



Notice of variation and consolidation with introductory note

The Environmental Permitting (England & Wales) Regulations 2016

Refresco Drinks UK Limited

Refresco Nelson
Lindred Road
Lomeshaye Industrial Estate
Nelson
Lancashire
BB9 5SR

Variation application number

EPR/CP3139GC/V006

Permit number

EPR/CP3139GC

Refresco Nelson

Permit number EPR/CP3139GC

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 2030.

The schedules specify the changes made to the permit.

The main features of the permit are as follows.

Refresco Drinks installation is located at Lindred Road, Nelson, BB9 5SR, the National Grid reference for the centre of the site is SD844372 (X:384437 Y:437264). The site manufactures supermarket and own brand soft drinks for the domestic market.

The facility operates under the following scheduled activities:

- Section 6.8 Part A(1)(d)(ii): Treating and processing materials intended for the production of food products from vegetable raw materials at a plant with a finished product production capacity of more than 300 tonnes per day (average value on a quarterly basis).
- Section 5.4 Part A(1)(a)(ii): a. Disposal of non-hazardous waste with a capacity exceeding 50 tonnes per day involving physico chemical treatment; pH correction of effluent from the Carbonates Plant (using Sodium Hydroxide and Hydrochloric acid).

The main production processes at the installation involve the receipt of juice concentrates, sugars and other ingredients which are mixed according to the product batch (branded/private label juices, carbonated etc.), bottled, packaged and despatched to customers. Ingredients are piped from mixing vessels to the automated bottling plant where preformed test tubes are blown into a polyethylene terephthalate (PET) moulded bottles (1, 1.5, 2 and 3 litre), filled with the drink product and packaged. Nitrogen gas is used to provide stability to the filled bottles (currently only 3 litre) and is supplied by a liquid nitrogen tank.

Site utilities include a 1.96MWth gas fired boiler which provides steam and hot water principally for the cleaning in place systems, compressed air plant which serves the bottling plant equipment, chillers for raw material storage and a site effluent treatment plant (ETP). Effluent is generated primarily from cleaning activities, boiler blowdown / water treatment, and compressor condensate. The ETP consists of a bunded 90m³ stainless steel reception tank with automatic pH monitoring and adjustment (2.5m³ bunded sodium hydroxide / sodium bisulphite tanks) and an underground 2.5m³ buffer tank prior to discharge to sewer under a United Utilities trade effluent consent (DPID: 716T4-6-99). Effluent is managed on site via simple pH correction and flow control prior to discharge to public sewer under a discharge consent issued by United Utilities. The site changes do not introduce different types of effluent to that already generated and effectively managed at the installation.

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 BO7074IG EPR/BO7074IG/A001	23/03/2005	Duly Made 04/04/2005
Request for information EPR/BO7074IG/A001	14/07/2005	Response Date 02/08/2005
Permit determined EPR/BO7074IG	18/10/2005	Issued to Macaw Soft Drinks Limited
Variation application received EPR/BO7074IG/V002	05/01/2007	Duly Made 12/01/2007
Additional information received EPR/BO7074IG/V002	28/02/2007 26/04/2007	Technical information in support of application.
Variation determined EPR/BO7074IG (Variation Ref. EPR/UP3731MK)	30/04/2007	Variation including company name change to Cott (Nelson) Limited
Transfer application EPR/CP3139GC/T001	Duly Made 06/10/2008	Received 19/09/2008
Request for information EPR/CP3139GC/T001	01/12/2008	Received 15/12/2008
Transfer determined EPR/CP3139GC	15/12/2008	From Cott (Nelson) Limited to Cott Beverages Limited
Variation application EPR/CP3139GC/V002 Variation and consolidation.	Duly made 19/12/2014	Application to vary the permit to add pH adjustment to Effluent treatment plant.
Additional information EPR/CP3139GC/V002	19/12/2014	Confirmed sewer discharges, tank sizes and dosing system.
Additional information EPR/CP3139GC/V002	22/01/2015	Information on bulk storage tanks and secondary containment. Confirmed sewer discharges.
Additional information EPR/CP3139GC/V002	10/02/2015	Information on filling pipe work outside the bund
Additional information EPR/CP3139GC/V002	13/03/2015	Confirmed measures for acid alkali segregation
Variation determined EPR/CP3139GC	18/03/2015	Varied permit issued to Cott Beverages Limited
Part surrender application EPR/CP3139GC/S003	Duly made 17/04/2019	Application to surrender the Aseptic Plant and associated permitted area.
Part surrender determined EPR/CP3139GC/S003	21/10/2019	Part surrender complete. Issued to Cott Beverages Limited
Application EPR/CP3139GC/V0054 (variation and consolidation)	Duly made 17/04/2019	Application to vary, change in company name from Cott Beverages Limited to Refresco Drinks UK Limited and update the permit to modern conditions.
Schedule 5 Notice EPR/CP3139GC/V004	26/09/2019	Response dated 11/10/2019
Variation determined EPR/CP3139GC	22/10/2019	Varied permit issued. Issued to Refresco Drinks UK Limited
Application EPR/CP3139GC/V005 (variation and consolidation)	Duly made 28/11/2022	Application to vary and update the permit to modern conditions.
Additional information requested 04/01/2023	Received 17/01/2023	Information relating to BAT conclusions 7 and 8.

