

Review of an Environmental Permit for an Installation subject to Chapter II of the Industrial Emissions Directive under the Environmental Permitting (England & Wales) Regulations 2016 (as amended)

Decision document recording our decision-making process following review of a permit

The Permit number is: EPR/PP3738WL/V004
The Operator is: Greencore Grocery Limited
The Installation is: Greencore Grocery Leeds
This Variation Notice number is: EPR/PP3738WL/V004

What this document is about

Article 21(3) of the Industrial Emissions Directive (IED) requires the Environment Agency to review conditions in permits that it has issued and to ensure that the permit delivers compliance with relevant standards, within four years of the publication by the European Commission of updated decisions on best available techniques (BAT) Conclusions.

We have reviewed the permit for this installation against the BAT Conclusions for the Food, Drink and Milk Industries published on 4th December 2019 in the Official Journal of the European Union. In this decision document, we set out the reasoning for the consolidated variation notice that we have issued.

It explains how we have reviewed and considered the techniques used by the Operator in the operation and control of the plant and activities of the installation. It is our record of our decision-making process and shows how we have taken into account all relevant factors in reaching our position.

As well as considering the review of the operating techniques used by the Operator for the operation of the plant and activities of the installation, the consolidated variation notice takes into account and brings together in a single document all previous variations that relate to the original permit issue. Where this has not already been done, it also modernises the entire permit to reflect the conditions contained in our current generic permit template.

The introduction of new template conditions makes the Permit consistent with our current general approach and with other permits issued to Installations in this sector. Although the wording of some conditions has changed, while others have been deleted because of the new regulatory approach, it does not reduce the level of environmental protection achieved by the Permit in any way. In this document, we therefore address only our determination of substantive issues relating to the new BAT Conclusions.

We try to explain our decision as accurately, comprehensively and plainly as possible. Achieving all three objectives is not always easy, and we would welcome any feedback as to how we might improve our decision documents in future.

How this document is structured

1. Our decision
2. How we reached our decision
3. The legal framework
4. Annex 1 – Review of operating techniques within the Installation against BAT Conclusions.

5. Annex 2 – Review and assessment of changes that are not part of the BAT Conclusions derived permit review
6. Annex 3 – Improvement Conditions

1 Our decision

We have decided to issue the Variation Notice to the Operator. This will allow the Operator to continue to operate the Installation, subject to the conditions in the Consolidated Variation Notice that updates the whole permit.

We consider that, in reaching our decision, we have taken into account all relevant considerations and legal requirements and that the varied permit will ensure that a high level of protection is provided for the environment and human health.

The Consolidated Variation Notice contains many conditions taken from our standard Environmental Permit template including the relevant annexes. We developed these conditions in consultation with industry, having regard to the legal requirements of the Environmental Permitting Regulations and other relevant legislation. This document does not therefore include an explanation for these standard conditions. Where they are included in the Notice, we have considered the techniques identified by the Operator for the operation of their installation, and have accepted that the details are sufficient and satisfactory to make those standard conditions appropriate. This document does, however, provide an explanation of our use of “tailor-made” or installation-specific conditions, or where our Permit template provides two or more options.

2 How we reached our decision

2.1 Requesting information to demonstrate compliance with BAT Conclusion techniques

We issued a Notice under Regulation 61(1) of the Environmental Permitting (England and Wales) Regulations 2016 (a Regulation 61 Notice) on 01/8/2022 requiring the Operator to provide information to demonstrate where the operation of their installation currently meets, or how it will subsequently meet, the revised standards described in the relevant BAT Conclusions document.

The Notice required that where the revised standards are not currently met, the Operator should provide information that:

- describes the techniques that will be implemented before 4 December 2023, which will then ensure that operations meet the revised standards, or
- justifies why standards will not be met by 4 December 2023, and confirmation of the date when the operation of those processes will cease within the Installation or an explanation of why the revised BAT standards are not applicable to those processes, or
- justifies why an alternative technique will achieve the same level of environmental protection equivalent to the revised BAT standards described in the BAT Conclusions.

