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/WP3331UH
The Operator is:	Northern Foods Limited
The Installation is:	Nottingham Gateside Road Pizza
This Variation Notice number is:	EPR/WP3331UH/V003

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 03/08/2022 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 30/11/2022.

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 BAT 6, BAT 9, BAT 11, and BAT 12. 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 IC6, IC7, IC8, and IC9 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 relating to BAT11, BAT 12, BAT 14, Water emissions, medium combustion plants (MCP), Containment, and Site Plan on 23/10/2024. 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	**Environmental Management System - Improve overall environmental performance.** Implement an EMS that incorporates all the features as described within BATc 1.	**CC**	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. The operator has a EMS externally accredited to the ISO14001 standard.
2	**EMS Inventory of inputs & outputs. Increase resource efficiency and reduce emissions.** 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.	**CC**	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. The operator has a EMS externally accredited to the ISO14001 standard. The Operator stated that their EMS contains: • Process flow diagrams • Information regarding the characteristics of waste water streams including pH, solids and chemical oxygen demand (COD) • Information about energy consumption on site and the quantity of raw materials used.
3	**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).	**CC**	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. Operator monitors pH, COD and solids internally by quarterly sampling and tested by

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
			a UKAS accredited lab at the point where the emissions leaves site installation.
4	**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.	**NA**	We are satisfied that BATc 4 is not applicable to this Installation. BATc 4 is applicable only to installations discharging process effluent to water and this site discharges only to sewer under consent therefore, BATc 4 is not applicable.
5	**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.	**NA**	We are satisfied that BATc 5 is not applicable to this Installation. This BATc is applicable to installations where dust emissions from processes such as drying, cooling, grinding, or milling are used. 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 meal manufacture) are not specified in the sector and specific processes set out in BATc 5.
6	**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.	**FC**	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. Operator currently does not have an energy efficiency plan. However, they employ a combination of techniques from BATc 6b such as LED lighting fitted with PIR, air leak survey's, reporting system and repairs is in place;

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
			variable speed drives are installed ins various pieces of equipment and chiller's. Additionally reduce heat losses by insulation. No blowdown is conducted in the boiler as well as burner regulation and control. We consider that the Operator will be future compliant with BATc 6 Improvement condition IC6 has been included in the permit to achieve compliance (see Annex 3).
7	**Water and wastewater minimisation** 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. (a) water recycling and/or reuse (b) Optimisation of water flow (c) Optimisation of water nozzles and hoses (d) Segregation of water streams Techniques related to cleaning operations: (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	**CC**	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. Operator employs water recycling and/or reuse and a combination of water and wastewater minimisation techniques such as: (b) Optimisation of water flow (c) Optimisation of water nozzles and hoses (e) Dry cleaning (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
8	**Prevent or reduce the use of harmful substances** 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. (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	**CC**	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. Operator ensures proper selection of chemicals for the material/soiling being removed, ie fats, oils, greases, proteins,

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
			carbon etc. Water hardness is also taken into consideration. This is done in conjunction with an industry approved cleaning chemical supplier to the food industry. An approved disinfectant which has under gone all the European suspension test criteria and customer approvals for use at 1% is used. Currently there is no re-use chemicals, other than from the CIP used in the tray wash. Also Dry cleaning is carried out with use of compressed air, brushes, cloths & small sanitiser baths to minimise the amount used, alcohol is used to disperse and lift grease and debris.
9	**Refrigerants** 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.	**FC**	The Operator has provided information to support compliance with BATc 9. We have assessed the information provided. We are not satisfied that the Operator has demonstrated compliance with BATc 9 Operator has a refrigerant that is high in global warming potential (GWP) this includes, R407c - 1774 and R410a – 2088. We consider that the Operator will be future compliant with BATc 9. Improvement condition IC7 has been included in the permit to achieve compliance (see Annex 3).
10	**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	**CC**	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.

