

Permit with introductory note

The Environmental Permitting (England & Wales) Regulations 2016

S & A Produce (UK) Limited

Brook Farm

Marden

Hereford

HR1 3ET

Permit number

EPR/RP3825SD

Permit number EPR/RP3825SD

Introductory note

This introductory note does not form a part of the permit

This permit will allow the operator to operate:

- One or more medium combustion plant (MCP) between 1 and <50MWth but aggregated to <50MWth.
- One Tranche B Specified Generator aggregated to <50MWth at a specified location.

The details of the units and associated limits and monitoring requirements are specified in Tables S1.1 and S3.1.

This is a complex permit and air dispersion modelling was required.

The facility comprises of two boilers and one combined heat and power (CHP) plant. One of the boilers has a net rated thermal input of 6.578 MWth and the other has a rated thermal input of 6.212 MWth. The boilers each discharge from their own 10m high stack. The CHP has a rated thermal input of 1.558 MWth and discharges from a 7m high stack. The facility has an aggregated net thermal input of 14.348 MWth.

The boilers have been in operation since 2016 and the CHP since 2017 so all plant classify existing MCP in accordance with Schedule 25A of the Environmental Permitting Regulations. In addition, the CHP is also classified as a tranche B specified generator in accordance with Schedule 25B of the Environmental Permitting Regulations

S & A Produce grow soft fruit in polytunnels and the plant provide heat between September and May.

The site is located on land north Marsden, Herefordshire, at approximate National Grid Reference (NGR): SO 52140 48348. The nearest human receptors are approximately 60m away. The site is also within screening distance of the River Wye Special Area of Conservation (SAC) and River Lugg Site of Special Scientific Interest (SSSI) being approximately 580m from these sites.

There is also a virgin biomass boiler onsite, which is <1 MWth that falls outside of the regulation of the Medium Combustion Plant Directive (MCPD).

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

Status log of the permit		
Description	Date	Comments
Application EPR/RP3825SD/A001	Duly made 24/10/2023	Bespoke application for MCP(s) and/or Specified Generators.
Permit determined EPR/RP3825SD	27/11/2023	Permit issued to S & A Produce (UK) Limited.

End of introductory note

Permit

The Environmental Permitting (England and Wales) Regulations 2016

Permit number

EPR/RP3825SD

The Environment Agency hereby authorises, under regulation 13 of the Environmental Permitting (England and Wales) Regulations 2016

S & A Produce (UK) Limited ("the operator"),

whose registered office is

**Brook Farm
Marden
Hereford
HR1 3ET**

company registration number **02480021**

to operate one or more Medium Combustion Plant and/or Specified Generators at

**Brook Farm
Marden
Hereford
HR1 3ET**

to the extent authorised by and subject to the conditions of this permit.

Name	Date
Eleanor Blackeby	27/11/2023

Authorised on behalf of the Environment Agency

Conditions

1 Management

1.1 General management

- 1.1.1 The operator shall manage and operate the activities:
- (a) in accordance with a written management system that identifies and minimises risks of pollution, so far as is reasonably practicable, including those arising from operations, maintenance, accidents, incidents, non-conformances, closure and those drawn to the attention of the operator as a result of complaints; and
 - (b) using sufficient competent persons and resources.
- 1.1.2 Records demonstrating compliance with condition 1.1.1 shall be maintained.
- 1.1.3 Any person having duties that are or may be affected by the matters set out in this permit shall have convenient access to a copy of it kept at or near the place where those duties are carried out.

2 Operations

2.1 Permitted activities

- 2.1.1 The operator is only authorised to carry out the activities specified in schedule 1, table S1.1 (the “activities”).

2.2 The site

- 2.2.1 No MCP shall be operated beyond the site of the grid reference specified for it in schedule 1, table S1.1 of the permit.

2.3 Operating techniques

- 2.3.1 The activities shall be operated using the techniques and in the manner described in schedule 1, tables S1.2A and S1.2B.

3 Emissions and monitoring

3.1 Emissions to water, air or land

- 3.1.1 There shall be no point source emissions to air except from the sources and emission points listed in schedule 3, table S3.1.
- 3.1.2 The limits given in schedule 3 shall not be exceeded.

3.2 Monitoring

- 3.2.1 The operator shall, unless otherwise agreed in writing by the Environment Agency, undertake the monitoring specified in the following tables in schedule 3 to this permit, or at a greater frequency if notified to the operator in writing by the Environment Agency:
- (a) point source emissions specified in table S3.1.