Where the Operator proposed that they were not intending to meet a BAT standard that also included a BAT Associated Emission Level (BAT-AEL) described in the BAT Conclusions Document, the Regulation 61 Notice required that the Operator make a formal request for derogation from compliance with that BAT-AEL (as provisioned by Article 15(4) of IED). In this circumstance, the Notice identified that any such request for derogation must be supported and justified by sufficient technical and commercial information that would enable us to determine acceptability of the derogation request.

The Regulation 61 Notice response from the Operator was received on 01/12/2022.

We considered it was in the correct form and contained sufficient information for us to begin our determination of the permit review but not that it necessarily contained all the information we would need to complete that determination.

The Operator made no claim for commercial confidentiality. We have not received any information in relation to the Regulation 61 Notice response that appears to be confidential in relation to any party.

2.2 Review of our own information in respect to the capability of the Installation to meet revised standards included in the BAT Conclusions document

Based on our records and previous experience in the regulation of the installation we consider that the Operator will be able to comply with the techniques and standards described in the BAT Conclusions other than for those techniques and requirements described in BAT Conclusion BATc 6 Energy Efficiency Plan and BATc 9 refrigerants. In relation to these BAT Conclusions, we do not fully agree with the Operator in respect of their current stated capability as recorded in their response to the Regulation 61 Notice. We have therefore included Improvement Conditions 6 and 7 in the Consolidated Variation Notice to ensure that the requirements of the BAT Conclusions are delivered within 3 months of the variation being issued. We have also added IC 8 requiring the operator to review and report on the condition of containment infrastructure onsite.

2.3 Requests for further information during determination

Although we were able to consider the Regulation 61 Notice response generally satisfactory at receipt, we did in fact need more information in order to complete our permit review assessment, and issued a further information request on 11/10/2024. A copy of the further information request was placed on our public register.

3 The legal framework

The Consolidated Variation Notice will be issued under Regulations 18 and 20 of the EPR. The Environmental Permitting regime is a legal vehicle which delivers most of the relevant legal requirements for activities falling within its scope. In particular, the regulated facility is:

- an *installation* as described by the IED;
- subject to aspects of other relevant legislation which also have to be addressed.

We consider that, in issuing the Consolidated Variation Notice, it will ensure that the operation of the Installation complies with all relevant legal requirements and that a high level of protection will be delivered for the environment and human health.

We explain how we have addressed specific statutory requirements more fully in the rest of this document.

Annex 1: decision checklist regarding relevant BAT Conclusions

BAT Conclusions for the Food, Drink and Milk Industries, were published by the European Commission on 4 December 2019.

There are 37 BAT Conclusions.

BAT 1 – 15 are General BAT Conclusions (Narrative BAT) applicable to all relevant Food, Drink and Milk Installations in scope.

BAT 16 – 37 are sector-specific BAT Conclusions, including Best Available Techniques Associated Emissions Levels (BAT-AELs) and Associated Environmental Performance Levels (BAT-AEPLs):

BAT 16 & 17	BAT Conclusions for Animal Feed
BAT 18 – 20	BAT Conclusions for Brewing
BAT 21 – 23	BAT Conclusions for Dairies
BAT 24	BAT Conclusions for Ethanol Production
BAT 25 & 26	BAT Conclusions for Fish and Shellfish Processing
BAT 27	BAT Conclusions for Fruit and Vegetable Processing
BAT 28	BAT Conclusions for Grain Milling
BAT 29	BAT Conclusions for Meat Processing
BAT 30 – 32	BAT Conclusions for Oilseed Processing and Vegetable Oil Refining
BAT 33	BAT Conclusions for Soft Drinks and Nectar/Fruit Juice Processed from Fruit and Vegetables
BAT 34	BAT Conclusions for Starch Production
BAT 35 – 37	BAT Conclusions for Sugar Manufacturing

This annex provides a record of decisions made in relation to each relevant BAT Conclusion applicable to the installation. This annex should be read in conjunction with the Consolidated Variation Notice.

