

Notice of variation with introductory note

The Environmental Permitting (England & Wales) Regulations 2010

Muller UK & Ireland Group LLP

Foston Food Processor

4000 Park Avenue

Dove Valley Park

Foston

Derbyshire

DE65 5BZ

Variation application number

EPR/TP3638RP/V002

Permit number

EPR/TP3638RP

Foston Food Processor

Permit number EPR/TP3638RP

Introductory note

This introductory note does not form a part of the notice

The following notice gives notice of the variation of an environmental permit.

Foston Food Processor, operated by Muller UK & Ireland Group LLP, processes milk for the production of milk for the retail, domestic and foodservice markets.

This variation is in consequence of an application made by the operator to update the effluent treatment activity from Section 5.3 Part A(1)(c)(i) to Section 5.4 Part A(1)(a)(i) to reflect the changes introduced by the implementation of the Industrial Emissions Directive (IED). The operator has also requested that the Directly Associated Activity relating to the production of fruit juice is removed as this process is no longer undertaken. In addition, we have also updated and added relevant conditions relating to monitoring, notification and interpretation as required by the implementation of IED.

The schedules specify the changes made to the original permit.

The status log of a permit sets out the permitting history, including any changes to the permit reference number.

Status log of the permit		
Description	Date	Comments
Application BU4201IG	Received 12/09/03	
Request for drawings not submitted with application	Request dated 26/09/03	Drawings received 09/10/03. Duly made 09/10/03.
Request to extend determination to 31/03/04	Request dated 03/02/04	Request accepted 03/02/04.
Response to Schedule 4 Notice (1) request for information	Notice dated 31/03/04	Response dated 26/05/04.
Request to extend determination to 31/07/04	Request dated 28/05/04	Request accepted 28/05/04.
Permit issued	06/08/04	
Transfer application NP3631LJ	Received 11/07/06	Not duly made.
Additional information	Received 31/07/06	Duly made 02/08/06.
Transfer effected	13/10/2006	
Variation BP3838MU	Determined 18/10/06	Covers operational differenced from the Starcross Foods permit application. Amends notification and reporting forms.
Application for variation FP3835UF	Received 06/03/07	Duly made 20/03/07.
Response to Schedule 7 Notice request for information	Notice dated 10/05/07	Response dated 30/07/07.

Status log of the permit		
Description	Date	Comments
Additional information	Dated 17/09/07 & 20/10/07	Ground investigation and schedule of drainage repairs.
Variation issued	12/12/07	
Admin variation application EA/EPR/NP3631LJ/V004	02/03/12	Admin request for amendment to Table 1.1.1.
Admin variation issued	20/03/12	
Application EPR/TP3638RP/T001	Duly made 26/11/15	Full transfer to Muller UK & Ireland Group LLP.
Transfer determined EPR/TP3638RP (Billing ref: TP3638RP)	27/12/15	Full transfer complete.
Application for a variation EPR/TP3638RP/V002	Duly made 24/02/16	Administrative variation to reflect IED requirements.
Variation EPR/TP3638RP/V002 determined (Billing ref: GP3736RT)	19/04/16	Permit variation notice issued.

End of introductory note

Notice of variation

The Environmental Permitting (England and Wales) Regulations 2010

The Environment Agency in exercise of its powers under regulation 20 of the Environmental Permitting (England and Wales) Regulations 2010 varies

Permit number

EPR/TP3638RP

Issued to

Muller UK & Ireland Group LLP ("the operator")

whose registered office is

Tern Valley Business Park

Shrewsbury Road

Market Drayton

Shropshire

TF9 3SQ

limited liability partnership number **OC384928**

to operate a regulated facility at

Foston Food Processor

4000 Park Avenue

Dove Valley Park

Foston

Derbyshire

DE65 5BZ

to the extent set out in the schedules.

The notice shall take effect from 19/04/16

Name	Date
Anne Nightingale	19/04/2016

Authorised on behalf of the Environment Agency

Schedule 1 – conditions to be deleted

None.

Schedule 2 – conditions to be amended

The following conditions are amended as detailed as a result of the application made by the operator:

Table 1.1.1, as referenced in condition 1.1.1, is amended and shall now read as follows:

Table 1.1.1		
Activity listed in Schedule 1 of the EP Regulations	Description of specified activity	Limits of specified activity
Section 6.8 Part A(1) (e) Treatment and processing of milk greater than 200 tonnes per day.	Treatment of milk including pasteurisation, homogenisation and standardisation to produce milk.	From raw milk storage to filling of milk.
Section 5.4 Part A(1) (a) (i) Disposal of non-hazardous waste in a facility with a capacity of more than 50 tonnes per day by biological treatment.	Effluent treatment plant. Discharge of up to 1000m ³ /day of process water into on-site effluent treatment plant (ETP) for biological and physical treatment prior to discharge to the River Dove.	From drainage system to ETP to point of entry into private surface water sewer connected to River Dove.
Directly Associated Activity		
Storage and handling of raw materials.	Receipt and storage of raw materials	Arrival of milk and other raw materials on site, receipt of materials, storage in silos, tanks or other containers & transfer to processing units.
Milk and other products packaging, storage and dispatch.	Filling of milk and other products into containers. Storage and loading for dispatch.	From filling/packing of product to dispatch of and transit off site.
Stream generation, compressed air and ammonia refrigeration plant.	Stream generation, compressed air and refrigeration plant for milk and other products processing.	All steam generating, compressed air and ammonia refrigerant plant.
Water discharges to surface water.	Discharge of roof drainage and site drainage from the installation.	From drainage system to point of entry to external surface water sewer.
Waste disposal	Storage and removal of waste from site.	Storage, collection, loading and transport off site.

Conditions 5.1.1, 5.1.2 and 6.1.1 are amended as detailed following an Environment Agency initiated variation to implement the notification requirements and interpretation of the Industrial Emissions Directive:

- 5.1.1 (a) In the event that the operation of the activities gives rise to an incident or accident which significantly affects or may significantly affect the environment, the operator must immediately—
- (i) inform the Environment Agency,
 - (ii) take the measures necessary to limit the environmental consequences of such an incident or accident, and
 - (iii) take the measures necessary to prevent further possible incidents or accidents;
- (b) in the event of a breach of any permit condition the operator must immediately—
- (i) inform the Environment Agency, and
 - (ii) take the measures necessary to ensure that compliance is restored within the shortest possible time;
- (c) in the event of a breach of permit condition which poses an immediate danger to human health or threatens to cause an immediate significant adverse effect on the environment, the operator must immediately suspend the operation of the activities or the relevant part of it until compliance with the permit conditions has been restored.
- 5.1.2 Any information provided under condition 5.1.1 (a)(i), or 5.1.1 (b)(i) where the information relates to the breach of a limit specified in the permit, shall be confirmed by sending the information listed in schedule 1 to this permit within the time period specified in that schedule.
- 6.1.1 The following definition is added - "*Industrial Emissions Directive*" means DIRECTIVE 2010/75/EU OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL of 24 November 2010 on industrial emissions

Schedule 3 – conditions to be added

Condition 2.10.4 is added following an Environment Agency initiated variation to implement the periodic monitoring requirements of the Industrial Emissions Directive:

- 2.10.4 Periodic monitoring shall be carried out at least once every 5 years for groundwater and 10 years for soil, unless such monitoring is based on a systematic appraisal of the risk of contamination.