- 3.2.2 Monitoring shall not take place during periods of start up or shut down.
- 3.2.3 The first monitoring measurements shall be carried out:
- (a) within four months of the issue date of the permit or the date when the MCP is first put into operation, whichever is later.
 - (b) at any time for existing MCPs, but no later than the relevant compliance date.
- 3.2.4 The operator shall maintain records of all monitoring including records of the taking and analysis of samples, instrument measurements (periodic and continual), calibrations, examinations, test and surveys and any assessment or evaluation made on the basis of such data.

4 Information

4.1 Records

- 4.1.1 All records required to be made by this permit shall:
- (a) be legible;
 - (b) be made as soon as reasonably practicable;
 - (c) if amended, be amended in such a way that the original and any subsequent amendments remain legible, or are capable of retrieval; and
 - (d) be retained, unless otherwise agreed in writing by the Environment Agency, for at least 6 years from the date when the records were made.
- 4.1.2 The operator shall maintain convenient access, in either electronic or hard copy, to the records, plans and management system required to be maintained by this permit.
- 4.1.3 The operator shall maintain a record of the type and quantity of fuel used and the total annual hours of operation for each MCP and/or generator.
- 4.1.4 The operator shall maintain a record of any events of non-compliance and the measures taken to ensure compliance is restored in the shortest possible time

4.2 Reporting

- 4.2.1 The operator shall send all reports and notifications required by the permit to the Environment Agency using the contact details supplied in writing by the Environment Agency.
- 4.2.2 Within 28 days of the end of the reporting period the operator shall, unless otherwise agreed in writing by the Environment Agency, submit reports of the monitoring and assessment carried out in accordance with the conditions of this permit, as follows:
- (a) in respect of the parameters and emission points specified in schedule 4, table S4.1;
 - (b) for the reporting periods specified in schedule 4, table S4.1 and using the forms specified in schedule 4, table S4.2; and
 - (c) giving the information from such results as required by the forms specified in those tables.

4.3 Notifications

- 4.3.1 In the event:
- (a) of a breach of any of the permit conditions 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;

- (b) of a breach of any of the permit conditions which causes a significant degradation of local air quality, the operator must immediately suspend the operation of the activities or the relevant part of them until compliance with the conditions has been restored.

4.3.2 Any information provided under condition 4.3.1 shall be confirmed by sending the information listed in schedule 5 to this permit within the time period specified in that schedule.

4.3.3 Where the Environment Agency has requested in writing that it shall be notified when the operator is to undertake monitoring and/or spot sampling, the operator shall inform the Environment Agency when the relevant monitoring and/or spot sampling is to take place. The operator shall provide this information to the Environment Agency at least 14 days before the date the monitoring is to be undertaken.

4.3.4 The Environment Agency shall be notified within 14 days of the occurrence of the following matters, except where such disclosure is prohibited by Stock Exchange rules:

Where the operator is a registered company:

- (a) any change in the operator's trading name, registered name or registered office address; and
- (b) any steps taken with a view to the operator going into administration, entering into a company voluntary arrangement or being wound up.

Where the operator is a corporate body other than a registered company:

- (c) any change in the operator's name or address; and
- (d) any steps taken with a view to the dissolution of the operator.

In any other case:

- (e) the death of any of the named operators (where the operator consists of more than one named individual);
- (f) any change in the operator's name(s) or address(es); and
- (g) any steps taken with a view to the operator, or any one of them, going into bankruptcy, entering into a composition or arrangement with creditors, or, in the case of them being in a partnership, dissolving the partnership.

4.4 Interpretation

4.4.1 In this permit the expressions listed in schedule 6 shall have the meaning given in that schedule.

4.4.2 In this permit references to reports and notifications mean written reports and notifications, except where reference is made to notification being made "immediately", in which case it may be provided by telephone.

Schedule 1 – Operations

Table S1.1 activities				
National Grid Reference and or activity reference/ emission point	Activity listed in the EP Regulations	Description of MCP and/or specified generator	Fuel	Operating hours limit per year
Boiler 1 – SP 352152 248340	Schedule 25A – MCP as detailed in Schedule 7	6.578 MWth Gas boiler	Natural Gas	5,110 hours per year
Boiler 2 – SP 352156 248341		6.212 MWth Gas boiler		
CHP SP 352152 248319	Schedule 25A – MCP as detailed in Schedule 7 & Schedule 25B – Specified generator	1.558 MWth engine	Natural gas	Not restricted

Table S1.2A Operating techniques for Medium Combustion Plant as detailed in Schedule 7
(a) Each MCP must be operated in accordance with the manufacturer's instructions and records must be made and retained to demonstrate this. (b) The operator must keep periods of start-up and shut-down of each MCP as short as possible. (c) There must be no persistent emission of 'dark smoke' as defined in section 3(1) of the Clean Air Act 1993.