The overall status of compliance with the BAT conclusion is indicated in the table as:

NA – Not Applicable

CC – Currently Compliant

FC – Compliant in the future (within 4 years of publication of BAT Conclusions)

NC – Not Compliant

BATC No.	Summary of BAT Conclusion requirement for Food, Drink and Milk Industries	Status NA/ CC / FC / NC	Assessment of the installation capability and any alternative techniques proposed by the Operator to demonstrate compliance with the BAT Conclusion requirement
GENERAL BAT CONCLUSIONS (BAT 1-15)			
1	<p>Environmental Management System - Improve overall environmental performance.</p> <p>Implement an EMS that incorporates all the features as described within BATc 1.</p>	CC	<p>The Operator has provided information to support compliance with BATc 1. We have assessed the information provided and we are satisfied that the Operator has demonstrated compliance with BATc 1.</p> <p>The Operator has developed a central integrated health, safety and environmental management system which provides the framework and direction for individual sites to follow.</p> <p>They confirm the site has local procedures for operation, which comply with the requirements of the central system. They also confirm this system is aligned (but not accredited) with ISO.14001 and incorporated the features as described in BATc 1.</p>
2	<p>EMS Inventory of inputs & outputs. Increase resource efficiency and reduce emissions.</p> <p>Establish, maintain and regularly review (including when a significant change occurs) an inventory of water, energy and raw materials consumption as well as of waste water and waste gas streams, as part of the environmental management system (see BAT 1), that incorporates all of the features as detailed within the BATCs.</p>	CC	<p>The Operator has provided information to support compliance with BATc 2. We have assessed the information provided and we are satisfied that the operator has demonstrated compliance with BATc 2.</p> <p>The Operator confirms water, energy consumption, raw materials and waste streams are monitored and tracked with the data used to generate improvement projects. Performance is reported to site on a daily basis and at a group level on a monthly basis. The EMS and business Improvement programmes provides the governance for the setting, reporting and reviewing of objectives and targets with respect to consumption and usage.</p>

BATC No.	Summary of BAT Conclusion requirement for Food, Drink and Milk Industries	Status NA/ CC / FC / NC	Assessment of the installation capability and any alternative techniques proposed by the Operator to demonstrate compliance with the BAT Conclusion requirement
3	<p>Monitoring key process parameters at key locations for emissions to water. For relevant emissions to water as identified by the inventory of waste water streams (see BAT 2), BAT is to monitor key process parameters (e.g. continuous monitoring of waste water flow, pH and temperature) at key locations (e.g. at the inlet and/or outlet of the pre-treatment, at the inlet to the final treatment, at the point where the emission leaves the installation).</p>	CC	<p>The Operator has provided information to support compliance with BATc 3. We have assessed the information provided and we are satisfied that the operator has demonstrated compliance with BATc 3.</p> <p>The site discharges process effluent to sewer following treatment within the on-site effluent treatment plant (ETP). The Operator measures effluent discharge after the V notch weir daily for flow and pH. Chemical Oxygen Demand (COD) is monitored monthly.</p>
4	<p>Monitoring emissions to water to the required frequencies and standards. BAT is to monitor emissions to water with at least the frequency given [refer to BAT 4 table in BATc] and in accordance with EN standards. If EN standards are not available, BAT is to use ISO, national or other international standards that ensure the provision of data of an equivalent scientific quality.</p>	N/A	<p>The only parameter relevant for discharges to sewer is chloride but this is not a parameter of concern for ready meal production and so is not applicable.</p> <p>We are therefore satisfied that BATc 4 is not applicable for this site</p>
5	<p>Monitoring channelled emissions to air to the required frequencies and standards. BAT is to monitor channelled emissions to air with at least the frequency given [] and in accordance with EN standards.</p>	N/A	<p>BATc 5 sets out air emissions monitoring requirements applicable to specific FDM sub-sectors. None of these monitoring requirements are applicable to this site as the activities undertaken (ready meals manufacture) are not specified in the sector and specific processes set out in BATc 5.</p> <p>We are therefore satisfied that BATc 5 is not applicable to this site.</p>
6	<p>Energy Efficiency In order to increase energy efficiency, BAT is to use an energy efficiency plan (BAT 6a) and an appropriate combination of the common techniques listed in technique 6b within the table in the BATc.</p>	FC	<p>The operator has provided information to support compliance with BATc 6. We have assessed the information provided and we are not satisfied that the operator has demonstrated compliance with BATc 6.</p>

