Environment Agency permitting decisions

Variation

We have decided to issue the variation for The Haven Poultry Farm operated by Chesterfield Poultry Limited.

The permit number is EPR/LP3233CG.

The variation number is EPR/LP3233CG/V002.

The application was submitted and determined as a substantial variation.

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: Discharge to surface water; listed activity amendment; emissions to air
- Annex 1 the decision checklist
- Annex 2 the consultation and web publicising responses

Key issues of the decision

Discharge to surface water

Emission limit values (ELVs)

This variation authorises the amendment of the discharge volume ELVs to surface water from 123 m^3 per day to 900 m^3 per day. This change does not reflect an increase in production. The site had been emitting above the volume of effluent it was original permitted to discharge and this variation has been applied for by the operator to amend the limit to a level reflective of the actual output. The ammoniacal nitrogen emission limit value to Sough Dyke has been amended from 10 mg/l to a daily mass emission limit value of 1230 g/day to reflect this change. Ammoniacal nitrogen, suspended solids and pH will be measured manually at emission point W1.

Our Water Quality specialists used Monte Carlo modelling of impact of discharge of treated effluent to derive appropriate limits for ammoniacal nitrogen emissions. The modelling was based on effluent flow data supplied by the operator. With an ammonia limit of 1230 g/day it has estimated that the 90 percentile concentration in ammonia in Hewenden Beck would be 0.41 mg/l. This is classified as moderate under the Water Framework Directive. An emission limit of 729 g/day is deemed appropriate as the longer term target for the site for the proposed daily discharge volume of 900 m^3. An improvement condition specified in the consolidation requires the operator to identify and implement changes to the effluent treatment plant that will allow the lower emission level of 729 g/day to be achieved by 01/10/15. The lower emission limit value will facilitate the achievement of an ammonia concentration at Hewenden Beck not exceeding 0.3 mg/l. This concentration would result in classification of the beck with a good status under the Water Framework Directive.

The maximum discharge rate will be 8 litres per second which reflects the maximum output of the two clarifiers in the effluent treatment plant.

As outlined in the original permit, process effluent is collected and treated in a dissolved air flotation (DAF) unit, which provides primary removal of solid material from the effluent treatment stream prior to discharge to activated sludge tank with clarifier and then pumped to the top of a vertical reed bed system.

The discharge volume will now be measured at the exit from the effluent treatment clarifiers (point W2) by a flow meter certified to the Environment Agency's Monitoring Certification Scheme (MCERTS). The point will be used rather than point W1 which can be affected by rainwater run-off from drainpipes at the front of the factory, roof run-off and springs from the aquifer that the factory is located upon. The 24 hour discharge at W1 will also be measured by either another flow meter or an MCERTS approved v-notch weir which will reflect the impacts of any springs, roof run-off and yard water combining with the discharge.

Monitoring point W2 can also be affected by runoff from the surface of the large loading/unloading yard near the lairage area and runoff from the springs in adjacent fields when the aquifer levels are high. To minimise the volume of uncontaminated water reaching the effluent monitoring point, a channel will be constructed to direct uncontaminated run-off to the existing settlement lagoon. The channel will end with a gulley and a silt trap before the water enters a split chamber. In the first chamber, any remaining sediment will drop to the bottom and other remaining solids float to the top. The water will flow midway up through a gridded slot into a second chamber and eventually out to the lagoon. The silt trap and chambers will be inspected daily with the trap and any floating solids emptied. The sediment on the bottom will be pumped out monthly.

Riverbed scouring

A walkover of the watercourse was carried out by the Environment Agency to investigate whether there was any evidence of degradation of channel geomorphology as a result of discharges of large quantities of water into the watercourse.

There was no evidence of excessive bed or bank erosion which may be expected with exceptionally high flows within Sough Dyke. Isolated incidents of bank erosion were evident but these are associated with areas of poaching. There was evidence of higher flows within the channel indicated by sediment and debris deposits; however, as these deposits were apparent on all three of the headwater tributaries this would appear to be from natural flow variation.

A large amount of suspended sediment enters the channel from the road drain on Station Road. This is having a significant effect on the channel throughout its length and also effecting Hewenden Beck. Much of the sediment deposited along the channel margins is likely to be from this source and additionally it may be causing siltation of the bed although evidence of this could not be seen due to the turbidity of the water.

Listed activity amendment

The listed activity schedule reference for the effluent discharge activity has been amended to reflect the change implemented by the Environmental Permitting Regulations 2013 amendment. The listed activity classification is now as follows:

Section 5.4A(1)(a)(ii): Disposal of non-hazardous waste with a capacity exceeding 50 tonnes per day by physico-chemical treatment.

This change itself does not impact on the permit requirements of the plant.

Emissions to air

Emission point A1 has been added to table S3.1 of the permit as was previously omitted in error. There are no ELVs, monitoring or reporting associated with the emissions to air from the scrubber. Hypochlorite use is monitored and reported.