Table S1.2B Operating techniques for Specified Generators
(a) Each generator must be operated in accordance with the manufacturer's instructions and records must be made and retained to demonstrate this. (b) The operator must keep periods of start-up and shut down of the generators as short as possible. (c) There must be no persistent emission of 'dark smoke' as defined in section 3(1) of the Clean Air Act 1993. (d) The stack must be vertical and unimpeded by cowls or caps.

Schedule 2 – Waste types, raw materials and fuels

This schedule is not used

Schedule 3 – Emissions and monitoring

Table S3.1 Point source emissions to air – emission limits and monitoring requirements						
Emission point ref. & location	Source/technology	Parameter	Limit (including unit)	Reference period	Monitoring frequency	Monitoring standard or method Note 1
Boiler 1 SP 352152 248340 Boiler 2 SP 352156 248341	Existing medium combustion plant other than engines and gas turbines fuelled on Natural gas	Oxides of Nitrogen (NO and NO ₂ expressed as NO ₂)	75mg/Nm ³	In line with web guide: Monitoring stack emissions: low risk MCPs and specified generators Published 16 February 2021	Every 3 years from date of acceptance of first monitoring measurements under condition 3.2.3	In line with web guide: Monitoring stack emissions: low risk MCPs and specified generators Published 16 February 2021
		Carbon monoxide	No limit set	In line with web guide: Monitoring stack emissions: low risk MCPs and specified generators Published 16 February 2021	Every 3 years from date of acceptance of first monitoring measurements under condition 3.2.3	In line with web guide: Monitoring stack emissions: low risk MCPs and specified generators Published 16 February 2021
CHP SP 352152 248319	Existing medium combustion plant which are engines and gas turbines fuelled on natural gas and specified generator	Oxides of Nitrogen (NO and NO ₂ expressed as NO ₂)	190 mg/Nm ³	In line with web guide: Monitoring stack emissions: low risk MCPs and specified generators Published 16	4 months from date of issue of permit and then every 3 years	In line with web guide: Monitoring stack emissions: low risk MCPs and specified generators Published 16 February 2021

Table S3.1 Point source emissions to air – emission limits and monitoring requirements						
Emission point ref. & location	Source/technology	Parameter	Limit (including unit)	Reference period	Monitoring frequency	Monitoring standard or method Note 1
				February 2021		
		Carbon monoxide	No limit set	In line with web guide: Monitoring stack emissions: low risk MCPs and specified generators Published 16 February 2021	4 months from date of issue of permit and then every 3 years	In line with web guide: Monitoring stack emissions: low risk MCPs and specified generators Published 16 February 2021
Note 1: Monitoring requirements are defined at a temperature of 273.15 K, a pressure of 101.3 kPa and after correction for the water vapour content of the waste gases at a standardised O ₂ content of 6% for solid fuels, 15% for engines and gas turbines and 3% all other MCPs						

Schedule 4 – Reporting

Parameters, for which reports shall be made, in accordance with conditions of this permit, are listed below.

Table S4.1 Reporting of monitoring data			
Parameter	Emission or monitoring point/reference	Reporting period	Period begins
Emissions to air Parameters as required by condition 3.2.1.	Boiler 1 SP 352152 248340	Every 3 years from date of acceptance of first monitoring measurements under condition 3.2.3	1 January
	Boiler 2 SP 352156 248341		
	CHP SP 352152 248319	4 months from date of issue of permit and then every 3 years	1 January

Table S4.2 Reporting forms		
Media/parameter	Reporting format	Date of form
Air	Emissions to Air Reporting Form or other form as agreed in writing by the Environment Agency	Version 1, 08/03/2021

Schedule 5 – Notification

These pages outline the information that the operator must provide.

Units of measurement used in information supplied under Part A and B requirements shall be appropriate to the circumstances of the emission. Where appropriate, a comparison should be made of actual emissions and authorised emission limits.

If any information is considered commercially confidential, it should be separated from non-confidential information, supplied on a separate sheet and accompanied by an application for commercial confidentiality under the provisions of the EP Regulations.

Part A

Permit Number	
Name of operator	
Location of Facility	
Time and date of the detection	

(a) Notification requirements for any malfunction, breakdown or failure of equipment or techniques, accident, or emission of a substance not controlled by an emission limit which has caused, is causing or may cause significant pollution	
To be notified within 24 hours of detection	
Date and time of the event	
Reference or description of the location of the event	
Description of where any release into the environment took place	
Substances(s) potentially released	
Best estimate of the quantity or rate of release of substances	
Measures taken, or intended to be taken, to stop any emission	
Description of the failure or accident.	

