

Environment Agency permitting decisions

Bespoke permit

We have decided to grant the permit for Granary Farm operated by Morrells Farming Limited.

The permit number is EPR/JP3937VJ.

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
- justifies the specific conditions in the permit other than those in our generic permit template.

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

Structure of this document

- Key issues
- Annex 1 the decision checklist
- Annex 2 the consultation and web publicising responses

Key issues of the decision

Ammonia emissions

There is one Site of Special Scientific Interest (SSSI) located within 5 km of the installation.

There are no Special Areas of Conservation (SAC), Special Protection Areas (SPA) or Ramsar sites located within 10 kilometres of the installation. There are no Local Wildlife Sites (LWS), Ancient Woodlands (AW) or Local Nature Reserves (LNR) within 2 km of the installation.

Ammonia assessment – SSSIs

The following trigger thresholds have been applied for assessment of SSSIs. If the process contribution (PC) is below 20% of the relevant critical level (CLe) or critical load (CLo) then the farm can be permitted with no further assessment. Where this threshold is exceeded an in combination assessment and/or detailed modelling may be required.

Screening using the ammonia screening tool (version 4.4) has indicated that the PC for Napton Hill Quarry is predicted to be less than 20% critical level for ammonia, therefore it is possible to conclude no damage. The results of the ammonia screening tool (version 4.4) are given in the tables below.

Table 1 – Ammonia emissions

Name of SSSI	Ammonia CLe ($\mu\text{g}/\text{m}^3$)	PC ($\mu\text{g}/\text{m}^3$)	PC as % of Critical level
Napton Hill Quarry	1*	0.035	3.5

*this is a precautionary critical level and represents a worst case scenario.

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 IED.

This permit implements the requirements of the European Union 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 a condition relating to protection of soil, groundwater and groundwater monitoring. However, the Environment Agency's H5 Guidance states **that it is only necessary for the operator to take samples** of soil or groundwater and measure levels of contamination where there is 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 the risk assessment has identified a possible pathway to land or groundwater.

H5 Guidance further states that it is **not essential for the Operator** 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 (SCR) for Granary Farm (dated 21/12/14) demonstrates that there are no hazards or likely pathway to land or groundwater and no historic contamination on site that may present a hazard from the same contaminants. **Therefore, on the basis of the risk assessment presented in the SCR, we accept that they have not provided base line reference data for the soil and groundwater at the site at this stage.**

Biomass boilers

The applicant is varying their permit to include 4 biomass boilers each with a net rated thermal input of 0.24 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;
 - A. the aggregate net rated thermal input is less than 0.5 MW_{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;
 - 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:
 - 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 boiler(s).

The Environment Agency's risk assessment has shown that the biomass boilers meet the requirements of criteria B above, and are therefore considered not likely to pose a significant risk to the environment or human health and no further assessment is required.

Pre-operational Conditions

At the time of issue the operator had not selected the make and type of boiler to be installed at the installation. The operator confirmed that four boilers will be installed with an expected output of 0.199 MW. A precautionary thermal input of 0.240 MW was used for assessment against the above screening criteria. It was also confirmed during the determination that:

- the stack height will be 5m above ground and 1m above the roof level of buildings within 25m.
- the boilers will be positioned greater than 50m away from any sensitive receptor.

Pre-operational conditions have been included in the permit to check that this information is still valid once the make and type of boiler has been selected.

A further pre-operational condition has been included requesting that a boiler specific RHI certificate is provided.

Annex 1: decision checklist

This document should be read in conjunction with the Duly Making checklist, the application and supporting information and permit/ notice.

Aspect considered	Justification / Detail	Criteria met
		Yes
Consultation		
Scope of consultation	The consultation requirements were identified and implemented. The decision was taken in accordance with RGN 6 High Profile Sites, our Public Participation Statement and our Working Together Agreements.	✓
Responses to consultation and web publicising	The consultation and web publicising responses (Annex 2) were taken into account in the decision. The decision was taken in accordance with our guidance.	✓
Operator		
Control of the facility	We are satisfied that the applicant (now the operator) is the person who will have control over the operation of the facility after the grant of the permit. The decision was taken in accordance with EPR RGN 1 Understanding the meaning of operator.	✓
European Directives		
Applicable directives	All applicable European directives have been considered in the determination of the application. The permit implements the requirements of the Industrial Emissions Directive.	✓
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.	✓
Site condition report	The operator has provided a description of the condition of the site. We consider this description is satisfactory. The decision was taken in accordance with our guidance on site	✓

Aspect considered	Justification / Detail	Criteria met
		Yes
	condition reports and baseline reporting under IED–guidance and templates (H5).	
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>A full assessment of the application and its potential to affect the sites has been carried out as part of the permitting process. We consider that the application will not affect the features of the site.</p> <p>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.</p> <p>We have not formally consulted on the application. The decision was taken in accordance with our guidance.</p>	✓
Environmental Risk Assessment and operating techniques		
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>	✓
Operating techniques	<p>We have reviewed the techniques used by the operator and compared these with the relevant guidance notes.</p> <ul style="list-style-type: none"> • The sheds are fan ventilated with a fully littered floor and are equipped with a non-leaking drinking system. • The sheds are on an impermeable surface with a fully enclosed drainage system. Wash water generated during the clean out of the sheds is to be collected and disposed of separately. • Feed will be stored in fully-enclosed galvanised bins. • Biomass boiler fuel is derived from virgin timber. 	✓

Aspect considered	Justification / Detail	Criteria met
		Yes
	The proposed techniques for priorities for control are in line with the benchmark levels contained in the TGN and we consider them to represent appropriate techniques for the facility. The permit conditions ensure compliance with relevant BREFs and BAT Conclusions.	
The permit conditions		
Raw materials	<p>We have specified limits and controls on the use of raw materials and fuels.</p> <p>We have specified that only virgin timber (including wood chips and pellets), straw, miscanthus or a combination of these shall be used in the biomass boilers. These materials are never to be mixed with or replaced by, waste.</p>	✓
Incorporating the application	<p>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.</p> <p>These descriptions are specified in the Operating Techniques table in the permit.</p>	✓
Pre-operational conditions	<p>Based on the information in the application, we consider that we need to impose pre-operational conditions.</p> <p>See key issues section above for justification why the pre-operational conditions are required.</p>	✓
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 RGN 5 on Operator Competence.	✓
Relevant convictions	<p>The National Enforcement Database has been checked to ensure that all relevant convictions have been declared.</p> <p>No relevant convictions were found.</p>	✓

Aspect considered	Justification / Detail	Criteria met
		Yes
Financial provision	There is no known reason to consider that the operator will not be financially able to comply with the permit conditions. The decision was taken in accordance with RGN 5 on Operator Competence.	✓

Annex 2: Consultation and web publicising

Summary of responses to consultation and web publication and the way in which we have taken these into account in the determination process. (Newspaper advertising is only carried out for certain application types, in line with our guidance.)

Response received from
Health and Safety Executive – dated 17/02/15
Brief summary of issues raised
No issues raised
Summary of actions taken or show how this has been covered
Non required

The Local Planning Authority and Environmental Health were consulted no responses were received.

This proposal was also publicised on our website between 11/02/15 and 11/03/15 and no representations were received.