

Permitting decisions

Variation

We have decided to grant the variation for **Swalesmoor Farm** operated by **Omega Proteins Limited**

The variation number is **EPR/HP3035EU/V004**.

We consider in reaching that decision we have taken into account all relevant considerations and legal requirements and that the permit will ensure that the appropriate level of environmental protection is provided.

Purpose of this document

This decision document provides a record of the decision making process. It:

- highlights key issues in the determination
- summarises the decision making process in the decision checklist to show how all relevant factors have been taken into account
- shows how we have considered the consultation responses

Unless the decision document specifies otherwise we have accepted the applicant's proposals.

Read the permitting decisions in conjunction with the environmental permit and the variation notice. The introductory note summarises what the variation covers.

Key issues of the decision

This is a substantial variation as the new fat melting process is a scheduled activity S6.8 A (1) (c) with a threshold.

Fugitive Emissions

All the storage facilities linked to the variation applications are contained within the new buildings or within bunds > 110 % of individual tank storage volumes: there are no multiple tank bunds.

Odour

A revised Odour Management Plan has been produced specifically for the Fat Melting Process

The process is relatively low risk due to low temperature processing and no direct emissions to atmosphere.

In Section 2.2.1 of the Food and Drink August 2006 BREF three possible fat melting techniques - batch wet fat melting, batch dry fat melting and continuous wet fat melting -are presented as being techniques in use at the time. The BREF confirms that other options and configurations are available. Both of the batch methods described involve high temperatures and are not suitable for this application where the aim is for gentle heating and not to denature or dehydrate the greaves. The process proposed for this installation is a development of the continuous process described in the BREF in that the mincing, first stage heating and fat/greaves separation are employed but steam injection and 2nd stage heating to 90°C are not needed.

Continued implementation of the existing management systems together with the low odour potential and energy recovery aspects of the fat melting plant ensure that BAT is met.

The final Odour Management Plan (OMP) dated 12/06/17, is part of the operator schedule 5 response

The OMP has been further improved during the determination process to address the following key areas:

- Storage of input carcasses and final fat melting products. Additional information has been provided on temperature control of input carcasses and time limits from receipt of materials to processing.
- Fat melting process temperature control.
- Contingency plan complete with remedial actions.

Further additional information on odour control measures has been included in the revised OMP as follows:

- Temperature monitoring of stored material and freezers – additional information on the temperatures and contingency measures has been added on Page 15 of the OMP.
- Dolav odour - additional information on the control and contingency measures has been added on Page 18 of the OMP.

The controls in place within this final version allow us to approve the Odour Management Plan to provide controls to minimise risk of odour pollution beyond the installation boundary

Effluent

There is no new effluent introduced with this variation. The fat melting process has no effluent stream and the new more automated Dolav washing process will not lead to additional mass emissions of suspended solids/COD loading.

No further assessment is required.

Decision checklist

| Aspect considered | Decision |
|---|--|
| Receipt of application | |
| Confidential information | A claim for commercial or industrial confidentiality has not been made. |
| Identifying confidential information | We have not identified information provided as part of the application that we consider to be confidential. |
| Consultation/Engagement | |
| Consultation | <p>The consultation requirements were identified in accordance with the Environmental Permitting Regulations and our public participation statement.</p> <p>The application was publicised on the GOV.UK website.</p> <p>We consulted the following organisations:</p> <ul style="list-style-type: none"> • HSE • Local Council Environmental Health Department <p>The comments and our responses are summarised in the consultation section.</p> |
| The site | |
| Extent of the site of the facility | The operator has provided a plan which we consider is satisfactory, showing the extent of the site of the facility including the location of the new facilities. |
| Site condition report | <p>The operator has provided a description of the condition of the site, which we consider is satisfactory. The decision was taken in accordance with our guidance on site condition reports.</p> <p>The operator has concluded the risk of groundwater and land contamination is low based on usage of concrete flooring within Dolav washing and fat melting process building and bunded storage of fat melting product storage tanks. There are no new effluent streams linked to this installation; however the updated Dolav washing system is in a new building with new drainage for the existing effluent stream.</p> <p>The operator has added measures to inspect and maintain effluent drainage pipework linked to new Dolav washing process.</p> <p>On the basis of no new hazardous substances being added to this installation following variation and above controls in place, the operator has chosen not to pursue baseline monitoring for the installation boundary extension.</p> <p>We have accepted this conclusion, having outlined the implications at any subsequent permit surrender.</p> |
| Biodiversity, heritage, landscape and nature conservation | <p>The application is within the relevant distance criteria of a site of heritage, landscape or nature conservation, and/or protected species or habitat.</p> <p>We have assessed the application and its potential to affect all known sites of nature conservation, landscape and heritage and/or protected species or habitats identified in the nature conservation screening report as part of the permitting process.</p> |