BATC No.	Summary of BAT Conclusion requirement for Food, Drink and Milk Industries	Status NA/ CC / FC / NC	Assessment of the installation capability and any alternative techniques proposed by the Operator to demonstrate compliance with the BAT Conclusion requirement
			<p>The Operator stated they are a member of the ESOS audit programme. This however is not an energy efficiency plan as described in BAT and we have therefore included IC6 in order to achieve compliance.</p> <p>The operator confirmed the following energy saving techniques are used onsite:</p> <ul style="list-style-type: none"> • all combustion plant operations are optimised through burner control, annual balancing and efficiency testing. • Energy efficient motors • Heat recovery through various parts of the process • LED light roll out programme • Preheating of boiler feed water • Automated compressed air systems • Pipework lagging
7	<p>Water and wastewater minimisation</p> <p>In order to reduce water consumption and the volume of waste water discharged, BAT is to use BAT 7a and one or a combination of the techniques b to k given below.</p> <p>(a) water recycling and/or reuse</p> <p>(b) Optimisation of water flow</p> <p>(c) Optimisation of water nozzles and hoses</p> <p>(d) Segregation of water streams</p> <p>Techniques related to cleaning operations:</p> <p>(e) Dry cleaning</p> <p>(f) Pigging system for pipes</p> <p>(g) High-pressure cleaning</p> <p>(h) Optimisation of chemical dosing and water use in cleaning-in-place (CIP)</p> <p>(i) Low-pressure foam and/or gel cleaning</p> <p>(j) Optimised design and construction of equipment and process areas</p>	CC	<p>The Operator has provided information to support compliance with BATc 7. We have assessed the information provided and we are satisfied that the operator has demonstrated compliance with BATc 7.</p> <p>The operator has confirmed the tray wash operates on a closed loop system with a mains top up when required. The Clean in Place (CIP) system is optimised but is designed to be emptied to drain upon completion of the cleaning cycle.</p> <p>In addition:</p> <ul style="list-style-type: none"> • boiler condensate is returned to the hot well, minimising water consumption/discharge. • Hose guns and trigger controls are used

BATC No.	Summary of BAT Conclusion requirement for Food, Drink and Milk Industries	Status NA/ CC / FC / NC	Assessment of the installation capability and any alternative techniques proposed by the Operator to demonstrate compliance with the BAT Conclusion requirement
	(k) Cleaning of equipment as soon as possible		<ul style="list-style-type: none"> • Segregation of water streams. All process contaminated wastewater is directed to the on-site effluent drains for treatment. Uncontaminated rainwater and site run off is directed to surface water drains which outfall to controlled water. • The site operates a “Clean As You Go” policy including dry cleaning • Low pressure cold and warm water wash systems only are employed across the site where applicable and in accordance with food safety. • CIPs optimised • Mobile Foaming units used to allow more controlled dosing of chemicals and a reduction in rinse water. • Cleaning equipment is carried out to prevent product hardening through hygiene operations for specific equipment and as part of the “Clean As You Go” policy.
8	<p>Prevent or reduce the use of harmful substances</p> <p>In order to prevent or reduce the use of harmful substances, e.g. in cleaning and disinfection, BAT is to use one or a combination of the techniques given below.</p> <p>(a) Proper selection of cleaning chemicals and/or disinfectants</p> <p>(b) Reuse of cleaning chemicals in cleaning-in-place (CIP)</p> <p>(c) Dry cleaning</p> <p>(d) Optimised design and construction of equipment and process areas</p>	CC	<p>The operator has provided information to support compliance with BATc 8. We have assessed the information provided and we are satisfied that the operator has demonstrated compliance with BATc 8.</p> <p>Chemicals are sourced from a specialist supplier who advises on their selection and formulations with minimal environmental impact.</p>
9	<p>Refrigerants</p> <p>In order to prevent emissions of ozone-depleting substances and of substances with a high global warming potential from cooling and freezing, BAT is to use refrigerants without ozone depletion potential and with a low global warming potential.</p>	FC	<p>The Operator has provided information to support compliance with BATc 9. We have assessed the information provided and we are not satisfied that the operator has demonstrated compliance with BATc 9.</p>