Status log of the permit		
Description	Date	Comments
Variation determined and consolidation issued EPR/CP3139GC	02/03/2023	Varied and consolidated permit issued in modern format
Application EPR/CP3139GC/V006 (variation and consolidation)	Regulation 61 Notice response received 11/03/2022	Environment Agency initiated variation and consolidation following the Food, Drink & Milk Industries sector permit review.
Additional information requested 04/01/2023	10/01/2024	Information relating to BAT conclusions 1, 6 and RHS Baseline.
Variation determined and consolidation issued EPR/CP3139GC (Billing ref. CP3342QZ).	15/08/2024	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/CP3139GC

Issued to

Refresco Drinks UK Limited (“the operator”)

whose registered office is

Citrus Grove

Sideley

Kegworth

Derby,

DE74 2FJ

company registration number 02836071

to operate a regulated facility at

Refresco Nelson

Lindred Road

Lomeshaye Industrial Estate

Nelson

Lancashire

BB9 5SR

to the extent set out in the schedules.

The notice shall take effect from 15/08/2024.

Name	Date
Sandra Cavill	15/08/2024

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/CP3139GC

This is the consolidated permit referred to in the variation and consolidation notice for application EPR/CP3139GC/V006 authorising,

Refresco Drinks UK Limited (“the operator”),

whose registered office is

Citrus Grove

Sideley

Kegworth

Derby,

DE74 2FJ

company registration number 02836071

to operate an installation at

Refresco Nelson

Lindred Road

Lomeshaye Industrial Estate

Nelson

Lancashire

BB9 5SR

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

Name	Date
Sandra Cavill	16/08/2024

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) the first monitoring measurements shall be carried out within four months of 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.
- 3.3.2 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

- (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 For the following activities referenced in schedule 1, table S1.1 (AR1 to AR4 etc.) 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 A(1) (d)(ii)	Treating and processing materials intended for the production of food products from - vegetable raw materials at a plant with a finished product production capacity of more than 300 tonnes per day (average value on a quarterly basis).	The production of soft drinks from the receipt and storage of ingredients and packaging through to the blending and dilution, pasteurisation, filling packaging and dispatch. Production capacity is limited to 300 tonnes per day.
AR2	Section 5.4 Part A1 (a) (ii)	Disposal of non-hazardous waste with a capacity exceeding 50 tonnes per day involving physico-chemical treatment. pH correction of effluent from the Carbonates Plant (using Sodium Hydroxide and Hydrochloric acid).	The Carbonates Effluent Treatment Plant (referred to as M1). Pre-treatment system in which pH is adjusted prior to discharge to Pendle Trunk Sewer and on to Burnley wastewater treatment plant.
Directly Associated Activity			
AR3	Natural gas boilers for the production of steam and hot water.	Existing MCP: Operation of gas boiler with a thermal input rating of 1.96MWth fuelled by natural gas. New MCP: Operation of gas boiler with a thermal input rating of 3.85MWth fuelled by natural gas.	From receipt of fuel (natural gas), to release of combustion products to air.

