

Permitting Decisions- Variation

We have decided to grant the variation for Greggs Balliol Park operated by Greggs PLC.

The variation number is EPR/GP3532PR/V006.

The permit was issued on 22/05/2024

The variation is required to permit a 2.5MWth existing boiler, add 2 x 3.9MWth new boilers, operate an installed emergency generator, upgrade site effluent treatment plant and include a 4th production line associated with some additional facilities in Balliol 3 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

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

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

Read the permitting decisions in conjunction with the environmental permit and the variation notice.

Key issues of the decision

The key issues identified during this determination and how we have addressed them are as follows:

- Demonstrating Best Available Techniques (BAT) because of the added production facility
- Air Quality Assessment of MCPs and their impacts on human and ecological receptors

Demonstration of Best Available Techniques (BAT)

Food Drink and Milk Industries BAT conclusions		
BAT conclusion reference	BAT requirements	Key measures proposed
1	Environmental Management System (EMS)	The operator has an externally accredited EMS - ISO14001 standard and also provided a copy of their ISO 14001 Certification, SBTI Certificate and Corporate SHE Policy. We are satisfied that this is in accordance with BAT requirements for the scope of this variation.
2	EMS – inventory of inputs & outputs to increase resource efficiency and reduce emissions.	The operator has confirmed that all records of raw materials are maintained and regularly reviewed. Inventory will be updated for Balliol 3 to accommodate any changes as a result of this variation.
3	Emissions to water – monitor key process parameters	Waste water discharge to sewer through a site effluent treatment. Discharge flow is MCERT compliant. The site's ETP is updated to accommodate increase discharge due to changes in 'Balliol 3'. Release to surface water remains clean water from non-production areas e.g. roof gullies, car park etc. Parameter monitoring procedures remain unchanged as a result of this variation.
4	Monitor emissions to water	The operator has confirmed that no process effluent is discharged directly to controlled waters. Discharge from site via S2 is pre-treated via the site's ETP and undergoes further treatment as Howden sewage treatment plant. We are therefore satisfied this complies with BAT standard for emissions to water.
5	Monitor channelled emissions to air	The operator has confirmed an ongoing investigation if there will be changes to monitoring channelled emissions as a result of the variation. Compliance will therefore be put in place and achieved if required.
6	Energy efficiency	The operator has confirmed an energy efficiency plan in place and also will implement some common techniques listed below in BAT 6b as part of Balliol 3;

		<ul style="list-style-type: none"> • Burner regulation and control • Minimising blowdown from the boilers • Variable speed drives • Lightning • Use of solar energy etc.
7	Water and wastewater minimisation	The operator has confirmed that the use BAT 7a (water reuse) and other techniques b to k except BAT 7f. We are satisfied that this is in compliance with BAT requirements for the Food and Drink sector.
8	Use of harmful substances	There are no changes to the use of harmful substances on site as a result of this variation.
9	Use of refrigerants	The operator confirmed the use of ammonia as a refrigerant and two plants with a low global warming potential in the scope of the variation for 'Balliol 3'. We are satisfied that this complies with BAT requirements.
10	Resource efficiency	<p>Consideration is given to the resource efficiency requirements for the facility. The operator confirmed the use of a combination of techniques which include:</p> <ul style="list-style-type: none"> a) Anaerobic Digestion b) Potential use of residues c) Separation of residues etc. <p>We are satisfied that this complies with BAT</p>
11	Emissions to water – waste water buffer storage	The operator has confirmed there will be no contaminated emissions to water and the addition of a balancing tank to buffer storage capacity up to 20m ³ for the increased effluent treatment plant discharge. We are satisfied this complies with BAT requirement for this sector
12	Emissions to water - treatment	<p>There are no emissions to water. The upgraded ETP trade effluent is discharged into public sewer. The operator confirmed the use of the following techniques:</p> <ul style="list-style-type: none"> a) Equalisation with the balance tank equalising the effluent b) Neutralisation using acid to neutralise high alkaline PH of the waste water. c) Physically screening out solids by rotary screen d) Anaerobic Treatment of sludge taken from the DAF tank removal processes

		<p>j) Coagulation and flocculation to remove suspended solids from Effluent operations.</p> <p>We are satisfied that this complies with BAT requirements.</p>
13	Noise – management plan (NMP)	Noise nuisance to sensitive receptors is not expected as a result of the variation. Also, the operator confirmed an appropriate approach on complaints as part of EMS in the event of any accident or incident.
14	Noise minimisation	All equipment have appropriate measures in place to minimise noise.
15	Odour – management plan	Odour nuisance to sensitive receptor is not expected as a result of this variation. The operator confirmed an appropriate review process in place in the event of any complaints as part of the EMS.

Air Quality Assessment and impact of MCPs on Human and Ecological receptors.

