

Environment Agency permitting decisions

Standard rule permit

We have decided to grant the permit for Greenfeeds Limited operated by Greenfeeds Limited.

The permit number is EPR/AP3831NE.

This is a twinned application to operate an installation for the recovery of waste oils/fats for the production of bio-diesel under standard rules 'SR2009No3 installation for the production of biodiesel' and to operate a waste facility for the treatment and recovery of food waste for the manufacture of a pig feed under standard rules 'SR2008No3 Household, commercial and industrial waste transfer station with treatment'.

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.

Structure of this document

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

KEY ISSUES OF THE DECISION

Biodiesel production

Storage and containment

All materials used in the production of biodiesel are stored in the biodiesel plant. The site buildings cover 800 square metres, all building exits are bunded. Methanol is stored in its own locked container, situated in a full size drip tray (sized to hold the full 1,000 litres capacity of the container, plus 10%). Potassium is stored in a locked cabinet. The waste oil is stored within Intermediate bulk containers (IBCs) inside the bunded biodiesel plant. Daily visual checks are carried out on the IBCs to ensure any leaks are identified and dealt with immediately.

Matters which are outside the Environment Agency's permitting remit

Location of the installation

Decisions about land use are matters for the land-use planning system. The location of the facility is a relevant consideration for environmental permitting, but only with regard to its potential to have an adverse environmental impact on members of the public or sensitive environmental receptors. The location of the facility has been assessed against the criteria specified within standard rules sets SR2009No3 and SR2008No3, the site meets these location criteria.

Vehicle access to the facility and traffic movements

These are relevant considerations when granting planning permission, but do not form part of the environmental permit decision-making process.

Annex 1: decision checklist

This checklist should be read in conjunction with the Duly Making checklist the application and supporting information and permit

Aspect	Justification / Detail	Criteria met
		Yes
Receipt of submission		
Standard rules criteria met	The application meets the criteria for the standard rules identified in Part B of the application form. Both SR2008No3 and SR2009No3	✓
Advertising		
Responses to web publicising	The responses to web publicising (Annex 2) were taken into account in the decision. The decision was taken in accordance with our guidance.	✓
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. As shown on the site plan two buildings are not included within the permit boundary. The largest is currently used by a furniture business and the smaller of the two is used for storage.	✓
Site condition report or baseline report	The operator has provided a satisfactory site condition report (SCR). We consider this description is satisfactory. The decision was taken in accordance with our guidance on site condition reports guidance (H5). The SCR report confirmed the following: <ul style="list-style-type: none"> • Prior to the site being used as a pig feed manufacturing facility the buildings were used as a pig unit for breeding and raising pigs • The floors inside the site buildings are intact and externally the site is covered by a large area of concrete/ hardstanding • No known pollution incidents have taken place at the site • Some surface staining is evident, however this is likely to be of foodstuff origin as opposed to 	✓

Aspect	Justification / Detail	Criteria met
		Yes
	<p>hydrocarbon staining. There is no visual evidence of any historic contamination</p> <p>See key issues section for further information on storage and containment measures.</p>	
Operator competence		
Technical competence	<p>Technical competency is required for activities permitted in the standard rules set SR2008No3 Household, commercial and industrial waste transfer station with treatment.</p> <p>The operator is a member of an agreed scheme.</p> <p>The operator satisfies the criteria in RGN 5 on Operator Competence.</p>	✓
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. The operator satisfies the criteria in RGN 5 on Operator Competence.</p>	✓
Financial provision	<p>There is no known reason to consider that the operator will not be financially able to comply with the standard rules. The decision was taken in accordance with RGN 5 on Operator Competence.</p>	✓

Annex 2: Web publicising responses

Summary of responses to web publication and the way in which we have taken these into account in the determination process.

Response received from
A resident of Normanton (response received 29/03/2014)
Brief summary of issues raised
The respondent raised objections to the standard rules application. They criticised the lack of community consultation and the limited timescales for the public consideration of the application. Their response expressed concerns that no environmental impact assessment or formal traffic assessment had been carried out. Stating that the numbers of heavy goods lorries on the roads in and around the village would increase as a result of the biowaste site.
Summary of actions taken or show how this has been covered
The location of the facility has been assessed against the criteria specified within standard rules sets SR2009No3 and SR2008No3. The site meets these location criteria. Decisions about land use and impacts from traffic are matters for the land-use planning system. In order to define the risk criteria for the standard facility and use appropriate rules to manage those risks, activities must be subject to a generic risk assessment. A risk assessment was undertaken as part of the creation of the standard rules and a generic risk assessment has been produced for each standard rules set. The application has been subject to a full and robust determination in accordance with Environment Agency policy and operational procedures, including publication of the application. The outcome of this determination is to grant the permit.

