

Environment Agency permitting decisions

Bespoke Variation

We have decided to issue the variation for **Lake Farm Poultry Unit** operated by **P.Greenhill, R.Greenhill and B.Greenhill**.

The variation number is **EPR/BP3539RD/V003**.

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:

- explains how the application has been determined
- provides a record of the decision-making process
- shows how all relevant factors have been taken into account

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

Structure of this document

- Description of main features of the installation/the changes introduced by the variation (delete as applicable)
- Key issues see below
- Annex 1 the decision checklist

Description of the changes introduced by the Variation

This is a Normal Variation.

The variation is for the addition of a new biomass boiler with a thermal input rating of **0.832**

MW using virgin wood as fuel.

This variation consolidates the original permit and previous variation, and the requirements of the Industrial Emissions Directive have been included.

The installation boundary will not increase as a result of the new boiler introduction and there will be no increase of bird numbers linked to the installation.

The variation corrects a change that has taken place historically. This is the cessation of bird mortality incineration on site and instead a registered disposal contractor removes carcasses.

Key issues of the decision

Industrial Emissions Directive (IED)

The Environmental Permitting (England and Wales) (Amendment) Regulations 2013 were made on the 20 February and came into force on 27 February. These Regulations transpose the requirements of the Industrial Emissions Directive (IED).

Amendments have been made to the conditions of this variation so that it now implements the requirements of the EU Directive on Industrial Emissions.

Groundwater and soil monitoring

As a result of the requirements of the Industrial Emissions Directive, all permits are now required to contain condition 3.1.3 relating to groundwater monitoring. However, the Environment Agency's H5 Guidance states **that it is only necessary for the Applicant to take samples** of soil or groundwater and measure levels of contamination where the evidence that there is, or could be existing contamination and:

- The environmental risk assessment has identified that the same contaminants are a particular hazard; or
- The environmental risk assessment has identified that the same contaminants are a hazard and your risk assessment has identified a possible pathway to land or groundwater.

H5 Guidance further states that it is **not essential for the Applicant** to take samples of soil or groundwater and measure levels of contamination where:

- The environmental risk assessment identifies no hazards to land or groundwater; or
- Where the environmental risk assessment identifies only limited hazards to land and groundwater and there is no reason to believe that there could be historic contamination by those substances that present the hazard; or
- Where the environmental risk assessment identifies hazards to land and groundwater but there is evidence that there is no historic contamination by those substances that pose the hazard.

The site condition report (September 2010) was updated with the variation EPR/BP3539RD/V002 to cover an increase in bird numbers to 175,000 and associated installation boundary area increase.

There are no increases to the installation boundary with the current variation EPR/BP3539UT/V003.

The site condition report includes the completion of a H5 template plus an installation boundary with locations of farm buildings, drains, diesel tank and dirty water tank. The surrounding land is predominantly used for arable and grass farming. There are some small villages in the area.

Our technical review of this specific land usage is as follows:

- There is no record of installation area land contamination.
- There is no record of any usage of the installation area except for agricultural usage.
- The site is not within a Source Protection Zone 1.

Therefore, the conclusion is there is a low risk of historic groundwater and land contamination due to former activities within installation boundary.

Therefore, although condition 3.1.3 is included in the permit, no groundwater monitoring will be required at this installation as a result at this time.

Biomass Boilers

The application includes for one new biomass boiler with an aggregated thermal input capacity of **0.832 MW**.

The Environment Agency has assessed the pollution risks and has concluded that air emissions from small biomass boilers are not likely to pose a significant risk to the environment or human health providing certain conditions are met. Therefore, a quantitative assessment of air emissions will not be required for poultry sites where:

- the fuel will be derived from virgin timber, miscanthus or straw, and;
- the biomass boiler appliance and installation meets the technical criteria to be eligible for the Renewable Heat Incentive, and;

For poultry farm:

- A. the aggregate net rated thermal input is less than 0.5MW_{th}, or:
- B. the aggregate boiler net rated thermal input is less than or equal to 4 MW_{th}, and no individual boiler has a thermal input greater than 1 MW_{th}, and;
 - o the stack height must be a minimum of 5 meters above the ground (where there are buildings within 25 meters the stack height must be greater than 1 meter above the roof level of buildings within 25 meters) and;
 - o there are no sensitive receptors within 50 meters of the emission points

This is in line with the Environment Agency's document "Air Quality and Modelling Unit C1127a Biomass firing boilers for intensive poultry rearing", an assessment has been undertaken to consider the proposed addition of the biomass boilers.

