

Environment Agency permitting decisions

Part surrender

We have decided to accept the surrender of part of the permit for Cross and Beacon Farm operated by W.J. Watkins & Son Limited.

The permit number is EPR/RP3632MU.

We are satisfied that the necessary measures have been taken to avoid any pollution risk and to return the site to a satisfactory state.

We consider in reaching that decision we have taken into account all relevant considerations and legal requirements.

Purpose of this document

This decision document:

- explains how the operator's 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 as a result of the partial surrender

Structure of this document

- Key Issues;
- Annex 1 the decision checklist.

Key Issues

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 permit so that it now implements the requirements of this Directive.

As a result of the requirements of the Industrial Emissions Directive, all permits are now required to contain condition 3.1.2 relating to groundwater and soil 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 for Cross and Beacon Farm submitted with the original permit application demonstrated that the hazards to land or groundwater have been mitigated/minimised such that there is little likelihood of pollution and there is no evidence of historic contamination on site. Therefore, although this condition is included in the permit, no groundwater or soil monitoring will be required at this installation as a result.

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
The facility		
The regulated facility	<p>The permitted regulated facilities have changed as a result of the partial surrender.</p> <p>The regulated facility now comprises Cross Farm only as the part of the permit referring to the land and activities at Beacon Farm has been surrendered as the production of eggs is no longer carried out.</p> <p>The regulated facility is now for 3,176 sow places and the rearing of 4,600 production pigs over 30 kg and associated activities of carcass incineration and rearing of pigs up to 30 kg.</p>	✓
The permit conditions		
Changes to permit conditions	<p>The permit conditions have changed as a result of the partial surrender.</p> <p>The permitted activities as detailed in table S1.1 have been amended, tables relating to emissions from Beacon Farm have been amended or deleted and a new site plan has been included.</p> <p>All other conditions have been updated to the modern template conditions, including the addition of a condition requiring periodic monitoring of soil and groundwater (see Key Issues section above) and amendment to the notifications condition in accordance with the requirements of the Industrial Emissions Directive, and the permit has been consolidated with this and all previous variations.</p>	✓
The site		
Extent of the surrender application	<p>The operator has provided a plan showing the extent of the site of the facility that is to be surrendered.</p> <p>We consider this plan to be satisfactory.</p>	✓
Pollution risk	We are satisfied that the necessary measures have been taken to avoid a pollution risk resulting from the	✓

Aspect considered	Justification / Detail	Criteria met
		Yes
	operation of the regulated facility.	
Satisfactory state	<p>We are satisfied that the necessary measures have been taken to return the site of the regulated facility to a satisfactory state.</p> <p>In coming to this decision we have had regard to the state of the site before the facility was put into operation.</p>	✓