

Food, Drink and Milk Industries (FDM) BREF Webinar - update

WELCOME



Paul Wright
Technical Director – SLR Consulting

Paul Wright has over 9 year's continuous experience as an environmental Regulator with Natural Resources Wales and its predecessor bodies. For the last 6 years, prior to joining SLR in September 2018, he held the role of Industry Regulation Team Leader for North and Mid Wales

WELCOME



Tom Bruce
Senior Advisor – Environment Agency

Tom Bruce is a Senior Advisor in the Environment and Business directorate of the Environment Agency and leads on Food and Drink. He was the UK Lead on the FDM BREF review.

SLR's involvement to date



Part of UK Shadow Technical Working Group representing industry, led by Tom Bruce



Presented F&D BREF webinar to members of the FDF In January 2021 – if you haven't see it, ask FDF



Supported Operators with Regulation 61 responses

A BRef review reminder

- ➔ Technical exchange of information to establish BAT.
- ➔ Reference point for setting permit conditions.
- ➔ Data driven, evidence led and consensual.



What are the main changes from 2006 BREF?

The new BAT standards are based on actual performance data provided by industry.

Introduction of general BAT conclusions which apply to all sectors.

Additional sector specific BAT conclusions for the following sectors:

- Animal feed (compound feed and pet food)
- Brewing
- Dairies
- Ethanol production
- Fish and shellfish processing
- Fruit and vegetable sector
- Grain milling
- Meat processing
- Oil seed processing and vegetable oil refining
- Soft drinks
- Starch production
- Sugar manufacturing

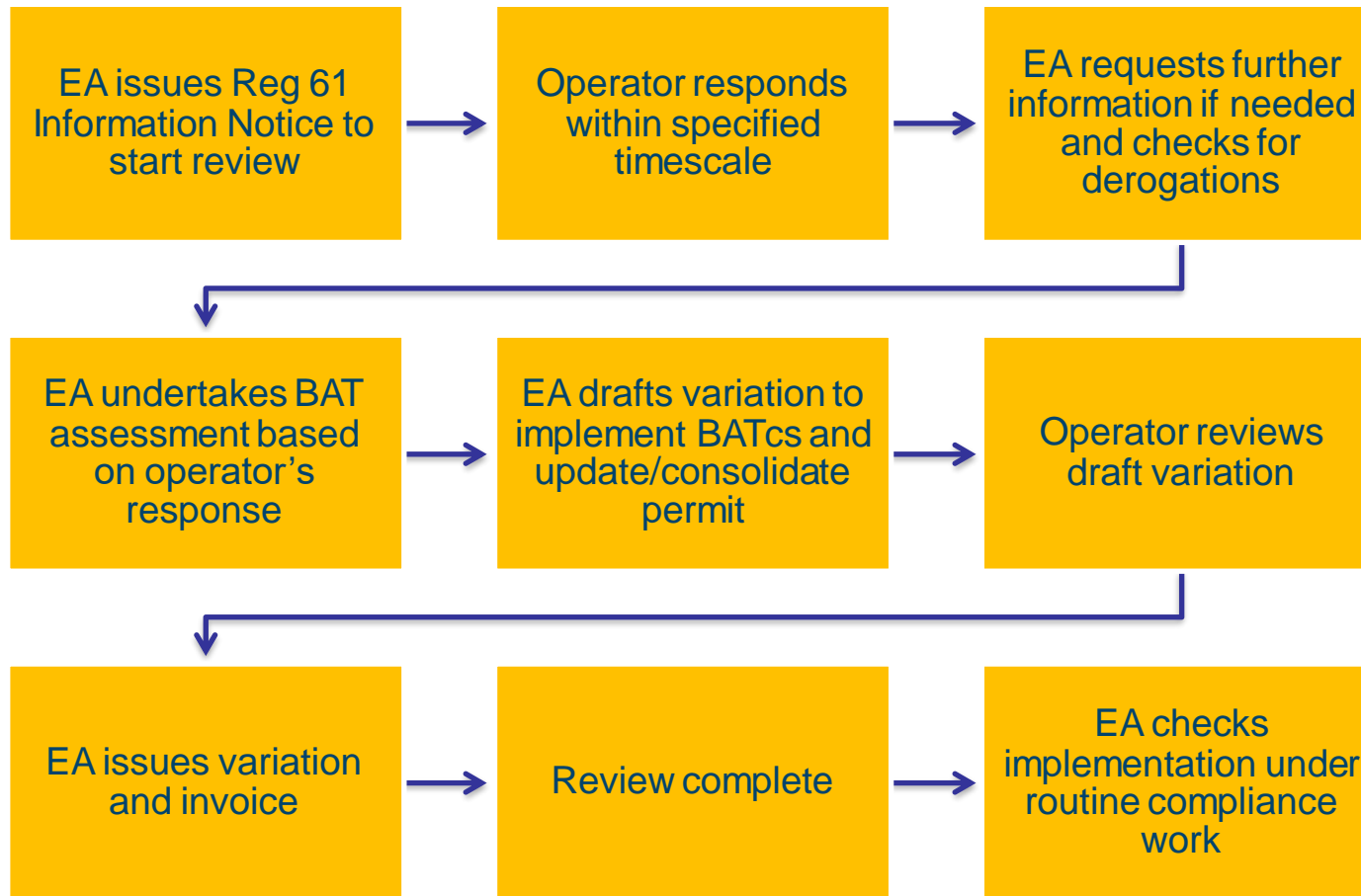
General BAT-AELs for direct emissions to water (apply to discharges to watercourses and sea outfalls but not to sewer).

