



Notice of request for more information

The Environmental Permitting (England & Wales) Regulations 2016

The Company Secretary

Dairy Crest Limited
5 The Heights Brooklands
Weybridge
Surrey
KT13 0NY

Cc: Karen Phillipson @ WSP and Matt Bardell

Application number: EPR/BN613IK/V011 & V012

The Environment Agency, in exercise of its powers under paragraph 4 of Part 1 of Schedule 5 of the above Regulations, requires you to provide the information detailed in the attached schedule. The information is required in order to determine your application for a permit duly made on 13/04/2023.

Send the information to either the email or postal address below by 04/09/2023. If we do not receive this information by the date specified, then we may treat your application as having been withdrawn or it may be refused. If this happens you may lose your application fee.

Email address: psc@environment-agency.gov.uk and stuart.miller1@environment-agency.gov.uk

Postal address:
Permitting Support, NPS Sheffield
Quadrant 2
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Name	Date
Stuart Miller	01/08/2023

Authorised on behalf of the Environment Agency

Notes

These notes do not form part of this notice.

Please note that we charge £1,200 where we have to send a third or subsequent information notice in relation to the same issue. We consider this to be the first notice on the issues covered in this notice.

The notes in italics that appear after information requests in the attached schedule do not form part of the notice. The notes are intended to assist you in providing a full response.

Schedule

Odour Management Plan

We require a revised copy of the Odour Management Plan (OMP) to be submitted that addresses the comments made on the submitted version (OMP November 2022, v3), in addition to the following points:

(A copy of the Environment Agency's Odour Management Plan Template (v2, May 2021) has been attached for reference.)

- Site description

Provide a description of the site and the processes undertaken at the site, this should include but not be limited to an overview of the site, the location of the site, the days and hours of operation.

- Maintenance and review of the OMP

Provide details on who is responsible for managing the odour on the site, who is responsible for maintaining and updating the OMP, where the OMP is stored, when the plan is reviewed, what training staff have had to implement the OMP, who delivers the training and how often the training is delivered.

- Receptors

Identify the receptors who could be impacted by odours from the site, taking in to account the Source-Pathway-Receptor model.

For each receptor that has been identified, provide the type of the receptor, direction and distance from the site and their sensitivity to odour. You should also provide a map showing the location of each receptor in relation to the site.

- Wind rose

Provide a wind rose chart that shows the distribution of wind speed and wind direction around the site over the last 3 years.

- Sources of odour

Provide a detailed inventory of all odour sources across the site (including the main creamery building and the WPF), describing the odorous sources and processing on site.

For each identified odorous material/process provide the odour potential, the quantity/volume of the material stored on site, the retention time and the location of material/process. A map showing the location of each of the odorous material/process should also be provided.

- Control measures

For each odorous source/process as identified above, provide details of the actions the site will take to prevent and/or minimise the risk.

Taking into account the level of risk associated with each potentially odorous activity on your site and the type of sensitive receptors in the surrounding area.

In addition, for each identified odour source detail the control measures (abatement), the monitoring frequency, the process parameters that are monitored, the trigger levels assigned to each identified process and action taken if monitoring shows results outside the performance levels.

- Odour reporting

Provide further details on how the site will respond to an odour pollution notification and provide the time limit within which you will investigate the odour and record the complaint.

Provide details of community engagement that is undertaken before, during and after an odour incident.

Provide further details of odour monitoring that is carried out following reports of odour.

The OMP states that off-site odour monitoring is 'typically carried out by a WPF Manager', no details have been provided as to who undertakes the onsite odour monitoring.

- Abnormal Events

Further details need to be provided on the abnormal events that the site could experience, such as equipment breakdown, power failure, fire, flood, or staffing issues. For each event identified you need to provide details on the recovery steps.

Noise

In order for us to undertake the initial audit of the noise assessment the following information needs to be provided:

- Changes to the site

Provide dates of when works were completed, in order to assess the validity of the prevailing noise climate (table 4-1) when used in relation in assessing the impact of the proposed changes in the variation against the existing site sound levels.

Based on the last permit variation being undertaken in 2014 we need to understand if any of the changes made as part of the present variation application may have contributed to background sound level measurements undertaken in 2018. It should also be noted that when assessing the impact of the variation, background sound levels should not be subject to the specific sound level in line with EA guidance and BS 4142. It should be noted that the specific sound in relation to this site is any sound emissions from Davidstow Creamery, not just those proposed within the variation.

- Survey Measurement

Provide raw survey data for 2021 measurements at locations A and 2018 measurements at location C & D as mentioned within table 4-2 in excel spreadsheet format.

It should be noted that typically as part of submissions we would not usually accept measurement data more than 3 years old (Location B), AQMAU will assess the raw data looking at the period covered to decide if it can be considered appropriate for use as part of this submission.

In addition, no background sound level measurements for daytime periods have been presented that exclude the site sound sources (both main creamery and WPF) to assess the impact of the variation in line with our requirements ([Noise and vibration management: environmental permits](#)) which states:

“When you apply for a variation, do not include noise from the existing site (before changes) as part of the background or the residual sound levels. Your noise impact assessment must consider all the noise resulting from the proposed variation – the existing site and the variation together. Show both components clearly and then add them together to give a new total for site noise at the receptors. The impact assessment will be based on this new value, known as the ‘specific level’ in BS 4142.”

Consideration of the impact of the variation without the inclusion of site - as well as understanding the impact of emissions of the existing site along with the likely change due to the variation - needs to be provided.

- Weather

Provide recorded weather data for all survey periods.

