

27 November 2018

Kate Wray  
Environment Agency  
Trentside  
Scarrington Road  
West Bridgford  
Nottingham  
NG2 5FA

Our Ref: 416.05303.00003

Your Ref: EPR/DP3036JK/A001

Dear Kate,

**RE: RESPONSE TO NOT DULY MADE REQUEST, RECEIVED 13<sup>TH</sup> NOVEMBER 2018 REF. EPR/DP3036JK**

We are writing on behalf of NWF Agriculture Ltd in support of the Environmental Permit (EP) application for the Sandysike Feedmill in Carlisle.

This letter provides a response to the Environment Agency's (EAs) Not Duly Made Request received on 13<sup>th</sup> November 2018.

For ease of reference, the EA's questions are stated in bold, followed by responses from NWF Agriculture Limited (NWF).

### Habitats Assessment

**As the site is within the relevant distance criteria of a number of 'European sites' (as defined by regulation 8 of the Habitats Regulations) we are required to make an assessment of the permit application's impact. With reference to Table 1.19 of the Environment Agency charging scheme, a fixed charge of £779 is payable for this assessment. Please note that the additional fee must be paid in full before we can class the application as 'duly made'.**

Please proceed with the assessment. NWF are arranging for the requisite fee of £779 to be paid. We will confirm the details of the payment with the EA once this payment has been made.

### Dust Emission Management Plan

**Please submit a Dust Emission Management Plan in line with the guidance on the Gov.uk website. With reference to Table 1.19 of the Environment Agency charging scheme, a fixed charge of £1,241 is payable for this plan and assessment. Please note that the additional fee must be paid in full before we can class the application as 'duly made'.**

The need for a Dust Emissions Management Plan was discussed between SLR and Kate Wray, EA on the 21<sup>st</sup> November by telephone.

It was discussed that given the site is operational, NWF have the benefit of experience that dust is not a significant issue at the site. Point source emissions of dust were assessed in the Air Emissions Risk Assessment which demonstrated the impacts from these are insignificant. Other than those, there are a limited number of fugitive emission sources of dust because the activities are predominantly undertaken within the confines of buildings. An assessment of risk associated with fugitive emissions of dust and measures to mitigate the risk are identified in the Amenity and Accidents Risk Assessment. With the implementation of the mitigation measures employed at the site, the overall risk of dust causing an amenity impact is low.

It was proposed that in accordance with the standard environmental permit 'emissions of substances not controlled by emission limits' condition, emissions of dust shall not cause pollution. If notified by the EA that the activities are giving rise to dust pollution, a dust emissions management plan would be prepared which identifies and minimises the risks of dust pollution. Once agreed, this plan would then be implemented. As mentioned above however, dust is not a significant issue at the site, so NWF do not anticipate this being required.

Further to the call, NWF received confirmation from Kate Wray on 22<sup>nd</sup> November 2018 that the Dust Emissions Management Plan was no longer required. The email stated *"You will not need to submit a Dust Emissions Management Plan at the duly making stage but there may a requirement to submit one during determination"*.

The email is enclosed as Appendix A to this letter.

### Application Forms

**In Application Form Part B3, question 6c, you have confirmed that you have entered into, or will enter into, a climate change levy agreement. Please give the date you entered (or the date you expect to enter) into the agreement (DD/MM/YYYY) and provide documents that prove you are taking part in the agreement.**

It appears that there is an error with the EA's form, as the required information, including predicted date and proof of agreement, were present within the form submitted in October 2018. However, since SLR prepared the application the climate change levy agreement has been entered into on 8<sup>th</sup> June 2018 under agreement reference AIC/T00132.

We have enclosed an updated Form B3, containing the date upon which the agreement was entered, as Appendix B. We have also enclosed a replacement for Appendix D of the original application which provides proof of agreement.

### Medium Combustion Plant

**In order to determine whether or not the boiler falls under the requirements of the Medium Combustion Plant Directive please confirm the following:**

- i. Thermal input of the boiler.**
- ii. What is steam generated by the boiler used for?**



### iii. When did the boiler come into operation?

### iv. How many hours per annum is the boiler operated for?

The thermal input of the boiler is 1.6MW.

As per section 5.4 of the Best Available Techniques and Operating Techniques (BATOT) document submitted in October 2018 (ref. 416.05303.0003/BATOT), steam is used directly in the conditioning process, whereby it is added directly into the mix to raise its temperature so that its workability is improved prior to pelleting. Steam is also indirectly used for process heating.

The date upon which the boiler came into operation is unknown, however the boiler is operational and is thus categorised as existing medium combustion plant.

The boiler is operated for up to 9400 hours per annum.

## Management System

**Please send a revised summary of your management system which covers all the points in ‘Develop a management system: environmental permits’.**

Please find enclosed with this response an updated Environmental Management System summary as Appendix C.