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
	(f) Use of waste water for land spreading		Operator uses a combination of techniques such as: Anaerobic digestion - Food waste and Sludge from the fat traps are sent to anaerobic digestant plant. Vegetable oil is recovered and sent to produce bio-fuel
11	**Waste water buffer storage** In order to prevent uncontrolled emissions to water, BAT is to provide an appropriate buffer storage capacity for waste water.	**FC**	The Operator has provided information to support compliance with BATc 11. We have assessed the information provided. We are not satisfied that the Operator has demonstrated compliance with BATc 11 Operator does not have a buffer storage capacity for waste water rather, wastewater is connected to an underground tank. We consider that the Operator will be future compliant with BATc 11. Improvement condition IC8 has been included in the permit to achieve compliance (see Annex 3).
12	**Emissions to water – treatment** In order to reduce emissions to water, BAT is to use an appropriate combination of the techniques given below. Preliminary, primary and general treatment (a) Equalisation (b) Neutralisation (c) Physical separate (eg screens, sieves, primary settlement tanks etc) Aerobic and/or anaerobic treatment (secondary treatment) (d) Aerobic and/or anaerobic treatment (eg activated sludge, aerobic lagoon etc) (e) Nitification and/or denitrification (f) Partial nitration - anaerobic ammonium oxidation Phosphorus recovery and/or removal (g) Phosphorus recovery as struvite	**FC**	The Operator has provided information to support compliance with BATc 12. We have assessed the information provided. We are not satisfied that the Operator has demonstrated compliance with BATc 12 Operator does not have effluent treatment plant/process on site. We consider that the Operator will be future compliant with BATc 12. Improvement condition IC9 has been included in the permit to achieve compliance (see Annex 3).

<table>
<tr><th>BATC No.</th><th>Summary of BAT Conclusion requirement for Food, Drink and Milk Industries</th><th>Status
NA/ CC / FC / NC</th><th>Assessment of the installation capability and any alternative techniques proposed by the operator to demonstrate compliance with the BAT Conclusion requirement</th></tr>
<tr><td></td><td>(h) Precipitation
(i) Enhanced biological phosphorus removal
Final solids removal
(j) Coagulation and flocculation
(k) Sedimentation
(l) Filtration (eg sand filtration, microfiltration, ultrafiltration)
(m) Flotation</td><td></td><td></td></tr>
<tr><td>12</td><td>Emissions to water – treatment
BAT-associated emission levels (BAT-AELs) for direct emissions to a receiving water body

<table><tr><th>Parameter</th><th>BAT-AEL ([15]) ([16]) (daily average)</th></tr><tr><td>Chemical oxygen demand (COD) ([17]) ([18])</td><td>25-100 mg/l ([19])</td></tr><tr><td>Total suspended solids (TSS)</td><td>4-50 mg/l ([20])</td></tr><tr><td>Total nitrogen (TN)</td><td>2-20 mg/l ([21]) ([22])</td></tr><tr><td>Total phosphorus (TP)</td><td>0,2-2 mg/l ([23])</td></tr></table>(16) The BAT-AELs may not apply to the production of citric acid or yeast
(17) No BAT-AEL applies for biochemical oxygen demand (BOD). As an indication, the yearly average BOD5 level in the effluent from a biological waste water treatment plant will generally be ≤ 20 mg/l.
(18) The BAT-AEL for COD may be replaced by a BAT-AEL for TOC. The correlation between COD and TOC is determined on a case-by-case basis. The BAT-AEL for TOC is the preferred option because TOC monitoring does not rely on the use of very toxic compounds.
(20) The lower end of the range is typically achieved when using filtration (e.g. sand filtration, microfiltration, membrane bioreactor), while the upper end of the range is typically achieved when using sedimentation only.
(21) The upper end of the range is 30 mg/l as a daily average only if the abatement efficiency is ≥ 80 % as a yearly average or as an average over the production period.
(22) The BAT-AEL may not apply when the temperature of the waste water is low (e.g. below 12 °C) for prolonged periods.</td><td>NA</td><td>We are satisfied that BAT - AELs is not applicable to this Installation.

