply with the permit conditions.

The decision was taken in accordance with the guidance on operator competence and how to develop a management system for environmental permits.

Growth duty

We have considered our duty to have regard to the desirability of promoting economic growth set out in section 108(1) of the Deregulation Act 2015 and the guidance issued under section 110 of that Act in deciding whether to grant this permit.

Paragraph 1.3 of the guidance says:

“The primary role of regulators, in delivering regulation, is to achieve the regulatory outcomes for which they are responsible. For a number of regulators, these regulatory outcomes include an explicit reference to development or growth. The growth duty establishes economic growth as a factor that all specified regulators should have regard to, alongside the delivery of the protections set out in the relevant legislation.”

We have addressed the legislative requirements and environmental standards to be set for this operation in the body of the decision document above. The guidance is clear at paragraph 1.5 that the growth duty does not legitimise non-compliance and its purpose is not to achieve or pursue economic growth at the expense of necessary protections.

We consider the requirements and standards we have set in this permit are reasonable and necessary to avoid a risk of an unacceptable level of pollution. This also promotes growth amongst legitimate operators because the standards applied to the operator are consistent across businesses in this sector and have been set to achieve the required legislative standards.

Consultation Responses

The following summarises the responses to consultation with other organisations, and the way in which we have considered these in the determination process.

Responses from organisations listed in the consultation section:

Response received from UKHSA.

Brief summary of issues raised: it was noted that the AQS used for the air impact assessment was outdated against the PM2.5 annual limit, which is now set for 20 µg/m3 and not 25 µg/m3 as per Gov.uk guidance: Air emissions risk assessment for your environmental permit. It was recommended that the applicant is aware of the change in limitations.

Summary of actions taken: The use of the outdated AQS does not affect the result of the impact assessment and no further action is required.