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 the Environmental Permitting Regulations (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.	✓
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. An 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. Formal consultation has been carried out with Natural England. An Appendix 11 dated 07/07/14 was sent to Natural England for information only.	✓
Environmental Risk Assessment and operating techniques		

Aspect considered	Justification / Detail	Criteria met Yes
Environmental risk	We have reviewed the operator's assessment of the environmental risk from the facility. The operator's risk assessment is satisfactory. **See key issues section for further information.**	✓
Operating techniques	We have reviewed the techniques used by the operator and compared these with the relevant guidance notes. The operator has proposed the following key operating techniques: • Use of an MCERTS certified flow meter to measure discharge volume. • Installation of a new channel, gully and silt trap to remove sediment from surface water run-off. The proposed techniques/ emission levels for priorities for control are in line with the benchmark levels contained in the following guidance notes: • EPR 6.10 'How to comply with your environmental permit. Additional guidance for: The Food and Drink Sector' • EPR 6.11 'How to comply with your environmental permit. Additional guidance for: Treating and Processing Poultry' and we consider them to represent appropriate techniques for the facility. The permit conditions ensure compliance with relevant BREFs. We consider that the emission limits included in the installation permit reflect the best available techniques (BAT) for the sector.	✓
The permit conditions		
Updating permit conditions during consolidation	We have updated previous permit conditions to those in the new generic permit template as part of permit consolidation. The operator has agreed that the new conditions are acceptable.	✓
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	✓

Aspect considered	Justification / Detail	Criteria met Yes
	Techniques table in the permit.	
Emission limits	We have decided that emission limits should be set for the parameters listed in the permit. The ammoniacal nitrogen emission limit value to Sough Dyke has been amended from 10 mg/l to 729 g/day. **See key issues section for further information.** It is considered that the numeric limits described below will prevent significant deterioration of receiving waters. We have imposed numeric limits because either a relevant environmental quality or operational standard requires this.	✓
Monitoring	We have decided that monitoring should be carried out for the parameters listed in the permit, using the methods detailed and to the frequencies specified. These monitoring requirements have been imposed in order to ensure emissions are within ELVs and equivalent parameters. We made these decisions in accordance with the following guidance notes: • EPR 6.10 'How to comply with your environmental permit. Additional guidance for: The Food and Drink Sector' • EPR 6.11 'How to comply with your environmental permit. Additional guidance for: Treating and Processing Poultry' Based on the information in the application we are satisfied that the operator's techniques, personnel and equipment will be MCERTS certified/MCERTS accredited following the issue of this variation in line with the operating techniques supplied as supporting documentation and the monitoring requirements set out in table S3.2.	✓
Reporting	We have specified reporting as specified in Schedule 4 for the following reasons: i) to ensure emissions are within ELVs and equivalent parameters, ii) that the installation is being operated in an efficient manner. We made these decisions in accordance with the following guidance notes:	✓

Aspect considered	Justification / Detail	Criteria met Yes
	• EPR 6.10 'How to comply with your environmental permit. Additional guidance for: The Food and Drink Sector' • EPR 6.11 'How to comply with your environmental permit. Additional guidance for: Treating and Processing Poultry'	
Considerations of foul sewer	We agree with the operators justification for not connecting to foul sewer which is as follows: • The distance from the factory to the nearest sewer point is 780m. • A significant portion of the proposed connection has an uphill gradient and would therefore require considerable use of pumping equipment to facilitate the connection. • The sewer which would be connected to cannot accept more than 2 litres per second which is significantly below the anticipated discharge volumes.	✓
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.	✓

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 on 08/07/14 from
City of Bradford Metropolitan District Council – Planning Department
Brief summary of issues raised
No complaints alleging non-compliance with any planning conditions relating to noise have been received in the last 3 years.
Summary of actions taken or show how this has been covered
No action required

Response received on 08/07/14 from
City of Bradford Metropolitan District Council – Environmental Health Department
Brief summary of issues raised
Complaints relating to noise nuisance have been received within the last 3 years. These complaints related to noise from late night vehicle movements delivering product to the factory. The Council stated that a condition which refers to the times and number of vehicle movements to and from the factory between the hours of 2300 and 0700 hours should be included to protect amenity of neighbouring residents.
Summary of actions taken or show how this has been covered
This variation will not have any impact on noise emissions from the installation and therefore noise has not been a key issue for consideration during the permit determination. The standard condition 3.4 relating to noise and vibration is included in the consolidated permit. The operational hours of a facility are a planning authorisation issue and are not specified within an environmental permit. Noise arising from vehicle movements to and from the site is also not covered by the environmental permit and would be considered during the planning application process.

Response received from
Health and Safety Executive
Brief summary of issues raised
No response received
Summary of actions taken or show how this has been covered
No action required