Table S1.2 Operating techniques		
Description	Parts	Date Received
Application EPR/CP3139GC/A001	Information given in pages 1 to 73 of the application.	23/03/2005
Application EPR/CP3139GC/V002	All responses to section Part C3 of the application form and reference documents.	21/11/2014
Additional information EPR/CP3139GC/V002	Not Duly Made response Confirmed Sewer discharge S1 and S2 will be for domestic and emergency sewer discharges only. Sewer discharge 4 will take effluent from pH adjustment plant which serves the Carbonates plant.	12/12/2014
Additional information EPR/CP3139GC/V002	Request for information - Confirmed tank and secondary bunding specifications. - Confirmed will operate the pH adjustment plant in line with SGN S5.06 – Storage and treatment of hazardous and non-hazardous waste.	22/01/2015
Additional information EPR/CP3139GC/V002	Information on filling pipe work outside the bund.	10/02/2015
Additional information EPR/CP3139GC/V002	Confirmed measures for acid alkali segregation.	13/03/2015
Surrender application EPR/CP3139GC/S003	Responses to Part E2 of the application form and supporting documents - removal of Aseptic effluent treatment plant from permit (referred as M2).	17/04/2019
Schedule 5 Notice EPR/CP3139GC/S003	Revised Surrender Report 602 A1_11 Oct 2019. Revised Application Supporting Statement Report 601 A1_11 Oct 2019. Revised Non-Technical Summary Appendix F A1_11 Oct 2019. Revised Installation Permit Boundary Plan A1	11/10/2019
Application EPR/CP3139GC/V004	Responses to Part C2 and C3 of the application form and supporting documents.	17/04/2019
Schedule 5 Notice EPR/CP3139GC/V004	Revised site plan A1 to show point source emission locations SW1 and SW2.	11/10/2019
Variation application EPR/CP3139GC/V005	C3 of the application section 3 – Answers to Section 3 on application form Part C3 including references to the Food and Drink Sector Guidance EPR 6.10 and the Food, Drink and Milk Industries BREF, and the Medium Combustion Plant Directive. The following application Supporting Documents: Application Summary Appendix B: Environment Management System Appendix G: Emergency Response Plan	Duly Made 28/11/2022
Regulation 61 (1) Notice – Responses to questions dated 09/11/2021	All parts	Received 10/03/2022
Regulation 61(1) Notice – request for further information dated 13/09/2023	Technical standards in relation to Best available techniques as described in BAT conclusions under Directive 2010/75/EU of the European Parliament and of the Council on establishing best available techniques (BAT) conclusions for the food, drink and milk industries, BAT Conclusions Numbers 1, 8, 12 and 14.	Received 14/09/2023 and 15/09/2023

Table S1.3 Improvement programme requirements		
Reference	Requirement	Date
IC6	<p>The operator shall submit to the Environment Agency for approval a risk assessment considering the possibility of soil and groundwater contamination at the installation where the activity involves the use, production or release of a hazardous substances (as defined in Article 3 of Regulation (EC) No. 1272/2008 on classification, labelling and packaging of substances and mixtures).</p> <p>A stage 1-3 assessment should be completed (as detailed within the EC Commission Guidance 2014/C 136/-3) as follows;</p> <p>Stage 1 – Identify hazardous substance(s) used / stored on site.</p> <p>Stage 2 – Identify if the hazardous substance(s) are capable of causing pollution. If they are capable of causing pollution, they are then termed Relevant Hazardous Substances (RHS).</p> <p>Stage 3 – Identify if pollution prevention measures & drains are fit for purpose in areas where hazardous substances are used / stored.</p> <p>If the outcomes of Stage 3 identifies that pollution of soil / ground water to be possible. The operator shall produce and submit a monitoring plan to the Environment Agency for approval detailing how the substance(s) will be monitored to demonstrate no pollution. The operator shall commence monitoring of the RHS within a timescale as agreed by the Environment Agency.</p>	12 months from date of permit issue
IC7	<p>The operator shall submit, for approval by the Environment Agency, a report demonstrating achievement of the 'Narrative' BAT conclusions as identified in the Food, Drink and Milk Bref published on 4 December 2019 where BAT is currently not demonstrated or achieved. The report shall include, but not be limited to, the following:</p> <p>Methodology applied for achieving BAT</p> <ul style="list-style-type: none"> • Demonstrating that BAT has been achieved. <p>The report shall address the BAT Conclusions for Food, Drink and Milk Industries with respect to BATc 6</p> <p>Refer to BAT Conclusions for a full description of the BAT requirement.</p>	3 months from date of issue or as agreed in writing by the Environment Agency
IC8	<p>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.</p> <p>To demonstrate compliance against BAT 9, the operator shall produce a plan for the onsite refrigerant system(s) at the installation.</p>	3 months from date of issue or as agreed in writing by the Environment Agency

Table S1.3 Improvement programme requirements		
Reference	Requirement	Date
	<p>The plan is to be assessed by the Environment Agency and shall be incorporated within the existing environmental management system.</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.	

