

David Smyth  
Konings Juices and Drinks UK Ltd  
Hill Farm  
Stoke Road  
Sudbury  
Suffolk  
CO10 5AF

Our Ref: EPR/YP3530QP/A001  
Date: 23 November 2018

Dear David,

### Pre application checks – Enhanced service

I am pleased to provide you with your enhanced level of pre application advice for the Konings Juices and Drinks UK Ltd site in Suffolk as requested. The advice has been provided within the number of hours agreed. I can provide additional advice if required, subject to an additional charge.

As discussed I have reviewed your Environment Management System and Environmental Risk Assessment and have provided comments on these documents below. In addition, as requested two officers have been on a site visit with a subsequent meeting to discuss the application. Comments relating to the site visit will be provided

As part of our free basic pre-application advice we provide details of the forms that should be completed for your application, how much it will cost and supporting documents that need to be submitted. I have included this standard advice within your response, the time taken to provide this has not been charged for.

Application fees stated below are based on what has been included in your application and reflect the anticipated effort required to determine the permit. When your application is submitted, it will undergo a duly making check to make sure the correct documents and fee have been submitted. The permitting officer carrying out this check is within their rights to deem whether the level of application fee needs to be adjusted. Please include this letter with your variation application.

From the information you have provided your application will contain the following listed activities:

<b>Activity listed in Schedule 1 of the EP Regulations</b>	<b>Description of specified activity and WFD Annex I and II operations</b>
S6.8 Part A(1) (d) (ii)	Treatment and processing, other than exclusively packaging, of the following raw materials, whether previously processed or unprocessed, intended for the production of food or feed (where the weight of the finished product excludes packaging)—  (ii) only vegetable raw materials with a finished product production capacity greater than 300 tonnes per day or 600 tonnes per day where the installation operates for a period of no more than 90 consecutive days in any year.
S5.4 Part A(1) (a)*	Disposal of non-hazardous waste with a capacity exceeding 50 tonnes per day (or 100 tonnes per day if the only waste treatment activity is anaerobic digestion) involving one or more of the following activities, and excluding activities covered by Council Directive 91/271/EEC concerning urban waste-water treatment(a) by— <i>Treatment method should be specified with application e.g. biological.</i>

\*If hazardous substances are in the discharge then this would be a S5.3 Part A(1) activity.

As part of this service we have provided you with the following information:

## Forms required for submission

Provide fully completed versions of the following forms:

- Part A - <https://www.gov.uk/government/publications/application-for-an-environmental-permit-part-a-about-you>
- Part B2 - <https://www.gov.uk/government/publications/application-for-an-environmental-permit-part-b2-new-bespoke>
- Part B3 - <https://www.gov.uk/government/publications/application-for-an-environmental-permit-part-b3-new-bespoke-installation>
- Part F - <https://www.gov.uk/government/publications/application-for-an-environmental-permit-part-f1-opra-charges-declaration>

If sections are not applicable to your permit please indicate this rather than leaving a section blank. Provide all supporting information requested in these forms.

## Permit Application

You should provide the following documents for your bespoke permit application:

- **Non-Technical Summary:** You need to send us a simple explanation of what the activities or changes are. This should include a summary of your operations, a summary of the key technical standards and control measures arising from your risk assessment.
- **Technical Description and BAT assessment:** You will need to provide a technical description of the changes you propose to make, detailing any changes to plant, equipment and infrastructure, including design capacities. You must demonstrate how you will meet any relevant Best Available Techniques. This should include consideration for any relevant Directives, such as Medium Combustion Plant Directive (MCPD), Energy Efficiency Directive and Waste Framework Directive (WFD). <https://www.gov.uk/guidance/best-available-techniques-environmental-permits>

This should also include details of your operating techniques and the infrastructure you are using to minimise the risk of pollution, including any details of secondary containment (e.g. bunds) used and how this meets any relevant standards. Further guidance on this can be found at <https://www.gov.uk/guidance/pollution-prevention-for-businesses#storing-materials-products-and-waste>

- **A summary of your Environment Management System** Provide a summary of the EMS you have in place. A summary should cover all the points in 'Develop a management system: environmental permits' at <https://www.gov.uk/guidance/develop-a-management-system-environmental-permits>
- **Environmental Risk Assessment:** You should describe the environmental risk posed by your proposals. This must take the form of an environmental risk assessment which should follow the methodology set out in 'Risk assessments for your environmental permit' at <https://www.gov.uk/guidance/risk-assessments-for-your-environmental-permit>.