BAT - AELs is applicable only to installations discharging process effluent to water and this site discharges only to sewer under consent therefore, BAT - AELs is not applicable.</td></tr>
<tr><td>13</td><td>Noise management plan
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</td><td>NA</td><td>We are satisfied that BAT 13 is not applicable to this Installation.</td></tr>
</table>

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
	part of the environmental management system (see BAT 1), that includes all of the following elements: - 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.		BAT13 is only applicable where a noise nuisance at sensitive receptors is expected and/or has been substantiated. Site is situated in industrial area - no direct noise or sensitive receptors in the area. No Permit requirement to have a noise Management plan
14	**Noise management** 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. (a) Appropriate location of equipment and buildings (b) Operational measures (c) Low-noise equipment (d) Noise control equipment (e) Noise abatement	**CC**	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. Operator employs combination of techniques such as: (a) Appropriate location of equipment and buildings (b) Operational measures (c) Low-noise equipment
15	**Odour Management** 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: - a protocol containing actions and timelines; - a protocol for conducting odour monitoring. - 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.	**NA**	We are satisfied that BAT 15 is not applicable to this Installation. BAT 15 is only applicable to cases where an odour nuisance at sensitive receptors is expected and/or has been substantiated. No odour complaint has been received

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 (updated)
- 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.

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 at the time of permitting.

The H1 assessment is not valid for the maximum capacity stated within the permit or if production is now higher. We have included an improvement condition within the permit (IC10) which requires the operator to revisit their H1 risk assessment of water emissions at the capacity limit figure that is now stated 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.

Existing Medium Combustion Plant (1MW-50MW)

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(s) below:

Boilers

	Boiler 1	Boiler 2
1. Rated thermal input (MW) of the medium combustion plant.	1MWth	1MWth
2. Type of the medium combustion plant (diesel engine, gas turbine, dual fuel engine, other engine or other medium combustion plant).	Boiler	Boiler
3. Type and share of fuels used according to the fuel categories laid down in Annex II.	Natural Gas	Natural Gas
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.	2003	2003

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.

The Operator submitted a site condition report [Site Condition Report.pdf] during the original application received on 21/12/2007. The site condition report included a report on the baseline conditions as required by Article 22. We reviewed that report and considered that it adequately described the condition of the soil and groundwater at that time.

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 undertaken an assessment to identify if any hazardous substances are used or stored at the installation.

The Operator is required to undertake an assessment to ascertain if any hazardous substances are used or stored at the site. If hazardous substances are found to be used or stored at the site the operator is to undertake a short risk assessment on the hazardous substances stored and used at the installation. The risk assessment is a stage 1-3 assessment as detailed within EC Commission Guidance 2014/C 136/03.

- 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.

We have included an improvement condition into the permit (IC11) to request that the assessment is undertaken and is submitted by the Operator for approval from the Environment Agency.

If the outcome of the three stage assessment identified that pollution of soil / groundwater to be possible, and monitoring is required for these hazardous

substances. The Operator is required to submit a relevant hazardous substances monitoring plan for review to the Environment Agency via improvement condition (IC12).

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 [dry weather/ drought], which we consider to be a severe weather event.

We do not consider the operator to have submitted a suitable climate change adaptation plan for the installation. The installation relies on a resilient water supply and is a business critical factor. However, all water is sourced from reliable mains and a Climate Change Adaption Plan is not applicable to this installation. A risk assessment has been completed.

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 appliable.

The Operator provided details of all tanks;

- Tank reference/name
- Contents
- 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.

The Operator did not provide a response to the Regulation 61 Notice with respect to the existing tanks and their containment measures on site.

Operator have indicated that there are not above ground tanks on the site hence, there is no information to provide.
However, as the site operates underground tanks, we have included IC13 for underground storage inspection.

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 carry out an assessment of the options available for improving the control of suspended solids in the process effluent, having regard for the relevant requirements of Section 2.2 of Agency SGN IPPC S6.11, July 2003. A written report summarising the findings shall be submitted to the Agency for approval, along with a timetable for implementing improvements. The notification requirements of condition 2.5.2 shall be deemed to have been complied with on submission of the report. The improvements shall be implemented by the operator from the date of approval in writing by the Agency.
IC2	he operator shall submit a written report to the Agency for approval detailing the results of a review of all storage tanks, other liquid containment, subsurface structures and hardstanding and the measures necessary to comply with the requirements of section 2.2.5 of Agency SGN IPPC S6.11, July 2003. Where appropriate the report shall contain dates for the implementation of individual measures. The notification requirements of condition 2.5.2 shall be deemed to have been complied with on submission of the report. The findings of the report shall be implemented by the operator from the date of approval by the Agency.
IC3	he operator shall develop and implement a formalised Environmental Management System, that meets requirements of Section 2.3 of the Agency's Sector Guidance Note S6.10 Issue 1, October 2003
IC4	A written procedure shall be submitted to the agency detailing the measures to be used so that monitoring equipment, personnel and organisations employed for the emissions monitoring programme shall have either MCERTS certification or accreditation in accordance with condition 3.6.3. The notification requirements of condition 2.5.2 shall be deemed to have been complied with on submission of the procedure. The procedure shall be implemented by the operator from the date of approval in writing by the Agency
IC5	he operator shall carry out a water efficiency audit of the installation, having regard for the Agency SGN IPPC S6.11,