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

Emission point ref. & location	Source	Parameter	Limit (including unit)	Reference period	Monitoring frequency	Monitoring standard or method
A5 [Point A5 on site plan in Schedule 7]	Gas heater	No parameters set	No limit set	-	-	-
A6 [Point A6 on site plan in Schedule 7]	Gas heater	No parameters set	No limit set	-	-	-
A7 [Point A7 on site plan in Schedule 7]	Gas heater	No parameters set	No limit set	-	-	-
A8 [Point A8 on site plan in Schedule 7]	Macaw 1 Boiler (rated at 1.96 MWth)	No parameters set	No limit set	-	-	-
A9 [Point A9 on site plan in Schedule 7]	Sugar Cyclone	No parameters set	No limit set	-	-	-
A10 [Point A10 on site plan in Schedule 7]	New MCP boiler fuelled on natural gas (rated at 3.8 MWth)	Oxides of Nitrogen (NO and NO ₂ expressed as NO ₂)	100 mg/m ³	Periodic	Every three years	BS EN 14792
		Carbon Monoxide	No limit set	Periodic	Every three years	BS EN 15058
A11 [Point A11 on site plan in Schedule 7]	Sugar silo with cyclone abatement	No parameters set	No limit set	-	-	-

Table S3.2 Point Source emissions to water (other than sewer) and land – emission limits and monitoring requirements

Emission point ref. & location	Source	Parameter	Limit (incl. unit)	Reference Period	Monitoring frequency	Monitoring standard or method
SW1 on site plan in schedule 7 emission to Pendle water	Uncontaminated surface water drainage via interceptor	No Parameters Set	-	-	-	-
SW2 on site plan in schedule 7 emission to Pendle Water	Uncontaminated surface water drainage via interceptor	No Parameters 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 on site plan in schedule 7, emission to Pendle Trunk Sewer and on to Burnley wastewater treatment plant. United Utilities reference 716T4-6-64	Effluent from the foul drainage network includes process effluent (emergency only)	Chemical Oxygen Demand (mg/l)	-	-	Under emergency discharge only	ISO 6060:1989
		Flow (m3/s)	-	-	Under emergency discharge only	Flow meter
S2 on site plan in schedule 7, emission to Pendle Trunk Sewer and on to Burnley wastewater treatment plant United Utilities. reference 716T4-6-85	Effluent from the foul drainage network includes process effluent (emergency only)	Chemical Oxygen Demand (mg/l)	-	-	Under emergency discharge only	ISO 6060:1989
		Flow (m3/s)				Flow meter
S4 on site plan in schedule 7, emission to Pendle Trunk Sewer and on to Burnley wastewater treatment plant. Carbonates Plant United Utilities reference 716T-6-99	Effluent from the foul drainage network includes process effluent	Chemical Oxygen Demand (mg/l)	-	-	Quarterly (spot sample)	ISO 6060:1989
		Flow (m3/s)	-	-	Continuous	Flow meter

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	A10	4 months from date of issue of permit and every three years	1 January
Point source emissions to sewer Parameters as required by condition 3.5.1	S1, S2	Every 3 months if emergency discharge has occurred in the reporting period	1 January
	S4	Every 3 months	

Table S4.2: Annual production/treatment	
Parameter	Units
Total production	tonnes

Table S4.3 Performance parameters		
Parameter	Frequency of assessment	Units
Water usage including: Potable water usage per tonne of product	Annually	m ³ /tonne product
Energy usage including: Specific energy consumption per tonne product	Annually	MWh/tonne
Primary carbon dioxide per tonne product	Annually	tonne
Waste disposal and/or recovery.	Annually	tonnes
Total raw material used	Annually	tonnes
Flow S1	Annually	m ³
Flow S2	Annually	m ³
Flow S4	Annually	m ³

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
Sewer	Form sewer 1 or other form as agreed in writing by the Environment Agency	21/10/2019

Table S4.4 Reporting forms		
Parameter	Reporting form	Form version number and date
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	

(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.	