Response received from
2 Residents of Normanton (response received 30/03/2014)
Brief summary of issues raised
The main objection was the view that further industrialisation of the village and surrounding landscape is inappropriate. With particular concerns about a possible increase of noise from the site and further disturbance from traffic.
Summary of actions taken or show how this has been covered
The location of the facility has been assessed against the criteria specified within standard rules sets SR2009No3 and SR2008No3. The site meets these location criteria. Decisions about land use and impacts from traffic are matters for the land-use planning system. The standard noise and vibration condition is included in both sets of standard rules (SR2009No3 and SR2008No3). This condition states that emissions from the activities shall be free from noise and vibration at levels likely to cause pollution outside the site, as perceived by an authorised officer of the Environment Agency. The application has been subject to a full and robust determination in accordance with Environment Agency policy and operational procedures. The outcome of this determination is to grant the permit.

Response received from
Resident of Normanton (response received 30/3/2014)
Brief summary of issues raised
<p>The respondent raised objections to the standard rules application. Stating that the applicant is already in breach of a number of planning regulations. Therefore they feel that the applicant would not operate the site within the conditions of an environmental permit. They are particularly concerned that obligations regarding environmental protection will not be adhered to and that the consequences of a spill would be serious for the local environment and wildlife.</p> <p>They are also concerned about the effect that the added volume of traffic will have on both Normanton (a conservation area) and Bottesford which already has HGV restrictions placed upon its roads.</p>
Summary of actions taken or show how this has been covered
<p>The location of the facility has been assessed against the criteria specified within standard rules sets SR2009No3 and SR2008No3. The site meets these location criteria. Decisions about land use and impacts from traffic are matters for the land-use planning system.</p> <p>Greenfeeds Limited - the operator - is responsible for compliance with the permit. Permitted sites are routinely inspected by Environment Agency staff to monitor compliance with the permit conditions. Details of the sites storage and containment were submitted with the application. See the key issues section for more information.</p> <p>The application has been subject to a full and robust determination in accordance with Environment Agency policy and operational procedures. The outcome of this determination is to grant the permit.</p>

Response received from
2 Residents of Normanton (response received 31/03/2014)
Brief summary of issues raised
<p>A single statement saying that the respondent is concerned about the application for a Biodiesel Production Plant. There was no argument or reasoning in support of this statement.</p>
Summary of actions taken or show how this has been covered
<p>No directly relevant technical issues have been raised by this representation. The application has been subject to a full and robust determination in accordance with Environment Agency policy and operational procedures. The outcome of this determination is to grant the permit.</p>

Response received from
2 Residents of Normanton (response received 31/03/2014)
Brief summary of issues raised
<p>The response stated that there is no planning application for the site. They are also concerned about odour from the site and increased HGV transport through Normanton.</p>
Summary of actions taken or show how this has been covered
<p>The location of the facility has been assessed against the criteria specified within standard rules sets SR2009No3 and SR2008No3. The site meets these location criteria. Decisions about land use and impacts from traffic are matters</p>

for the land-use planning system.
 The standard odour condition is included in both sets of standard rules (SR2009No3 and SR2008No3). This condition states that emissions from the activities shall be free from odour at levels likely to cause pollution outside the site, as perceived by an authorised officer of the Environment Agency.
 The application has been subject to a full and robust determination in accordance with Environment Agency policy and operational procedures. The outcome of this determination is to grant the permit.

Response received from

A resident of Normanton (response received 31/03/2014)

Brief summary of issues raised

The main issues raised in the response are the volume of traffic and the operational hours of the site. The respondent is concerned about the impact the site will have on the quality of life of local residents. They hope that should the permit be issued, the site will be monitored.

Summary of actions taken or show how this has been covered

Decisions about land use, restrictions on operating hours and impacts from traffic are matters for the land-use planning system.
 Greenfeeds Limited - the operator - is responsible for compliance with the permit. Permitted sites are routinely inspected by Environment Agency staff to monitor compliance with the permit conditions.
 The application has been subject to a full and robust determination in accordance with Environment Agency policy and operational procedures. The outcome of this determination is to grant the permit.

Response received from

Four residents of Normanton (response received 01/04/2014)

Brief summary of issues raised

Objection to the standard rules application because the activity is industrial and is therefore unsuitable for a rural location. Specifically the respondents are concerned that the site would cause noise and air pollution and would lead to an increase in traffic.