	July 2003, Section 2.4.3, and shall provide a breakdown of significant water use by department or activity, together with water efficiency objective(s) for this installation. A summary of the audit shall be sent to the Agency.

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: • Methodology applied for achieving BAT • Demonstrating that BAT has been achieved. The report shall address the BAT Conclusions for Food, Drink and Milk Industries with respect to BATc 6 Refer to BAT Conclusions for a full description of the BAT requirement.	10/06/2025 3 months from date of issue or as agreed in writing by the Environment Agency
IC7	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. 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 approved by the Environment Agency and shall be incorporated within the existing environmental management system. The plan should include, but not be limited to, the following: • 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.	10/06/2025 3 months from date of issue or as agreed in writing by the Environment Agency

IC8	The operator shall confirm, with the Environment Agency's agreement, 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 11. Refer to BAT Conclusions for a full description of the BAT requirement.	10/06/2025 3 months from date of issue or as agreed in writing by the Environment Agency
IC9	The Operator shall submit a written report to the Environment Agency for technical assessment and approval on the feasibility of installing effluent treatment and include a review of treatment options available along with their associated benefits. Justification is required where no on-site treatment is provided, taking into account the nature of the wastewater and any subsequent off-site treatment. In addition the report needs to consider the appropriate on-site monitoring of the effluent stream prior to disposal. (BAT 3 and 12 Best Available Techniques Reference Document and BAT Conclusions document for the food, drink and milk industry dated December 2019).	10/03/2025 12 months from date of issue or as agreed in writing by the Environment Agency
IC10	The operator shall review and update the H1 risk assessment for emissions to air and sewer at the capacity levels stated within table S1.1 of this permit. The H1 shall be submitted to the Environment Agency for review.	10/03/2026 12 months from date of issue or other date as agreed in writing with the Environment Agency
IC11	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). A stage 1-3 assessment should be completed (as detailed within the EC Commission Guidance 2014/C 136/-3) as follows; Stage 1 – Identify hazardous substance(s) used / stored on site. 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).	10/06/2025 3 months from date of issue or as agreed in writing by the Environment Agency

	Stage 3 – Identify if pollution prevention measures & drains are fit for purpose in areas where hazardous substances are used / stored. 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.	
IC12	The operator shall produce a monitoring plan detailing how the management of relevant hazardous substances which did not screen out as low risk, based on the RHS baseline assessment, will be maintained and monitored to mitigate the risks of pollution. The plan shall be submitted for approval. The plan shall be implemented in accordance with the Environment Agency's written approval, including timescales to undertake any infrastructure improvements.	12 months from date of permit issue: 10/03/2026
IC13	The operator shall submit a written 'underground structures plan' and shall obtain the Environment Agency's written approval to it. The plan shall contain the results of a review conducted, by a competent person, in accordance with the risk assessment methodology detailed within CIRIA C736 (2014) guidance, of the condition and extent of secondary and tertiary containment systems where all polluting liquids and solids are being stored. The review shall include, but not be limited to, the following for all underground structures at the installation; • The physical condition of all underground structures; • The suitability of providing containment when subjected to the dynamic and static loads caused by the vessels' contents; • A preventative maintenance inspection regime. The plan must contain dates for the implementation of individual improvement measures necessary for the underground structures to adhere to the standards detailed/referenced within CIRIA C736 (2014) guidance, or equivalent.	12 months from date of permit issue: 10/03/2026

	The plan shall be implemented in accordance with the Environment Agency's written approval.	