If your environmental risk assessment indicates that any of the issues lead to an increase in risk then you may be required to submit management plans to address the risks (e.g. Odour, Noise Dust Management Plans) discussed.

- **Odour Management Plan:** You should follow the [H4 guidance](#) on our website.

- **Noise Impact Assessment:** You should follow the [H3 guidance](#) on our website as well as the requirements [noise impact assessments](#).

- **Noise and Vibration Management Plan:** You should follow the [H3 guidance](#) on our website.

- You need to assess the **risk of emissions to air from the boilers** located at the installation, using the methodology in this guidance <https://www.gov.uk/guidance/air-emissions-risk-assessment-for-your-environmental-permit>

You must carry out detailed modelling assessment on any emissions that you didn't screen out through your air emissions risk assessment. Your modelling report needs to follow this guidance <https://www.gov.uk/guidance/environmental-permitting-air-dispersion-modelling-reports>

- You need to assess the **risk of hazardous pollutants to surface water**, you need to follow this guidance: <https://www.gov.uk/guidance/surface-water-pollution-risk-assessment-for-your-environmental-permit>

-You need to assess the **risk from sanitary pollutants** you should follow the methodology set out in our guidance <https://www.gov.uk/government/publications/h1-annex-d2-assessment-of-sanitary-and-other-pollutants-in-surface-water-discharges>

If based on the outcome on the above two assessments you need to undertake detailed modelling of the risk to surface water you should follow this methodology <https://www.gov.uk/government/publications/modelling-surface-water-pollution-risk-assessment>

- You need to undertake assess the **risk to groundwater** you should follow this methodology <https://www.gov.uk/guidance/groundwater-risk-assessment-for-your-environmental-permit>
- Site Condition Report** -You should send us a site condition report which covers the area of land as that is to be included in your permit. This should be in line with our guidance H5 Site condition report – guidance and templates which includes a template you can use: <https://www.gov.uk/government/publications/environmental-permitting-h5-site-condition-report>

This needs to include a conceptual site model and identify any relevant hazardous substances on site. Quantitative baseline soil and groundwater monitoring data on the condition of the new areas of the site should be included or you should provide a justification on why this is not required. You should also consider if you need to undertake soil gas monitoring.

- Installation Boundary Plan** - Send us a plan that identifies all of the land on which your activities or waste operations, or mining waste operations (including mining waste facilities) (or all both) take place. The site plan should provide a date and a reference and must be drawn accurately to a defined scale and should show the direction of north. The outline of the site must be clearly marked. It will be helpful if local features are shown on the plan to help us place the site in its local environment.
- Site Layout Plan** - Provide a plan showing the location of all key buildings and infrastructure located on the site. The plan should be clearly labelled. You should also show emission points to air and water on the plan.
- Site Drainage Plan** - Provide a plan showing drainage arrangements on site. It should show piping network and where surface water and foul water discharge to.

#### Baseline fee

Activity ref.	Charging table ref.	Activity	Fee
S6.8 Part A(1) (d) (ii)	1.7.1	Section 6.8 – food and drink production.	£13,984
S5.4 Part A(1) (a) *	1.6.2	Section 5.4 – non-hazardous waste installation.	£1398.40 (90% reduction applied for second listed activity)
		<b>Total</b>	<b>£15,382.40</b>

\*If hazardous substances could potentially be in the discharge then the Effluent Treatment Plant would fall under Section 5.3 and £1600.1 should be added instead of £1398.4.

#### Assessing plans fee

If we need to carry out additional assessments for a particular activity at a particular location, we will charge extra for this work. You must pay this charge when applying for a permit variation. Whether you need to submit any of these will depend on your risk assessments and the sensitivity of nearby receptors.