BATC No.	Summary of BAT Conclusion requirement for Food, Drink and Milk Industries	Status NA/ CC / FC / NC	Assessment of the installation capability and any alternative techniques proposed by the Operator to demonstrate compliance with the BAT Conclusion requirement
			<p>The Operator provided an inventory of the refrigeration systems on site. Ammonia is the main refrigerant onsite however some smaller units associated with the manufacturing process have a high global warming potential (GWP). The operator stated their third party refrigeration provider will review the compatibility of existing assets. And any that require top up will use a gas of lower GWP or run to fail and replacement with equipment that use the lowest practical GWP refrigerant gas. We have added IC7 which requires the operator to produce concrete plans for all affected assets.</p>
10	<p>Resource efficiency In order to increase resource efficiency, BAT is to use one or a combination of the techniques given below: (a) Anaerobic digestion (b) Use of residues (c) Separation of residues (d) Recovery and reuse of residues from the pasteuriser (e) Phosphorus recovery as struvite (f) Use of waste water for land spreading</p>	CC	<p>The Operator has provided information to support compliance with BATc 10. We have assessed the information provided and we are satisfied that the operator has demonstrated compliance with BATc 10.</p> <p>The Operator confirmed food residues and effluent sludge are sent offsite for anaerobic digestion.</p> <p>They also confirm they continuously review options for re-using residues however it's not currently feasible to achieve complete segregation for animal byproducts.</p>
11	<p>Waste water buffer storage In order to prevent uncontrolled emissions to water, BAT is to provide an appropriate buffer storage capacity for waste water.</p>	CC	<p>The Operator has provided information to support compliance with BATc 11. We have assessed the information provided and we are satisfied that the operator has demonstrated compliance with BATc 11.</p> <p>The operator has confirmed the site has a 60m³ buffer tank to contain effluent prior to discharge, including an effluent reception</p>

BATC No.	Summary of BAT Conclusion requirement for Food, Drink and Milk Industries	Status NA/ CC / FC / NC	Assessment of the installation capability and any alternative techniques proposed by the Operator to demonstrate compliance with the BAT Conclusion requirement
			<p>sump. They state this provides 24hrs retention which is sufficient to isolate any hazardous spillages into the system.</p> <p>Uncontaminated surface water discharge are released to controlled water at W1 via an oil interceptor which is inspected weekly.</p>
12	<p>Emissions to water – treatment</p> <p>In order to reduce emissions to water, BAT is to use an appropriate combination of the techniques given below.</p> <p>Preliminary, primary and general treatment</p> <p>(a) Equalisation</p> <p>(b) Neutralisation</p> <p>(c) Physical separate (eg screens, sieves, primary settlement tanks etc)</p> <p>Aerobic and/or anaerobic treatment (secondary treatment)</p> <p>(d) Aerobic and/or anaerobic treatment (eg activated sludge, aerobic lagoon etc)</p> <p>(e) Nitrification and/or denitrification</p> <p>(f) Partial nitrification - anaerobic ammonium oxidation</p> <p>Phosphorus recovery and/or removal</p> <p>(g) Phosphorus recovery as struvite</p> <p>(h) Precipitation</p> <p>(i) Enhanced biological phosphorus removal</p> <p>Final solids removal</p> <p>(j) Coagulation and flocculation</p> <p>(k) Sedimentation</p> <p>(l) Filtration (eg sand filtration, microfiltration, ultrafiltration)</p> <p>(m) Flotation</p>	CC	<p>The Operator has provided information to support compliance with BATc 12. We have assessed the information provided and we are satisfied that the operator has demonstrated compliance with BATc 12.</p> <p>Effluent treatment consists of a settlement tank to remove bulk waste batter solids and pH adjustment via acid/caustic dosing.</p>
13	<p>Noise management plan</p> <p>In order to prevent or, where that is not practicable, to reduce noise emissions, BAT is to set up, implement and regularly review a noise management plan, as part of the environmental management system (see BAT 1), that includes all of the following elements:</p>	N/A	<p>A noise management plan is only required where noise nuisance at sensitive receptors is expected or has been substantiated. There have been no substantiated noise nuisance from the site therefore an NMP is not a requirement for this site.</p>

