

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/DP3430GB
The Operator is: Moy Park Limited
The Installation is: Grantham Poultry Processing Plant
This Variation Notice number is: EPR/DP3430GB/V006

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 02/08/2022 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 02/12/2022.

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 6a Energy Efficiency Plan and BATc 7a water recycling/reuse, 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 IC16 and IC17 in the Consolidated Variation Notice to ensure that the requirements of the BAT Conclusions are delivered within 3 months of the variation being issued.

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 10/12/2024 requesting information on BATc 6a Energy Efficiency, BATc 7a water reuse, BATc 9 refrigerants, site condition report and site capacity . 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 a EMS externally accredited to the ISO14001 standard and the certificate has been provided.</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 site holds inventories for water, energy, emissions and raw material consumption. They confirm the system is under quarterly review with an annual energy and management review.</p>
3	<p>Monitoring key process parameters at key locations for emissions to water.</p> <p>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 operator has confirmed the waste water discharge is continuously monitored for flow and pH. In addition, daily on site tests for COD and TSS of the influent and effluent are undertaken prior to discharge to Anglian Water sewer.</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
4	<p>Monitoring emissions to water to the required frequencies and standards.</p> <p>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>BATc 4 applies in the case of direct discharge of effluent to a water body. All process effluent from the site is discharged to sewer.</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.</p> <p>BAT is to monitor channelled emissions to air with at least the frequency given and in accordance with EN standards.</p>	N/A	<p>The site processes pre-butchered chicken into coated and cooked chicken products. Meat smoking is not undertaken at the site. As such the relevant BAT monitoring requirements for the meat sector do not apply.</p> <p>We are therefore satisfied that BATc 5 is not applicable for this site</p>
6	<p>Energy Efficiency</p> <p>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> <p>The operator does not have an Energy Efficiency Plan as described BAT6a. We have therefore added IC16 in order to achieve compliance.</p> <p>The operator has stated the following energy efficiency techniques are used onsite:</p> <ul style="list-style-type: none"> • Use of energy efficient motors • LED lighting always used for replacements • Compressed air leak survey with tracked actions • Variable speed drives
7	<p>Water and wastewater minimisation</p>	FC	<p>The operator has provided information to support compliance with BATc 7. We have</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>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 (b) Optimisation of water flow (c) Optimisation of water nozzles and hoses (d) Segregation of water streams</p> <p>Techniques related to cleaning operations:</p> <p>(e) Dry cleaning (f) Pigging system for pipes (g) High-pressure cleaning (h) Optimisation of chemical dosing and water use in cleaning-in-place (CIP) (i) Low-pressure foam and/or gel cleaning (j) Optimised design and construction of equipment and process areas (k) Cleaning of equipment as soon as possible</p>		<p>assessed the information provided and we are not satisfied that the operator has not demonstrated compliance with BATc 7.</p> <p>The operator does not reuse or recycle water onsite. We have therefore added IC17 in order to ensure compliance.</p> <p>They have however confirmed the following water saving techniques are used:</p> <ul style="list-style-type: none"> • Optimised planning to allow longer production runs reducing water usage in hygiene windows • High pressure cleaning • Optimisation of water nozzles and hoses • Optimisation of chemical dosing and water use in cleaning-in-place (CIP)
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 (b) Reuse of cleaning chemicals in cleaning-in-place (CIP) (c) Dry cleaning (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>The operator works with a specialist chemical company to select chemicals on performance and to reduce 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>	CC	<p>The operator has provided information to support compliance with BATc 9. We have assessed the information provided and we are satisfied that the operator has demonstrated compliance with BATc 9.</p> <p>The operator provided details of the refrigerants used on site and confirmed they removed all HFC and HCFC refrigerants</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>associated with the manufacturing process in 2014 and replaced them with a central ammonia/glycol system which serves almost all the factory.</p> <p>Two blast chillers associated with the manufacturing process remain. The operator confirmed these chillers were retrofitted in 2018 from R404a to R449a which has a lower GWP.</p>
10	<p>Resource efficiency In order to increase resource efficiency, BAT is to use one or a combination of the techniques given below:</p> <ul style="list-style-type: none"> (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 	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 has confirmed all waste is segregated on site.</p> <p>Environment Agency site inspection records indicate that waste removed from site is sent for third party anaerobic digestion.</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>An effluent balance tank is in place which is operated between 30-60% capacity. Our area team noted at site inspection that this could fill quickly in the event of ETP failure although this was countered that tankers could be ordered rapidly to remove effluent to keep production going.</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
			Surface water goes through an oil/water separator before discharging into a surface water lagoon. Water is then pumped to a Brook running parallel with the site. The lagoon is inspected for contamination frequently.
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>Site effluent is screened, passed through a fat separator and then treated in a Dissolved Air Flotation (DAF) waste water treatment plant, where water is treated with coagulation and flocculating agents and transferred to a floatation unit where floc and sludge are removed.</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> <ul style="list-style-type: none"> - a protocol containing actions and timelines; - a protocol for conducting noise emissions monitoring; 	N/A	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.