The plans and assessments are listed in table 1.19 in the tables of charges. The relevant charges for this application are:

- odour management plan - a fixed charge of £1,246
- noise and vibration management plan - a fixed charge of £1,246

See the guide [Control and monitor emissions for your environmental permit](#) for more information about:

- odour management plans
- noise and vibration management plans

## **Comments on Environment Management System (EMS) and Environmental Risk Assessment**

### Environment Management System (EMS)

The Environment Agency has produced guidance on what should be included in an EMS. I have looked through your EMS and checked it against our guidance, there are a number of sections which should be included:

- A number of plans should be included - Site Plan, Plan showing sensitive receptors, Drainage Plan, Water Gas and Electricity Plan.
- Accident Management Prevention Plan.
- Contact information for the public at site entrance (may already be in place but not mentioned in EMS)
- Consideration of Climate Change within Contingency Plans

What should be include in each case (above) is outlined in more detail in the following guidance: <https://www.gov.uk/guidance/develop-a-management-system-environmental-permits>

### Environmental Risk Assessment

General comments regarding the approach:

- The Environmental Risk Assessment should use the source, pathway receptor model in order to assess the risks from the installation. The Source column should identify what the pollution risk is and where it arises from. The Pathway Column should show the route that the pollution risk would need to take to reach the receptor. The receptor can be human or environmental. This can include: habitats sites, water bodies, schools, houses etc.

In the majority of cases the source and pathway have been defined. However, not all receptors have been included. You should identify all receptors around your site and then include them in the appropriate row where there is a potential pathway for pollution to occur. The following web guide provides further advice:

<https://www.gov.uk/guidance/risk-assessments-for-your-environmental-permit>

- There are columns for Frequency, Impact and an Overall Score. A key would be useful to explain the scoring system that you have used. You should also explain how this assessment has been used to inform your management systems.

Additional hazards to include in the Environmental Risk Assessment:

- Odours from the factory during processing of juices. Although the odours generated during the production of apple based drinks is not an unpleasant odour it could generate complaints as a result of repeated regular exposure.
- Odours generated from the storage of rotten apples in the 'lorry bulker'.
- Odours generated from the waste water treatment plant
- Odours from any other potential sources on site
- Noise generated from delivery vehicles moving on site.
- Noise generated from the transfer of apples into storage vessels.
- You should include any other machinery inside or outside of the factory that has the potential to generate noise that could result in complaints.
- The risk assessment should identify all possible accident scenarios; including loss of containment; for example if the entire contents of the largest tank on site were to discharge

into the drainage system. If the balancing tank could not hold this volume then what alternative measures would be employed.

- For those hazards included that involve a major spill at the site then all possible accident scenarios should be considered and measures identified to avoid overloading of the Effluent Treatment Plant.

Issues that should be considered as part of the application based upon the contents of the environmental risk assessment:

- The risk assessment identifies a landlocked lagoon that is not under the ownership of Konings Juices and Drinks UK Ltd. It is understood that the lagoon is unlined with the potential for a discharge to the River Box if required. If it is possible to reach an informal agreement with the owner of the lagoon with regards to its management, maintenance and procedures in the event of a pollution incident, then it would not need to be included in the boundary. However, if this is not possible then it should be included within the permitted boundary.

If it is included in the boundary then as the lagoon is owned by another operator the permit would need to be a multi-operator permit, with two linked permits. The discharge would need to be assessed using the H1 tool under a worst case scenario with e.g. all water from effluent treatment plan discharging to the lagoon unless there is a volumetric control limit included in the permit, which can be used instead. The discharge to the lagoon would also need to be risk assessed in terms of the potential for groundwater pollution.

If it is possible to reach an informal agreement then the owner of the lagoon, a groundwater discharge consent and a surface water discharge consent would be needed, if these are not already in place. Please follow the guidance via the following link.

<https://www.gov.uk/guidance/discharges-to-surface-water-and-groundwater-environmental-permits>

- Cell A39 explains that water can also be discharged in the River Box and that not all water is diverted to the lagoon. The drainage arrangements on site should be fully explained in the application. It appears that a proportion of water goes to the lagoon and a proportion is continuously discharged to the River. If this is the case then a H1 assessment should be provided for the discharge to water. This should be a worst case scenario e.g. all water from the effluent treatment plan discharging to the river unless there is a volumetric control limits included in the permit, which can be used instead.
- You will need to include justification in the application why a connection to mains sewer is not feasible.
- In terms of the drainage pipes on site you should include in your application how often the integrity of the pipes are checked.
- Oil storage is mentioned in the risk assessment. You should undertake a review of oil storage tanks on the installation and demonstrate compliance with the oil storage regulations. For those tanks that do not comply then an improvement programme should be presented.  
<https://www.gov.uk/guidance/storing-oil-at-a-home-or-business>

The review should also look at all other storage vessels across the installation, which should be in accordance with the requirements in Ciria C736. For those storage vessels that do not comply then an improvement programme should be presented.