BATC No.	Summary of BAT Conclusion requirement for Food, Drink and Milk Industries	Status NA/ CC / FC / NC	Assessment of the installation capability and any alternative techniques proposed by the Operator to demonstrate compliance with the BAT Conclusion requirement
	<ul style="list-style-type: none"> - a protocol containing actions and timelines; - a protocol for conducting noise emissions monitoring; - a protocol for response to identified noise events, eg complaints; - a noise reduction programme designed to identify the source(s), to measure/estimate noise and vibration exposure, to characterise the contributions of the sources and to implement prevention and/or reduction measures. 		<p>We are therefore satisfied that BATc 13 is not applicable for this site.</p>
14	<p>Noise management</p> <p>In order to prevent or, where that is not practicable, to reduce noise emissions, BAT is to use one or a combination of the techniques given below.</p> <ul style="list-style-type: none"> (a) Appropriate location of equipment and buildings (b) Operational measures (c) Low-noise equipment (d) Noise control equipment (e) Noise abatement 	CC	<p>The operator has provided information to support compliance with BATc 14. We have assessed the information provided and we are satisfied that the operator has demonstrated compliance with BATc 14.</p> <p>The operator has stated the following measures are undertaken on site to limit noise emissions:</p> <ul style="list-style-type: none"> • Plant and equipment are subject to planned preventative maintenance and condition-based inspection that would detect abnormalities in operation that could lead to excessive noise. • The site operates a closed-door policy with respect to all areas of production (loading operations excepted). • All areas of the site are subject to inspection and process confirmation audits that would identify abnormal operations/activities that may give rise to noise nuisance potential.
15	<p>Odour Management</p> <p>In order to prevent or, where that is not practicable, to reduce odour emissions, BAT is to set up, implement and regularly review an odour management plan, as part of the environmental management system (see BAT 1), that includes all of the following elements:</p> <ul style="list-style-type: none"> - a protocol containing actions and timelines; - a protocol for conducting odour monitoring. 	N/A	<p>An odour management plan is only required where odour nuisance at sensitive receptors is expected or has been substantiated. There have been no substantiated odour nuisance from the site therefore an OMP is not a requirement for this site.</p>

BATC No.	Summary of BAT Conclusion requirement for Food, Drink and Milk Industries	Status NA/ CC / FC / NC	Assessment of the installation capability and any alternative techniques proposed by the Operator to demonstrate compliance with the BAT Conclusion requirement
	<ul style="list-style-type: none"> - a protocol for response to identified odour incidents eg complaints; - an odour prevention and reduction programme designed to identify the source(s); to measure/estimate odour exposure: to characterise the contributions of the sources; and to implement prevention and/or reduction measures. 		We are therefore satisfied that BATc 15 is not applicable for this site.

Annex 2: Review and assessment of changes that are not part of the BAT Conclusions derived permit review

Updating permit during permit review consolidation

- Activity name
- Introductory note
- Site plan
- Table S1.1 overhaul
 - Activity Reference (AR) renumbering
 - Updated listed activities
 - Addition of production capacity
 - Directly associated activities (DAAs) standardisation

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

Production/Capacity Threshold

The Environment Agency is looking to draw a “line in the sand” for permitted production capacity; a common understanding between the Operator and regulator for the emissions associated with a (maximum) level of production, whereby the maximum emissions have been demonstrated as causing no significant environmental impact.

We have included a permitted production level (capacity) within table S1.1 of the permit for the section 6.8 listed activity and we need to be confident that the level of emissions associated with this production level have been demonstrated to be acceptable.