Weather and wind conditions for measurement periods during survey have not been reported. Paragraph 4.1.10 states that a weather station is installed at the WPF.

- Source Levels

Table 5-1 of source data appears to have not been fully reproduced correctly (data from 4000 Hz and above cut off). Providing the full table of measurements in Excel format would be acceptable. In addition, provide;

- All source measurements in an Excel format.
- Sound power calculations for sources modelled in an excel spreadsheet format.

- Where noise break out has been calculated (e.g., GOS Bulk & DAF) provide assumptions used for sound reduction indices of the façade elements.
- HGV movements as part of the variation have not been included within the model. These should be included as part of your assessment of the likely impact from the variation which should also include any likely movements associated with the WPF. In addition, confirm if internal changes which have led to an increase in production, have also increased the number of HGV movements on site.

- Operational Hours

The operational hours (which are not stated within the noise impact assessment) – and confirm operational periods of sound sources forming part of the variation.

- Modelling

Where corrections to sound sources within the CadnaA model have been made, provide details of your assumptions.

Refer to our guidance [Noise impact assessments involving calculations or modelling](#) for what we require as part of your submission.

- BS4142 Impact Assessment

Assessment of the impact has only been undertaken against measurements that include site sound sources. As previously noted, measurements were undertaken in 2018, but no details of when the changes listed under the variation were completed. Provide an assessment of the variation which is undertaken against the background sound level excluding site sound sources in line with EA guidance, [noise and vibration management: environmental permits](#). If the site cannot be shut down for measurements, alternative survey locations can be selected and discussion provided as to why it is considered suitable. When assessing the impact of the variation, consideration should be taken to how it affects the existing impact from the site.

Missing documents

Provide the following documents/initiatives which are referred to within the support information titled 'Habitats Risk Assessment for Emission to Water'

- Environmental best practice protection measures
- WQ monitoring programme
- Accident management plan
- Risk management plan
- Comprehensive operating procedures
- Spill response plan
- Remediation plan
- Additional mitigation measures
- Fish rescue plan/arrangements

Bref review

Where further information or clarification is given, we request that an updated version of the Regulation 61 Response Tool and any necessary documents are re-submitted.

- Provide the sites current production capacity (design capacity) for each process and the quantity of raw milk the site can receive per day.

The Regulation 61 response states that the production capacity is 11.4 t/hour for cheese, 5 t/hour for Demineralised Whey and 1.8 t/hour for GOS production, with a current capacity of 2.5million litres of milk/day. Variation (V011) is to increase the cheese production from 9.6 t/hour to 11.4 t/hour. So, the current capacity shouldn't be considered at the higher end.

For information, the supporting information submitted under V007 (issued in August 2014) gave a capacity of 1.5 million litres/day.

NOTE: Using [RGN2](#), Capacity refers to potential capacity and not historical or actual production levels or throughput. This means that the design capacity of the installation will usually be the key issue, although the existence of a regulatory or other limit can also be considered, as explained below. RGN 2 also states that;

'Any reference to a capacity which is defined in terms of a rate, whether by cubic capacity, weight per hour or heat input rate, should be taken to mean the maximum rate at which the installation can operate. This may be different to the rate at which the installation actually operates (which may be considerably lower).'

- BATc 4 – The Reg 61 Response Tool makes reference to the current sampling method as 'time proportionate sampling' and that 'flow proportionate sampling' will be utilised once a new flow meter is installed. Provide confirmation if the flow meter has been installed and any subsequent monitoring data to support BATc 4.
- BATc 6 – BATc 6a requires an 'Energy Efficiency Plan' to be provided, the response states a 'Utility Reduction Plan' is in place. Provide a copy of this plan.
- BATc 8 – BATc 8 refers to the techniques used at the site to prevent or reduce the use of harmful substances. Provide the techniques used at the site to prevent or reduce the use of harmful substances.

The response provided in the Regulation 61 Response Tool only makes reference to the list of substances used on site, it doesn't demonstrate how the site prevent or reduce the use of harmful substances.

- BATc 9 – BATc 9 requires sites to provide plan of the replacement of refrigerants with a high Global Warming Potential (GWP).

Provide an inventory of the refrigerants used at the site, this should include the type and capacity of each refrigerant used and a plan detailing the replacement of refrigerants with those with a lower GWP. (Global Warming Potential).

- BATc 11 – BATc 11 also considers the preventing of uncontrolled emissions from the site, provide the measures that are in place to detect and to prevent uncontrolled emissions from the site.

Provide a narrative for how the site manages surface water and the processes in place to prevent contamination of surface water from uncontrolled releases such as loss of containment or spills. Where available provide a copy of the operating techniques/operating procedures detailing how the site would deal with uncontrolled releases. Where a risk assessment is available, the scope of the risk assessment should include aspects such as in-line monitoring, emergency storage tanks, slam-shut valves etc.

- Relative Hazardous Substances Assessment & Containment

Provide the risk assessment for the substances identified and the prevention measures in place to prevent their release from the site. In addition, provide further details of the containment measures on site for each of the identified above ground storage tanks.

The Regulation 61 Response Tool indicates that relative hazardous substances (RHS) have been identified on site and are capable of causing pollution. You are required to complete stage 3 of the assessment which is to provide a risk assessment of each substance. If a substance is unable to be screened out you will need to provide a baseline report along with a monitoring plan for all of the identified RHS where pollution of soil/groundwater is possible.

The containment tab on the Regulation 61 Response Tool has not been completed - you are required to complete the tab, identifying the containment measures for each of the above ground storage vessels.