

Environment Agency permitting decisions

Bespoke permit

We have decided to grant the permit for Beck Farm operated by H. M. Pigs Limited.

The permit number is EPR/BP3337VS/A001

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: Ammonia Impacts; Groundwater / Soil monitoring; Biomass boiler assessment; Odour; Nitrate Vulnerable Zone (NVZ).
- Annex 1 the decision checklist
- Annex 2 the consultation and web publicising responses

Key issues of the decision

Ammonia Impacts

There are two Sites of Special Scientific Interest (SSSI) within 5km of the site.

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 (CL_e) or critical load (CL_o) 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.

Initial screening using Ammonia Screening Tool v4.4 has indicated that emissions from Beck Farm will only have a potential impact on SSSIs with a precautionary critical level of 1 µg/m³ if they are within 2,989m of the emission source.

Initial screening indicates that beyond 2,989m the PC is less than 0.2µg/m³ (i.e. less than 20% of the precautionary 1µg/m³ critical level) and therefore beyond this

distance the PC is insignificant. All SSSIs are beyond this distance (see table below).

Where the precautionary level of $1\mu\text{g}/\text{m}^3$ is used, and the process contribution is assessed to be less than 20% the site automatically screens out as insignificant, and no further assessment of critical load is necessary. In these cases the $1\mu\text{g}/\text{m}^3$ level used has not been confirmed by Natural England, but it is precautionary. It is therefore possible to conclude no damage on these sites.

Table 1 – SSSI Assessment

Name of SSSI	Distance from site (m)
Normanby Meadow	4,226
Cliff House	4,083

Groundwater/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 operator 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 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 Beck Farm (*HMBECK/008 Site Condition Report*) demonstrates that there are no hazards to land or groundwater and no historic contamination on site that may present a hazard. **Therefore, although this condition is included in the permit, no groundwater or soil monitoring will be required at this installation as a result.**

Biomass Boiler Assessment

The operator has applied to operate a biomass boiler with a rated thermal input of 0.199MW.

In line with the Environment Agency's May 2013 document "Biomass boilers on EPR Intensive Farms", an assessment has been undertaken to consider the proposed addition of the biomass boilers.

This guidance states that the Environment Agency has assessed the pollution risks and 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 where:

- (i) the fuel will be derived from virgin timber, miscanthus or straw, and;
- (ii) the biomass boiler appliance and installation meets the technical criteria to be eligible for the Renewable Heat Incentive, and;
- (iii) the aggregate boiler net rated thermal input is:
 - A. less than 0.5MWth, or;
 - B. less than 1MWth where the stack height is greater than 1 metre above the roof level of adjacent buildings (where there are no adjacent buildings, the stack height must be a minimum of 3 metres above ground), and there are:
 - no Special Areas of Conservation, Special Protection Areas, Ramsar sites or Sites of Special Scientific Interest within 500 metres of the emission point(s);
 - no National Nature Reserves, Local Nature Reserves, ancient woodlands or local wildlife sites within 100 metres of the emission point(s), or;
 - C. less than 2MWth where, in addition to the above criteria for less than 1MWth boilers, there are:
 - no sensitive receptors within 150 metres of the emission point(s).

The biomass boilers meets the requirements of criteria A above, as the boiler net rated thermal input is 0.199MW. Therefore no further assessment is required.

Odour

There are no sensitive receptors within 400m of the installation. However the operator has provided an Odour Management Plan (reference *Odour Management Plan – HMBECK/012*) with the application.

There is no history of odour complaints at the site. Potentially significant sources of odour are: pigs and pig buildings; feed storage and preparation; pig carcasses; dusts; disinfectants; and handling of manure and slurry.

Mitigation techniques on site include, but are not limited to, the following: matching water and protein amounts to pig requirements; drainage of effluent / run off from farm yard manure storage to slurry tank; potentially odorous spillages cleaned up promptly; slurry emptied from slurry channels frequently and stored in purpose built tanks; slurry spreading undertaken in accordance with DEFRA Codes of Good Agricultural Practice; covered storage of animal carcasses; and buildings cleaned out regularly in accordance with cleaning plan. There is also an odour complaints system in place.

The OMP has been assessed using Environment Agency Guidance *H4 Odour Management – How to Comply with your Environmental Permit* and the *Poultry Industry Good Practice Checklist*. We are happy that the control and contingency measures on site are sufficient to control odorous emissions from the site. We have therefore approved the Odour Management Plan for Beck Farm. The OMP will be reviewed every year; or sooner if an odour complaint is received.