The Environment Agency's risk assessment has shown that the biomass boilers do fully meet the requirements of criteria **B** above.

As such we conclude the environmental impacts from the new biomass boiler are insignificant.

Annex 1: decision checklist

This document should be read in conjunction with the application, supporting information and permit.

Aspect considered	Justification / Detail	Criteria met
		Yes
Receipt of submission		
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. The decision was taken in accordance with our guidance on commercial confidentiality.	✓
Consultation		
Scope of consultation	The consultation requirements were identified and implemented. The decision was taken in accordance with our Public Participation Statement and our Working Together Agreements. This is a normal variation and there is no requirement for consultation, in accordance with our guidance.	✓
European Directives		
Applicable directives	All applicable European directives have been considered in the determination of the application.	✓
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. A plan is included in the permit and the operator is required to carry on the permitted activities within the site boundary. There is no change to the installation boundary with this variation.	✓
Biodiversity, Heritage, Landscape and Nature Conservation	The application is within the relevant distance criteria of a site of heritage, landscape or nature conservation, and/or protected species or habitat. Natural England was consulted in the construction of the Environment Agency's May 2013 document "Biomass boilers on EPR Intensive Farms". This proposal screened out based on the criteria within that paper and as such is considered acceptable in terms of potential to impact sites of heritage, landscape or nature conservation, and/or protected species or habitat. In accordance with the Environment Agency's Air Quality Technical Advisory Guidance 14: for combustion plants under 5MW, no habitats assessment is required due to the size of combustion plant. Therefore, this proposal is considered acceptable and no further assessment is required.	✓
Environmental Risk Assessment and operating techniques		
Environmental risk	We have reviewed the operator's assessment of the environmental risk from the facility. <i>The operator's risk assessment is satisfactory.</i>	✓

Aspect considered	Justification / Detail	Criteria met
		Yes
	Our conclusion is that the variation introduces negligible additional environmental impact.	
Operating techniques	<p>We have reviewed the techniques used by the operator and compared these with the relevant guidance notes.</p> <p><u>The operating techniques are as follows:</u></p> <ul style="list-style-type: none"> the fuel is derived from virgin timber, the biomass boiler appliance and its installation meets the technical criteria to be eligible for the Renewable Heat Incentive (certificate supplied with the application); and the stack is 1m or more higher than the apex of the adjacent buildings. an Accident Management Plan has been provided for the new biomass boiler giving detail of controls to minimise risk of fires. <p>The application includes a non-technical summary with an overview of new operating techniques linked to the biomass boiler.</p> <p>The operator has provided an updated site drainage plan, dated 05/05/16, to better clarify existing drainage facilities for clean and dirty water within the installation; there are no actual drainage changes introduced with this variation.</p> <p>The additional information dated 11/05/16 confirms change to no longer incinerate bird mortalities within installation.</p> <p>The permit conditions ensure compliance with relevant BREFs and BAT Conclusions, and ELVs deliver compliance with BAT-AELs.</p>	✓
The permit conditions		
Use of conditions other than those from the template	Based on the information in the application, we consider that we do not need to impose conditions other than those in our permit template, which was developed in consultation with industry having regard to the relevant legislation.	✓
Raw materials	We have specified limits and controls on the use of raw materials and fuels.	✓
Conditions where the consent of another person is needed.	Based on the information submitted in the application, we consider that it is necessary to impose conditions where the consent of another person is needed.	✓
Incorporating the application	We have specified that the Applicant must operate the permit in accordance with descriptions in the application, including all additional information received as part of the determination process. These descriptions are specified in the Operating Techniques table in the permit.	✓

Aspect considered	Justification / Detail	Criteria met
		Yes
Emission limits	We have decided that emission limits should be not set in the permit.	✓
Monitoring	We have decided that monitoring does not need to be carried out.	✓
Operator Competence		
Environment management system	There is no known reason to consider that the operator will not have the management systems to enable it to comply with the permit conditions. The decision was taken in accordance with our guidance on what a competent Applicant is.	✓
Relevant convictions	The Case Management System has been checked to ensure that all relevant convictions have been declared.	✓