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>- a protocol for response to identified noise events, eg complaints;</p> <p>- 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>		<p>We are satisfied that BATc 13 is not applicable to 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> <p>(a) Appropriate location of equipment and buildings</p> <p>(b) Operational measures</p> <p>(c) Low-noise equipment</p> <p>(d) Noise control equipment</p> <p>(e) Noise abatement</p>	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 confirmed they use a combination of operational techniques to prevent and reduce noise emissions. These include:</p> <ul style="list-style-type: none"> • Carrying our high noise activities at the rear of the site away from neighbours. • Motor vibrations are tested as part of planned preventative maintenance. • Considerate parking of refrigerated trailers.
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> <p>- a protocol containing actions and timelines;</p> <p>- a protocol for conducting odour monitoring.</p> <p>- a protocol for response to identified odour incidents eg complaints;</p> <p>- 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.</p>	CC	<p>The operator has provided information to support compliance with BATc 15. We have assessed the information provided and we are satisfied that the operator has demonstrated compliance with BATc 15.</p> <p>An odour management plan is in place and the site uses Thermal Oxidisers to suppress odour emissions</p>

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 Operator has completed a H1 assessment of emissions for typical figures of production during permit variation (V003) issued in December 2013.

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.

We asked the Operator to provide information on all combustion plant on site in the Regulation 61 Notice as follows:

- Number of combustion plant (CHP engines, back-up generators, boilers);
- Size of combustion plant – rated thermal input (MWth)
- Date each combustion plant came into operation

The Operator provided the information in the table below:

Boilers

	Boiler no 3. Beel Boiler	Boiler no 4	1 Thermal oil heater	2 Thermal oil heater	3 Thermal oil heater	4 Thermal oil heater	5 Thermal oil heater	6 Thermal oil heater
1. Rated thermal input (MW) of the medium combustion plant.	2.7	2.2	1.7	1.9	2	1.3	1.7	2.6
2. Type of the medium combustion plant (diesel engine, gas turbine, dual fuel engine, other engine or other medium combustion plant).	Boiler	Boiler	Thermal oil heater	Thermal oil heater	Thermal oil heater	Thermal oil heater	Thermal oil heater	Thermal oil heater
3. Type and share of fuels used according to the fuel categories laid down in Annex II.	Natural gas 100%	Natural gas 100%	Natural gas 100%	Natural gas 100%	Natural gas 100%	Natural gas 100%	Natural gas 100%	Natural gas 100%
4. Date of the start of the operation of the medium combustion plant or, where the exact date of the start of the operation is unknown, proof of the fact that the operation started before 20 December 2018.	Pre - 2018	Pre - 2018	Pre - 2018	Pre - 2018	Pre - 2018	Pre - 2018	Pre - 2018	Pre - 2018

We have reviewed the information provided and we consider that the declared combustion plant qualify as “existing” medium combustion plant.

For existing MCP with a rated thermal input of less than or equal to 5 MW, the emission limit values set out in tables 1 and 3 of Part 1 of Annex II MCPD shall apply from 1 January 2030.

We have included the appropriate emission limit values for existing medium combustion plant as part of this permit review. See Table S3.1 in the permit. We have also included a new condition 3.1.4 within the permit which specifies the monitoring requirements for the combustion plant in accordance with the MCPD.

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.

Neither the Environment Agency or the operator are able to locate the original site condition report submitted (SCR) with the original permit application in 2004. The operator pointed to subsequent updates of the SCR including document ED-03 - H5- Site condition report dated 2022 submitted with the latest permit variation however

this does not describe the site as a whole or the baseline condition as required by Article 22.

The Operator has accepted 'zero contamination' beneath the site. This means that when the Operator applies to surrender the Permit, any contamination by substances used at, produced or released from the facility would be considered to have resulted from the operation of the installation. This is in accordance with the Environment Agency Guidance H5 – Site Condition Report.

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 Operator has not identified any hazardous substances used / stored at the installation.

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 identified the installation as likely to be or has been affected by prolonged dry weather/ drought, which we consider to be a severe weather event. They use mains water which does not require the submission of a CCA although they state water supply interruption is discussed within their business continuity plan.