The existing H1 assessment of particulate emissions to air remains valid for the revised capacity threshold now placed within table S1.1 of the permit.

Emissions to Air

We asked the Operator to list all emission points to air from the installation in the Regulation 61 notice. And to provide a site plan indicating the locations of all air emission points.

The Operator has provided an up to date air emission plan.

Implementing the requirements of the Medium Combustion Plant Directive

For the existing combustion plant with a rated thermal input less than 1 MW we will not be including any emission limit values or monitoring requirements within the permit, unless any site specific conditions require us to do this.

Emissions to Water and implementing the requirements of the Water Framework Directive

We asked the Operator to provide information on all emissions to water at the installation in the Regulation 61 Notice as follows;

- Identify any effluents which discharge directly to surface or groundwater;
- Provide an assessment of volume and quality, including results of any monitoring data available;
- and for any discharges to water / soakaway whether a recent assessment of the feasibility of connection to sewer has been carried out.

The Operator has previously provided assessments for all emissions to water at the installation. The Operator declares there has been no change to activities and subsequent effluents generated at the installation since this risk assessment was taken. Consequently, we agree that the original risk assessments remain valid at this time.

Soil & groundwater risk assessment (baseline report)

The IED requires that the Operator of any IED installation using, producing or releasing “relevant hazardous substances” (RHS) shall, having regarded the possibility that they might cause pollution of soil and groundwater, submit a “baseline report” with its permit application. The baseline report is an important reference document in the assessment of contamination that might arise during the operational lifetime of the regulated facility and at cessation of activities. It must enable a quantified comparison to be made between the baseline and the state of the site at surrender.

At the definitive cessation of activities, the Operator has to satisfy us that the necessary measures have been taken so that the site ceases to pose a risk to soil or groundwater, taking into account both the baseline conditions and the site’s current or approved future use. To do this, the Operator has to submit a surrender application to us, which we will not grant unless and until we are satisfied that these requirements have been met.

The Operator submitted a Site Protection and Monitoring Programme (SPMP) [21 September 2005] during the original application and a copy with the Reg 61 permit review documents. The site protection and monitoring plan included a report on the baseline conditions as required by Article 22 (collection of baseline data not required) We reviewed that report and considered that it adequately described the condition of the soil and groundwater at that time.

The Operator submitted a summary report which referenced the site condition report and baseline report. We have reviewed the information and we consider that it adequately describes the current condition of the soil and groundwater. Consequently, we are satisfied that the baseline conditions have not changed.

Hazardous Substances

Hazardous substances are those defined in Article 3 of Regulation (EC) No. 1272/2008 on classification, labelling and packaging of substances and mixtures

The stage 1 assessment identified the hazardous substances used / stored on site. The stage 2 assessment identified if hazardous substances are capable of causing pollution. If they are capable of causing pollution they are then termed Relevant

Hazardous Substances (RHS). The Stage 3 assessment identified if pollution prevention measures are fit for purpose in areas where hazardous substances are used / stored. This includes drains as well.

The outcomes of the three stage assessment identified that pollution of soil and/or ground water to be unlikely.

Climate Change Adaptation

The Operator has considered if the site is at risk of impacts from adverse weather (flooding, unavailability of land for land spreading, prolonged dry weather / drought) .

The Operator has stated that the installation is not likely to be or has previously not been affected by climate change.

Containment

We asked the Operator via the Regulation 61 Notice to provide details of the each above ground tanks which contain potentially polluting liquids at the site, including tanks associated with the effluent treatment process where applicable.

The Operator provided of all tanks;

- Tank reference/name
- Contents details
- Capacity (litres)
- Location
- Construction material(s) of each tank
- The bunding specification including
 - Whether the tank is bunded
 - If the bund is shared with other tanks
 - The capacity of the bund
 - The bund capacity as % of tank capacity
 - Construction material of the bund
 - Whether the bund has a drain point
 - Whether any pipes penetrate the bund wall
- Details of overfill prevention
- Drainage arrangements outside of bunded areas
- Tank filling/emptying mitigation measures (drips/splashes)
- Leak detection measures
- Details of when last bund integrity test was carried out
- Maintenance measures in place for tank and bund (inspections)
- How the bund is emptied
- Details of tertiary containment

and whether the onsite tanks currently meet the relevant standard in the Ciria “Containment systems for the prevention of pollution (C736)” report.