(b) Notification requirements for the breach of a limit	
To be notified within 24 hours of detection unless otherwise specified below	
Emission point reference/ source	
Parameter(s)	
Limit	
Measured value and uncertainty	
Date and time of monitoring	

(b) Notification requirements for the breach of a limit	
To be notified within 24 hours of detection unless otherwise specified below	
Measures taken, or intended to be taken, to stop the emission	

Time periods for notification following detection of a breach of a limit	
Parameter	Notification period

(c) Notification requirements for the breach of permit conditions not related to limits	
To be notified within 24 hours of detection	
Condition breached	
Date, time and duration of breach	
Details of the permit breach i.e. what happened including impacts observed.	
Measures taken, or intended to be taken, to restore permit compliance.	

(d) Notification requirements for the detection of any significant adverse environmental effect	
To be notified within 24 hours of detection	
Description of where the effect on the environment was detected	
Substances(s) detected	
Concentrations of substances detected	
Date of monitoring/sampling	

Part B – to be submitted as soon as practicable

Any more accurate information on the matters for notification under Part A.	
Measures taken, or intended to be taken, to prevent a recurrence of the incident	

Measures taken, or intended to be taken, to rectify, limit or prevent any pollution of the environment which has been or may be caused by the emission	
The dates of any unauthorised emissions from the facility in the preceding 24 months.	

Name*	
Post	
Signature	
Date	

* authorised to sign on behalf of the operator

Schedule 6 – Interpretation

“accident” means an accident that may result in pollution.

“application” means the application for this permit, together with any additional information supplied by the operator as part of the application and any response to a notice served under Schedule 5 to the EP Regulations.

“authorised officer” means any person authorised by the Environment Agency under section 108(1) of The Environment Act 1995 to exercise, in accordance with the terms of any such authorisation, any power specified in section 108(4) of that Act.

“combined heat and power” (CHP) or Cogeneration means the simultaneous generation in one process of thermal energy and electrical or mechanical energy.

“compliance date” means 01/01/2025 for existing MCPs and a tranche A specified generator with net rated thermal input of greater than 5MW or 01/01/2030 for existing MCPs and a tranche A specified generator with a net rated thermal input of less than or equal to 5MW.

“EP Regulations” means The Environmental Permitting (England and Wales) Regulations SI 2016 No.1154 and words and expressions used in this permit which are also used in the Regulations have the same meanings as in those Regulations.

“existing MCP” means an MCP first put into operation before 20/12/2018.

“first put into operation” means that the plant must have been fired with its design fuel up to its full load. This can be, but does not have to be, during commissioning.

“medium combustion plant” or “MCP” means a combustion plant with a rated thermal input equal to or greater than 1 MW but less than 50 MW.

“Medium Combustion Plant Directive” or “MCPD” means Directive 2015/2193/EU of the European Parliament and of the Council on the limitation of emissions of certain pollutants into the air from medium combustion plants, as read in accordance with Schedule 1A to the Environmental Permitting (England and Wales) Regulations 2016.

“operating hours” means the time, expressed in hours, during which a combustion plant is operating and discharging emissions into the air, excluding start-up and shut-down periods.

“quarter” means a calendar year quarter commencing on 1 January, 1 April, 1 July or 1 October.

“specified generator” has the meaning given in paragraph 2(1) of Schedule 25B of The EP Regulations.

“tranche A generator” has the meaning given in paragraph 3(3) of schedule 25B of The EP Regulations.

“tranche B generator” is any generator that is not a Tranche A generator.

“year” means calendar year ending 31 December.

Schedule 7 – Annex 1 of MCPD

1. Rated thermal input (MW) of the medium combustion plant.	Boiler 1 = 6.578 Boiler 2 = 6.212 CHP = 1.558
2. Type of the medium combustion plant (diesel engine, gas turbine, dual fuel engine, other engine or other medium combustion plant).	Boiler CHP - Engine
3. Type and share of fuels used according to the fuel categories laid down in Annex II.	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.	Boiler 1&2 – November 2016 CHP – October 2017
5. Sector of activity of the medium combustion plant or the facility in which it is applied (NACE code).	A.1.2.5
6. Expected number of annual operating hours of the medium combustion plant and average load in use.	Boiler 1 & 2 – 5,110 at 90% load CHP - 8,760 at 100% load
7. Where the option of exemption under Article 6(3) or Article 6(8) is used, a declaration signed by the operator that the medium combustion plant will not be operated more than the number of hours referred to in those paragraphs.	Schedule 25A – MCP as detailed in Schedule 7 and Schedule 25B – Specified generator
8. Name and registered office of the operator and, in the case of stationary medium combustion plants, the address where the plant is located.	Company: S & A Produce (UK) Limited Registered office and site address: Brook Farm Marden Hereford HR1 3ET

END OF PERMIT