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. We are satisfied that the existing tanks and containment measures on site meet the standards set out in CIRIA C736.

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 submit a revised 'Emissions to Air' plan which includes up to date references and descriptions. It should reflect the descriptions specified in Table 2.2.1
IC2	Surface drainage arrangements shall be reviewed, giving consideration to pollution prevention. In particular, consideration should be given to the provision of oil interceptors to serve parking areas. A report shall be submitted to the Agency, detailing the recommendations of the review and timescales for implementation. The report should include an update of drawing G1511, on which all the surface water discharge points are referenced, in particular, those references given in Table 2.2.4.
IC3	The operator shall review the Accident Management Plan (known as Emergency Procedures), having regard to the guidance document 'Getting the Basic Right' and section 1.1 of the Sector Guidance Note IPPC 6.10. The Plan should place a greater emphasis on environmental risks and accidents. A revised Accident Management Plan shall be submitted to the Agency.
IC4	The integrity of all the concrete hard standing at the installation should be reviewed and steps taken to seal any open joints and cracks.
IC5	A review of the pipework serving the Effluent Treatment Plant shall be undertaken, giving consideration to containment in the event of a leak. Measures shall be identified to ensure that any leak would be contained on site and not reach the nearby unmade ground or watercourse. A report shall be submitted to the Agency detailing the recommendations of the report and timescales for implementation.
IC6	The operator shall submit to the Agency the findings and recommendations of a recent review that has been carried out of the Effluent Treatment Plant. Where recommendations have been made to carry out improvements to the plant, proposed timescales for implementation should be specified.
IC7	An energy efficiency audit should be undertaken and the findings, along with recommendations for improvements and timescales for implementation should be submitted to the Agency. This shall include recommendations for ensuring that outside lights are not left on during daylight hours.
IC8	The findings of the recent water efficiency audit shall be submitted to the Agency, including details of any recommendations and proposed timescales for implementation.
IC9	The findings of the recent waste minimisation audit shall be submitted to the Agency, including details of any recommendations and proposed timescales for implementation.
IC10	A report shall be submitted to the Agency detailing arrangements in place in the event of the failure of the Thermocat odour abatement units. This should include details of the Thermocat bypass stacks and the provision of odour abatement on these stacks. It should also include details of the maintenance regime for the bypass stacks and associated abatement, and the procedural arrangements for using the bypass stacks. The report should discuss the risks

	and impacts of discharging via the bypass system and an assessment should be made of whether the arrangements in place are BAT.
IC11	<p>The Odour Management Plan shall be revised and updated. It should include:</p> <ul style="list-style-type: none"> • an assessment of the risks of odour problems, from normal and abnormal situations, including worst case scenarios, for example of weather, temperature, or breakdowns, as well as accident scenarios; • the appropriate controls (both physical and management) needed to manage those risks; • suitable monitoring; • actions, contingencies and responsibilities when problems arise; • proposals for regular review of the effectiveness of your odour control measures; <p>The revised plan should be submitted to the Agency for approval.</p>
IC12	The mechanism for allowing a discharge to be made for the surface water accumulation tank into the Running Furrows watercourse currently relies on a visual check of the water quality. This arrangement must be reviewed, and more robust system identified to minimise the risk of contaminated water being discharged. A report shall be submitted to the Agency detailing the recommended improvements and the timescales for implementation.
IC13	The H1 assessment shall be updated to include the new air release points and water release points. The updated assessment shall be submitted to the Agency.
IC14	Not found, assume numbering error
IC15	<p>a) The Operator shall undertake a programme of monitoring, agreed in writing with the Environment Agency. As a minimum the monitoring shall be used to characterise typical and potential maximum releases of odour/VOC's emissions to qualify performance of the thermal oxidiser over a range of operating processes from emission point A1 The Operator shall submit a written report to the Environment Agency detailing monitoring undertaken and results obtained.</p> <p>b) Dependant upon the results of the above monitoring programme, and in agreement with the Environment Agency, the operator will take all necessary actions to ensure compliance with condition 2.2.6.</p>

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
IC16	<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> <ul style="list-style-type: none"> • Methodology applied for achieving BAT 	3 months from date of permit issue or other date as agreed in writing with the Environment Agency

	<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 and 6a Energy Efficiency Plan.</p> <p>Refer to BAT Conclusions for a full description of the BAT requirement.</p>	
IC17	<p>The operator shall confirm, 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 with respect to BATc 7 water reuse/recycling.</p> <p>Refer to BAT Conclusions for a full description of the BAT requirement.</p>	<p>3 months from date of permit issue or other date as agreed in writing with the Environment Agency</p>