The operator has provided detailed air dispersion modelling following our guidance [Air emissions risk assessment for your environmental permit - GOV.UK \(www.gov.uk\)](https://www.gov.uk/guidance/air-emissions-risk-assessment-for-your-environmental-permit), detailed in document “GBP 007C- Revised Air Emissions Risk Assessment dated March 2024. This report includes three models which include the boiler model for continuous operation of one existing and two new boilers (B1, B2 and B3), maintenance and emergency models for a standby diesel fired generator (A1) and a backup fire pump (A3). The following conclusions are made after review;

Human Health Assessment

- Boiler Model;
 - Annual mean NO₂ process contributions (PCs) are insignificant at sensitive human health receptors.
 - 1-hour NO₂ 99.79th percentile PCs are ‘not insignificant’, but the predicted environmental concentrations (PECs) are below the environmental standard.(ES)
- Maintenance schedule and emergency outage models;
 - Annual NO₂ PCs are insignificant.
 - 1-hour NO₂ PCs are ‘not insignificant’, however they do not exceed the ES.

Habitat Receptors

- The consultant considered all local wildlife sites and SSSI within 2km and all European sites within 10km.
- For all three models;
 - Predicted annual NO₂ impacts are 'insignificant' at all receptors apart from at Gosforth Park SSSI
 - The predicted environmental concentrations (PECs) at Gosforth SSSI do not exceed critical levels.
 - Annual nutrient nitrogen and acid deposition are insignificant.
- For the Boiler Model; 24-hour NO_x PCs are insignificant for all receptors.
- For the maintenance schedule and emergency outage models; 24-hour NO_x PCs are 'insignificant' at all receptors apart from Gosforth Park SSSI, however the PECs do not exceed the critical level.
- Therefore, there should be no damage to habitats.

We have reviewed the air dispersion modelling report and we are satisfied that it has taken into account all relevant ecological and human health receptors, that the model and its inputs are appropriate, and that the assessment has been carried out in accordance with our guidance.

We are therefore satisfied that the operator demonstrates that they can operate within this emission benchmark.

Decision considerations

Confidential information

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

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

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.

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' and Appendix 1 of RGN 2 'Interpretation of Schedule 1'

The operator has provided X,Y coordinates for the emission points from the medium combustion plants.

Ref	Unique identifier(plant)	Manufacturer	Easting	Northing
B1	YSXA4000-35	Byworthy	426373	569785
B2	Cochran ST23E - B3 Steam Boiler No1	Cochran	426272	569686
B3	Cockran ST23E - B3 Steam Boiler No2	Cockran	426272	569683
A1	BNDC Diesel Back up generator	Cockran	426213	569715

We have permitted the existing plant 2.5MWth Boiler(B1) as an MCP early at the operator's request, together with the two new 3.9MWth (B2, B3) boiler plants as part of this variation determination.

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.

The plan is included in the permit.

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 within our screening distances for these designations.

We have assessed the application and its potential to affect sites of nature conservation, landscape, heritage and protected species and habitat designations identified in the nature conservation screening report as part of the permitting process.

We consider that the application will not affect any site of nature conservation, landscape and heritage, and/or protected species or habitats identified

The decision was taken in accordance with our guidance.

Environmental risk

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

The operator's risk assessment is satisfactory.

The assessment shows that, applying the conservative criteria in our guidance on environmental risk assessment or similar methodology supplied by the operator and reviewed by ourselves, all emissions may be screened out as environmentally insignificant.

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.

Operating techniques for emissions that screen out as insignificant

Emissions of Oxides of Nitrogen (NO_x) 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.

Updating permit conditions during consolidation

We have updated permit conditions to those in the current generic permit template as part of permit consolidation. The conditions will provide the same level of protection as those in the previous permits.

Emission limits

MCPs (B1, B2 and B3)

Emission Limit Values (ELVs) based on Medium Combustion Plant Directive (MCPD) have been added for Oxides of Nitrogen as follows:

- 250mg/m³ for the existing 2.5MWth B1 Gas Boiler which applies from 01/01/2030.
- 100mg/m³ for the new two 3.9MWth B2 Gas Boilers (No1 & No2).

BNDC Emergency Generator (A1)

As (A1) is a limited operating hours MCP.

We have decided that emission limits are not required for A1 in the permit.

The MCP operate for less than 500 hours per year and a declaration for exemption under Article 6(3) or 6(8) of the MCPD has been signed.

Monitoring

We have decided that monitoring should be for the following parameters, using the methods detailed and to the frequencies specified:

Oxides of Nitrogen (NO_x) and carbon monoxide (CO) for

- Emission points B1 – Every 3 years from 01/01/2030
- Emission points (B2 & B3) - Every 3 years

These monitoring requirements have been included 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.

Monitoring of existing 2.5MWth Boiler plant (B1) does not apply until after acceptance of the first monitoring data, which can be at any time but no later than the relevant compliance date 01/01/2030. This is specified in the permit.

We made these decisions in accordance with Medium Combustion Plant Directive.

Based on the information in the application we are satisfied that the operator's techniques, personnel and equipment have either MCERTS certification or MCERTS accreditation as appropriate.

Reporting

We have added reporting in the permit for the following parameters for emission points A1, B1, B2 and B3

We made these decisions in accordance with Medium Combustion Plant Directive

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 variation.

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.