[https://www.ciria.org/Resources/Free\\_publications/c736.aspx](https://www.ciria.org/Resources/Free_publications/c736.aspx)

- It is mentioned that glycol is used in refrigeration units on the site. All refrigeration units on site should be compliant with the F-gas regulations. For those that aren't then please advise when they will achieve compliance.  
<https://www.gov.uk/government/collections/eu-f-gas-regulation-guidance-for-users-producers-and-traders>
- Cleaning in place is identified in the environmental risk assessment. This is a BAT measure in the Food and Drink Sector Guidance, which reduces water usage. It should be explained in the application where CIP is used and how water usage is minimised where CIP is not used.
- Flooding is included as a potential risk in the environmental risk assessment. If the site is in a flood zone then you will need to include a Flooding Action Plan. This should explain how you would be alerted to a flood event (e.g. sign up to Environment Agency Flood Warning Service). It

should also describe what actions you would undertake on site once you have made aware of a flooding event. For example, if safe to do so moving raw materials out of flood zone and shutting down and securing the WWTP to prevent pollution of watercourses.

<https://www.gov.uk/sign-up-for-flood-warnings>

- Hazardous waste is mentioned in cell A36 of the risk assessment in your application you should explain where this arises from and how it is stored prior to disposal via a licenced waste carrier.

#### Additional Comments

- It is understood that there is a 'squeezer unit' attached to the Effluent Treatment Plant which removes water from the sludge to produce a filter cake before it is sent off site as a waste. This would be classed as an integral part of the Effluent Treatment Plant and would fall under the associated listed activity (Section 5.3 or Section 5.4) as described above. Therefore, it would not need to be included as a separate Directly Associated Activity (DAA).
- The cooling towers located on site will need to be included in the permit as an emission point to air.
- It is understood that a scrubber unit is used at the installation this will need to be listed as a DAA in the permit.
- It is understood that there is an Anaerobic Digestion (AD) Plant owned and run by another company. There is a technical connection between the Food and Drink (F&D) installation and the AD Plant. The AD Plant takes apple pumice from the F&D installation providing electricity back to the F&D installation. The approach that should be taken is detailed below:

1. **The AD Plant is accepting apple pumice from the F&D installation only**– The AD plant would require a DAA permit and would be part of a multi-operator installation. The DAA permit would require an application to be made using the installations bespoke application forms and would have its own subsistence charge.
2. **The AD Plant is taking material from other sources as well as F&D installation** - We would need to consider whether the F&D installation is the principal user of the AD plant. If it is not the principal user then it would not be a DAA and would not form part of a multi operator facility. If it is the principle user then it would need to be included as part of a multi-operator installation.

If the AD facility is taking any waste material then we would also need to consider if AD plant needs to be regulated as a waste operation or a waste installation rather than an unlisted DAA.

If the apple pumice from the F&D installation does not already have end of waste status then to gain end of waste status the by-product tests as set out in the attached document must be met.

The advice given is based on the information you have provided, and does not constitute a formal response or decision of the Environment Agency with regard to future permit applications. Any views or opinions expressed are without prejudice to the Environment Agency's formal consideration of any application. Please note that any application is subject to a full technical check during duly making and determination, and additional information may be required based on your detailed submission and site specific requirements.

When you're ready to submit your application please quote the above reference number.

Your completed application can be sent via email to [psc@environment-agency.gov.uk](mailto:psc@environment-agency.gov.uk)

#### **Or by post to**

Permitting Support Centre  
Quadrant 2  
99 Parkway Avenue  
Sheffield  
S9 4WF

**A complete application must contain the following information;**

<b>Declaration</b>	Please ensure the declaration section is completed by each relevant person. For a limited company, this must be a director/company secretary as listed on Companies House.
<b>Site Plan</b>	Site plan must be clearly marked with the full site boundary
<b>Payment</b>	Please note your application will not be processed until we receive the full payment.

We look forward to working with you on this project.

If you have any questions please find my contact details below.

Yours sincerely,

James Lidgett  
Senior Permitting Officer - Installations  
National Permitting Service - Part of National Services E&B

Trentside, Scarrington Road, West Bridgford, Nottingham, NG2 5FA  
External 02030 253 269  
Internal 53269  
[james.lidgett@environment-agency.gov.uk](mailto:james.lidgett@environment-agency.gov.uk)