Nitrate Vulnerable Zone (NVZ)

Beck Farm is situated on land that is within a designated Nitrate Vulnerable Zone (NVZ). The farm has confirmed it has an excess of 12 months slurry storage on site in two slurry tanks (700m³ and 1,310m³ respectively) and an underground slurry store (60m³). All slurry and manure is exported offsite to be spread on land owned by third parties. The farm therefore complies with NVZ rules.

A revised Accident Management Plan was provided reference: *HMBECK011 Emergency Plan 01/09/2014*. This describes the procedures taken on site in the event of slurry reaching the watercourse.

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 Regulatory Guidance Note (RGN) 6 High Profile Sites, our Public Participation Statement and our Working Together Agreements.	✓
Responses to consultation and web publicising	The web publicising and consultation 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 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 condition reports and baseline reporting under IED	✓

Aspect considered	Justification / Detail	Criteria met
		Yes
	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 sites for the reasons outlined in the Key Issues section.</p> <p>An Appendix 4 Assessment for SSSIs has been saved to EDRM for information only.</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> <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	<p>We have reviewed the techniques used by the operator and compared these with the relevant guidance notes.</p> <p>The operator has proposed the following key techniques:</p> <ul style="list-style-type: none"> • At least 6 months of slurry storage is in place on site; • Pigs are fed a varying diet depending on age and stage of lactation where relevant; • Slurry is removed frequently from all farrowing houses. Dry sows, maiden gilts and boars are all kept on straw floors. All housing meets Best Available Techniques (BAT) criteria; • Chemical storage is within a purpose-built store on site; • Fallen stock are kept in a sealed container until being collected by a licensed contractor; • A biomass boiler will heat Sheds E and G (Farrowing Houses). Other houses are heated by electric heat pads and heat lamps. 	✓

Aspect considered	Justification / Detail	Criteria met Yes
	<p>The operator has proposed the following key techniques with regards to the biomass boilers on site:</p> <ul style="list-style-type: none"> • the fuel is derived from virgin timber; • the biomass boiler appliance and it's installation meets the technical criteria to be eligible for the Renewable Heat Incentive. <p>The proposed techniques for priorities for control are in line with the benchmark levels contained in Sector Guidance Note (SGN) EPR6.09 'How to comply with your environmental permit for intensive farming (version 2)' and we consider them to represent appropriate techniques for the facility.</p> <p>We consider that the operating techniques specified in the permit reflect the BAT for the installation.</p>	
The permit conditions		
Improvement Conditions	<p>Based on the information in the application, we consider that we need to impose improvement conditions.</p> <p>We have imposed improvement condition 1 (IC1) to ensure that:</p> <p><i>A written plan shall be submitted to the Environment Agency for approval detailing proposals for replacing or covering existing uncovered slurry stores and lagoons to comply with the requirements of S3.2 of SGN How to Comply – Intensive Farming, Version 2. The proposals shall include a timetable for the replacement and refurbishment work. The notification requirements of condition 2.4.2 shall be deemed to have been complied with on submission of the plan.</i></p> <p><i>The plan shall be implemented by the operator from the date of approval in writing by the Environment Agency subject to such amendments or additions as notified by the Environment Agency.</i></p> <p>The operator is required to submit the proposal for replacing or covering existing slurry stores within 12 months of the date of permit issue.</p>	
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.	✓

Aspect considered	Justification / Detail	Criteria met
		Yes
	These descriptions are specified in the Operating Techniques table in the permit.	
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), miscanthus or straw shall be used as a fuel for the biomass boiler. These materials are never to be mixed with, or replaced by, waste.</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> <p>The operator satisfies the criteria in RGN 5 on Operator Competence.</p>	✓
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.

Response received from
West Lindsey District Council - Planning Department – 17 th July 2014
Brief summary of issues raised
Acknowledged receipt of consultation. No issues raised.
Summary of actions taken or show how this has been covered
No action necessary.

Response received from
Health and Safety Executive – 10 th July 2014
Brief summary of issues raised
No comment to make on the application.
Summary of actions taken or show how this has been covered
No action necessary.

The following organisations were also consulted, however no response was received:

- West Lindsey DC – Environmental Health Department.

This proposal was also publicised on the Environment Agency's website between 09/07/2014 and 06/08/2014, but no representations were received during this period.