We reviewed the information provided by the Operator and their findings. We are not satisfied that the existing tanks and containment measures on site meet the standards set out in CIRIA C736.

We have set improvement conditions in the permit to address the deficiencies in the existing tanks and containment measures on site (IC8). See Improvement condition(s) in Annex 3 of this decision document.

Annex 3: Improvement Conditions

Based on the information in the Operator's Regulation 61 Notice response and our own records of the capability and performance of the installation at this site, we consider that we need to set improvement conditions so that the outcome of the techniques detailed in the BAT Conclusions are achieved by the installation. These improvement conditions are set out below - justifications for them is provided at the relevant section of the decision document (Annex 1 or Annex 2).

Previous improvement conditions marked as complete in the previous permit.

Superseded Improvement Conditions – Removed from permit as marked as “complete”	
Reference	Improvement Condition
IC1	The Operator shall provide justification for the continued use of landspreading as a waste disposal option with regards to the requirements set out in the Agency Guidance Note S6.10 section 2.6. A written report summarising the findings shall be submitted to the Agency, together with a timetable to implement any further studies, investigations or works identified.
IC2	The Operator shall develop and implement a documented environmental management system, <u>taking into account</u> the requirements of section 2.3 of the Agency Guidance Note IPPC S6.10 for the Food & Drink Sector.
IC3	The Operator shall undertake an assessment of all external raw material storage facilities. The assessment will <u>take into account</u> the requirements of section 2.2.5 of the Agency Guidance Note IPPC S6.10. A written report summarising the findings shall be submitted to the Agency, together with a timetable to implement any further studies, investigations or works identified.
IC4	The Operator shall develop a written site Accident management plan <u>with regard to</u> the requirements set out in Section 2.8 of the Agency Guidance Note IPPC S6.10. Upon completion of the plan, a summary of the document shall be submitted to the Agency in writing.
IC5	The Operator shall develop a written site closure plan <u>with regard to</u> the requirements set out in Section 2.11 of the Agency Guidance Note IPPC S6.10. Upon completion of the plan, a summary of the document shall be submitted to the Agency in writing.

The following improvement conditions have added to the permit as a result of the variation.

Improvement programme requirements		
Reference	Reason for inclusion	Justification of deadline
IC6	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:	12 months from date of permit issue or as agreed in writing by the Environment Agency

	<ul style="list-style-type: none"> • Methodology applied for achieving BAT • Demonstrating that BAT has been achieved. <p>The report shall address the BAT Conclusions for Food, Drink and Milk Industries with respect to BATc 6a Energy Efficiency Plan.</p> <p>Refer to BAT Conclusions for a full description of the BAT requirement.</p>	
IC7	<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. 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. • An action log with timescales, for replacement of end-of-life equipment using refrigerants with the lowest practicable GWP. • Replacement of systems containing HCFCs as soon as possible 	3 months from date of permit issue or as agreed in writing by the Environment Agency
IC8	<p>The Operator shall undertake a survey of the primary, secondary and tertiary containment at the site and review measures against relevant standard including:</p> <ul style="list-style-type: none"> • CIRIA Containment systems for the prevention of pollution (C736) – Secondary, tertiary and other measures for industrial and commercial premises, • EEMUA 159 - Above ground flat bottomed storage tanks <p>The operator shall submit a written report to the Environment Agency approval which outlines the results of the survey and the review of standard and provide details of</p> <ul style="list-style-type: none"> • current containment measures • any deficiencies identified in comparison to relevant standards, • improvements proposed • time scale for implementation of improvements. 	12 months from permit issue or as agreed in writing by the Environment Agency

	The operator shall implement the proposed improvements in line with the timescales agreed by the Environment Agency.	
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