OFFICIAL

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.

“emissions to land” includes emissions to groundwater.

“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.

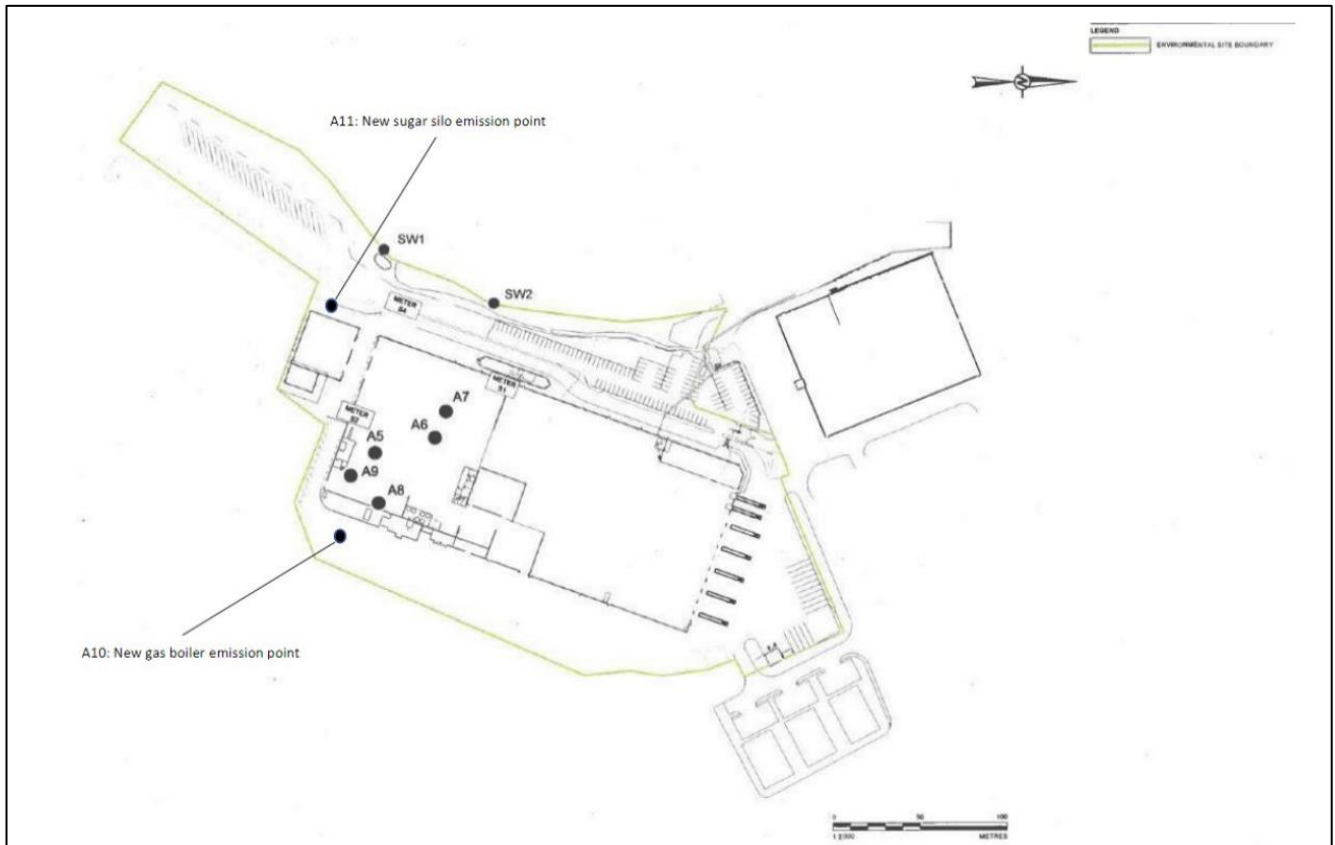
Unless otherwise stated, any references in this permit to concentrations of substances in emissions into air means:

- 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



END OF PERMIT