Sector specific BAT-AELs for emissions to air and BAT-AEPLs for energy and water consumption.

EA permit review scope

- ⇒ The primary aim is to implement FDM BATcs.
- ⇒ The review will also:
 - ⇒ Implement BATcs from other relevant BRefs.
 - ⇒ Take account of other legislation.
 - Water Framework Directive.
 - Medium Combustion Plant Directive.
 - National Emissions Ceiling Directive.
 - ⇒ Take account of other priorities/issues.
 - Climate change adaptation.
 - Landspreading contingency plans.
 - Pesticide residues in wastewater.

EA permit review process overview



EA permit review charges

- ➔ Invoice to be issued once permit review variation has been issued.
- ➔ Typically this will be a normal variation charge £6,992.
- ➔ Additional charge for review against other BATcs eg Large Combustion Plant.
- ➔ Additional charge if EA has to undertake a Water Framework Assessment.
- ➔ Derogations processed as substantial variations.

EA Reg 61 Information Notice

- ➔ The main aim is to provide an assessment against the relevant BAT conclusions.
- ➔ Your response must contain sufficient detail to allow this assessment to be made.
- ➔ Three key components:
 - ➔ Reg 61 notice questions.
 - ➔ Reg 61 response tool spreadsheet.
 - ➔ Reg 61 response tool guidance.

EA Reg 61 Notice questions

- ➔ The Reg 61 Notice will ask about:
 - ➔ Compliance with FDM BATcs
 - ➔ Other applicable BATcs eg WT or LCP
 - ➔ Medium Combustion Plant
 - ➔ Site condition baseline
 - ➔ Climate Change Adaptation
 - ➔ Water emissions
 - ➔ Air emissions
 - ➔ Containment
 - ➔ Other info eg updated site plan

EA Reg 61 Response Tool Guidance

Read each section before completing the Response tool

- ➔ **Index of contents**
- ➔ Section 1 Introduction
- ➔ Section 2 Explanation of BAT conclusions
- ➔ Section 3 FDM BRef General BAT conclusions
- ➔ Section 4 FDM Sector specific BAT conclusions
- ➔ Section 5 Emissions to water and impact assessment
- ➔ Section 6 Emissions to air
- ➔ Section 7 Medium Combustion Plant
- ➔ Section 8 Climate Change Adaptation
- ➔ Section 9 Site Condition Baseline
- ➔ Section 10 Applicability of Waste Treatment BRef
- ➔ Section 11 Applicability of LCP BRef

EA Reg 61 Response Tool spreadsheet

- ➔ **Specified format for Reg 61 notice response.**
- ➔ Instructions
- ➔ List of additional references
- ➔ Site details
- ➔ General BAT conclusions – complete all sections
- ➔ Sector specific BAT conclusions – complete relevant worksheet(s)
- ➔ Water emissions
- ➔ Air emissions
- ➔ MCPs
- ➔ Climate change adaptation
- ➔ Relevant Hazardous Substances baseline
- ➔ Waste Treatment BREF – AD plant

Progress to date

- EA currently reviewing ~60 animal feed sector permits.
- EA just started the review process for a number of 'Leader sites' These are companies with multiple permitted installations who have nominated a single site to undergo the review process early. This will allow them to then apply the learning across their other sites.

Future tranches

- EA are proposing the following indicative timeline for other F&D sectors to start their permit review:
 - October 2021 = soft drinks
 - January 2022 = dairy, grain milling pet food, starch manufacture
 - April 2022 = brewing and malt manufacture, other alcoholic drinks, oilseed processing and vegetable oil refining, sugar manufacture, vegetable processing
 - April 2022 = sites in other sectors with direct effluent discharges to watercourses
 - July 2022 = meat processing, ready meals
 - 2023 = other low complexity sites without BAT-AELs

Available Guidance

- EA have set up a Citizen Space page to support the sector review
<https://consult.environment-agency.gov.uk/psc/permit-reviews-for-food-drink-milk-industries/>
- This page contains a comprehensive set of guidance and associated documents, including:
 - Generic Reg 61 notice
 - Generic Reg 61 notice response tool
 - Guidance for completion of Reg 61 notice response tool
 - FAQs
 - A series of short presentations on the permit review process
 - UK FDM BRef sector specific interpretation guidance
 - H1 risk assessment guidance
 - EA baseline condition report guidance

Additional support

- At or around the time each sector starts its review, EA intend to arrange a webinar session for all operators in conjunction with representatives of trade association(s).
- EA have set up a mailbox for general enquiries:
 - FDMPermitReview@environment-agency.gov.uk
- SLR have assisted F&D sector operators with their Reg 61 responses. If you think you may need assistance, please get in touch.

Summary

- All Food and Drink Sector permits require review to ensure compliance with the new BREF.
- Don't wait for the Regulator, start a gap analysis now.
- Ensure sufficient resource is allocated for your review.
- Refer to the available guidance to help you prepare.
- 4 December 2023 deadline. New or replacement plant must be compliant immediately.
- Derogations are the exception, not the rule and are challenging to achieve. Speak to your Regulator **now** if you think you need one.

Thank you - questions

Paul Wright
Technical Director – SLR Consulting

t 07786 808408

e pwright@slrconsulting.com

w www.slrconsulting.com

EA enquiries: FDMPermitReview@environment-agency.gov.uk