## Air Emissions Risk Assessment

**With regards to the air emissions risk assessment, the view taken with regards to the boiler when permitting Wixland Feed Mill as noted in your application *“The combustion gas emissions from the boiler plant are not measured and are not considered to be significant. Combustion plants with a thermal input less than 20MW are only covered by EPR if they are an associated activity to any of the listed activities. As stand-alone units, they are not considered to be major sources of pollution”* was based on guidance which has now been withdrawn. The new guidance which replaces it does not offer this concession.**

**The view taken with regards to the grinder for Wixland Feed Mill still applies *“Emissions from grinder vents, silo or tank breather vents, extraction systems servicing material intakes, conveyancing systems and despatch systems are not considered to be significant. This is because they are typically characterised by low volume flows and almost entirely fitted with bag filters, which are considered a suitable BAT option for dust control”*.**

**As a result of the above points please submit a revised air emissions risk assessment in line with H1 guidance which takes into account emissions from the boiler. The air emissions risk assessment should reflect each individual point source; individual point sources should not be aggregated.**

An Air Emissions Risk Assessment Addendum is enclosed as Appendix D, which considers emissions from the boiler in addition to the cooler emissions previously assessed.

As per Section 4.0 of the addendum, with the introduction of the boiler emissions, the screening assessment identified that further modelling would be required for the following pollutants:

- SO<sub>2</sub>;
- NO<sub>2</sub>;
- NO<sub>x</sub>;
- PM<sub>10</sub>; and
- PM<sub>2.5</sub>.

Although the screening assessment shows detailed modelling would be required, we would ask for the EA's consideration of whether detailed modelling is warranted based on the location of the site, the size of the plant and its established use.

The EA's superseded H1 guidance Annex F guidance (v2.2 September 2011) specified that:

*'you may make a case to the Environment Agency that detailed modelling is not warranted for some small, low risk releases.... Combustion plants with a thermal input less than 20MW are only covered by PPC [EPR] regulations if they are an associated activity to any of the listed activities. As stand-alone units, they are not considered to be major sources of pollution but are subject to the requirements of the Clean Air Act. While it is important that the environmental impact of these sources is estimated, it is considered that the risk from these sources will not often warrant detailed dispersion modelling to be undertaken as part of this assessment. Where an operate has combustion plant with an aggregated thermal input of less than 20MW, it is recommended that they discuss with the Environment Agency whether modelling is justified. This will usually be based on consideration of the local geographical situation and local environmental quality.'*

Although this has been replaced by the EA's Air Emissions Risk Assessment for your environmental permit guidance, it is considered that the principles of the previous H1 guidance still apply.

The boiler has a thermal input of 1.6MWth which is significantly lower than 20MWth and as such it is considered to pose a low risk of release which does not necessitate detailed dispersion modelling.

The location of the site also does not warrant detailed dispersion modelling. The site is located in a rural area, with low background pollutant concentrations, located outside of relevant screening distances as specified in the standard rules permits for new medium combustion plant.

Furthermore, as the site is already operational, it has a demonstrable history of low or negligible impact to the environment with respect to air emissions. Although the Environmental Permitting Regulations have been amended so that new combustion plant > 1MWth require an environmental permit, as an existing plant the boiler was not a regulated activity until the operations it is associated with expanded beyond the threshold for requiring an environmental permit. As an existing MCP, as a standalone unit or if not associated with a regulated site, it would not need an environmental permit until 2029.

## Noise Impact Assessment

**Noise Impact Assessment - Please provide all the relevant information as detailed in the noise impact assessment guidance including modelling files in a QSI format.**

The EA's guidance on Noise Impact Assessments was updated on the 23rd October 2018; after we submitted the application. We enclose the noise modelling files as Appendix E.

During the call between SLR and Kate Wray, it was agreed that the relevant information request could be submitted at a later date. Please refer to Appendix A for confirmation of this. NWF can confirm they propose to follow up with this additional information during the determination. Having reviewed the requirements of the guidance our understanding is that it is only grid references for the various aspects of the site's infrastructure that is required.

We trust that the information provided is sufficient and look forward to receiving confirmation of this.

Yours sincerely  
**SLR Consulting Limited**

A handwritten signature in black ink, appearing to read 'Greg Altria', written over a light blue grid background.

**Greg Altria**  
Associate Consultant

Cc William Gate, NWF Agriculture Ltd

Enc     Appendix A Email dated 22<sup>nd</sup> November 2018 from Kate Wray  
       Appendix B Updated Application Form B3 and supporting information  
       Appendix C Updated Environmental Management System Summary  
       Appendix D Air Emissions Risk Assessment Addendum  
       Appendix E Noise Impact Assessment Modelling Files