Summary of actions taken or show how this has been covered

The location of the facility has been assessed against the criteria specified within standard rules sets SR2009No3 and SR2008No3. The site meets these location criteria. Decisions about land use and impacts of traffic are matters for the land-use planning system.
 The standard noise and vibration condition is included in both sets of standard rules (SR2009No3 and SR2008No3). This condition states that emissions from the activities shall be free from noise and vibration at levels likely to cause pollution outside the site, as perceived by an authorised officer of the Environment Agency.
 Condition 3.1.1 in both standard rules sets states that; substances from point source emissions to water or air shall not be released at a rate that is greater than that determined as "insignificant", as set out in the Environment Agency's H1 Environmental Risk Assessment, Version 2.0, April 2010, Annexes (d) and (f). Also, condition 3.2.1 specifies that emissions of substances not controlled by emission limits (excluding odour) shall not cause pollution.

The application has been subject to a full and robust determination in accordance with Environment Agency policy and operational procedures. The outcome of this determination is to grant the permit.

Response received from

A resident of Normanton (response received 01/04/2014)

Brief summary of issues raised

The respondent is primarily concerned about the increase in heavy goods lorries on the roads in and around the village. Highlighting that there has been no formal assessment of traffic on the wider village community. They also highlight the absence of an environmental impact assessment.

Criticism also of the nature of the public consultation process associated with the development; specifically the lack of community consultation and the limited timescales for the public consideration.

Summary of actions taken or show how this has been covered

The location of the facility has been assessed against the criteria specified within standard rules sets SR2009No3 and SR2008No3. The site meets these location criteria. Decisions about land use and impacts of traffic are matters for the land-use planning system.

In order to define the risk criteria for the standard facility and use appropriate rules to manage those risks, activities must be subject to a generic risk assessment. A risk assessment was undertaken as part of the creation of the standard rules and a generic risk assessment has been produced for each standard rules set.

The application has been subject to a full and robust determination in accordance with Environment Agency policy and operational procedures, including publication of the application. The outcome of this determination is to grant the permit.

Response received from

Resident of Normanton (response received 01/04/2014)

Brief summary of issues raised

The respondent raised an objection to the application based on a history of contested land-use planning at the site. In light of this they are concerned that permit conditions will not be complied with or enforced to control biodiesel output or the environmental impact of the activity.

Criticism also of the nature of the public consultation process associated with the application; specifically the lack of public consultation and the need to travel to an office in order to verify information about the permit details.

They highlight the absence of an environmental impact assessment on the implications of the application to the area outside of the site. The response also mentions the increase in heavy goods movement on the roads in and around the village, especially for properties directly on the roadside.

Summary of actions taken or show how this has been covered

The location of the facility has been assessed against the criteria specified within standard rules sets SR2009No3 and SR2008No3. The site meets these location criteria. Decisions about land use and impacts of traffic are matters for the land-use planning system.

In order to define the risk criteria for the standard facility and use appropriate

rules to manage those risks, activities must be subject to a generic risk assessment. A risk assessment was undertaken as part of the creation of the standard rules and a generic risk assessment has been produced for each standard rules set.

Greenfeeds Limited - the operator - is responsible for compliance with the permit. Permitted sites are routinely inspected by Environment Agency staff to monitor compliance with the permit conditions.

The application has been subject to a full and robust determination in accordance with Environment Agency policy and operational procedures, including publication of the application. The outcome of this determination is to grant the permit.

Response received from

Resident of Normanton (response received 02/04/2014)

Brief summary of issues raised

The respondent is concerned that the operator will not run the site in accordance with any permit issued. They go on to say that the previous business, run on this site, flouted the restrictions on the movement of traffic. The new operation will increase the number of heavy goods vehicles and they are concerned about the subsequent impact this will have on the structure of roadside properties in Normanton. The response also mentioned the lack of assessment on the environmental impact on the area outside of the site. Criticism also of the lack of community consultation regarding this application.

Summary of actions taken or show how this has been covered

The location of the facility has been assessed against the criteria specified within standard rules sets SR2009No3 and SR2008No3. The site meets these location criteria. Decisions about land use and impacts of traffic are matters for the land-use planning system.

In order to define the risk criteria for the standard facility and use appropriate rules to manage those risks, activities must be subject to a generic risk assessment. A risk assessment was undertaken as part of the creation of the standard rules and a generic risk assessment has been produced for each standard rules set.

Greenfeeds Limited - the operator - is responsible for compliance with the permit. Permitted sites are routinely inspected by Environment Agency staff to monitor compliance with the permit conditions.

The application has been subject to a full and robust determination in accordance with Environment Agency policy and operational procedures, including publication of the application. The outcome of this determination is to grant the permit.

See key issues section of this decision document for more information about matters which are outside the Environment Agency's permitting remit.