| Aspect considered | Decision |
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| | <p>We consider that the application will not affect any sites of nature conservation, landscape and heritage, and/or protected species or habitats identified. There are no new emissions to air or effluent linked to this installation</p> <p>There are two European/Ramsar Sites within 10 km screening distance of the installation.</p> <p>We have not consulted Natural England on the application. An Appendix 11 dated 15/06/17 has been sent to Natural England for information only. The decision was taken in accordance with our guidance.</p> |
| Environmental risk assessment | |
| Environmental risk | <p>We have reviewed the operator's assessment of the environmental risk from the facility.</p> <p>The operator's risk assessment is satisfactory.</p> <p>The assessment shows that, applying the conservative criteria in our guidance on environmental risk assessment all emissions may be categorised as environmentally insignificant.</p> |
| Operating techniques | |
| General operating techniques | <p>We have reviewed the techniques used by the operator and compared these with the relevant guidance notes and we consider them to represent appropriate techniques for the facility.</p> <p>The operating techniques that the applicant must use are specified in table S1.2 in the environmental permit.</p> |
| Operating techniques for emissions that screen out as insignificant | <p>Emissions of odorous emissions have been screened out as insignificant, and so we agree that the applicant's proposed techniques are BAT for the installation.</p> <p>We consider that the emission limits included in the installation permit reflect the BAT for the sector.</p> |
| Odour management | <p>We have reviewed the odour management plan in accordance with our guidance on odour management.</p> <p>We consider that the odour management plan is satisfactory.</p> |
| Permit conditions | |
| Updating permit conditions during consolidation | <p>We have updated permit conditions to those in the current generic permit template as part of permit consolidation. The conditions will provide the same level of protection as those in the previous permit(s).</p> |
| Improvement programme | <p>Based on the information on the application, we consider that we do not need to impose any new improvement programmes.</p> <p>The existing improvement program 9.9 has been updated to allow a revised date for operator completion.</p> |
| Emission limits | <p>No emission limits have been added, amended or deleted as a result of this variation.</p> |

| Aspect considered | Decision |
|---|---|
| Operator competence | |
| Management system | There is no known reason to consider that the operator will not have the management system to enable it to comply with the permit conditions. |
| Growth Duty | |
| Section 108 Deregulation Act 2015 – Growth duty | <p>We have considered our duty to have regard to the desirability of promoting economic growth set out in section 108(1) of the Deregulation Act 2015 and the guidance issued under section 110 of that Act in deciding whether to grant this permit.</p> <p>Paragraph 1.3 of the guidance says: “The primary role of regulators, in delivering regulation, is to achieve the regulatory outcomes for which they are responsible. For a number of regulators, these regulatory outcomes include an explicit reference to development or growth. The growth duty establishes economic growth as a factor that all specified regulators should have regard to, alongside the delivery of the protections set out in the relevant legislation.”</p> <p>We have addressed the legislative requirements and environmental standards to be set for this operation in the body of the decision document above. The guidance is clear at paragraph 1.5 that the growth duty does not legitimise non-compliance and its purpose is not to achieve or pursue economic growth at the expense of necessary protections.</p> <p>We consider the requirements and standards we have set in this permit are reasonable and necessary to avoid a risk of an unacceptable level of pollution. This also promotes growth amongst legitimate operators because the standards applied to the operator are consistent across businesses in this sector and have been set to achieve the required legislative standards.</p> |

Consultation

The following summarises the responses to consultation with other organisations, our notice on GOV.UK for the public and the way in which we have considered these in the determination process. The consultation and public advertising ran from 13/06/17 to 13/07/17.

Responses from organisations listed in the consultation section

| |
|---|
| Response received from Local Council |
| Name the organisation Calderdale Local Council Environmental Health Department dated 21/06/17. |
| Brief summary of issues raised |
| General point that there is a local council part B permit for same operator on same site. Interim response but no specific concerns raised. |
| Summary of actions taken or show how this has been covered |
| No further action, no specific concerns. |