

Environment Agency permitting decisions

Variation

We have decided to issue the variation for Wreningham Poultry Unit operated by Bernard Matthews Foods Limited.

The variation number is EPR/YP3134LU/V005

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

Changes to the original permit as a result of consolidation

As part of this variation and consolidation, the following changes have been made:

- Several conditions have been renumbered, reworded or deleted
- Installation site boundary amended to exclude house originally included in error
- Inclusion of conditions 2.3.3, 2.3.5, 2.3.6, 3.1.2, 3.1.3, 3.5 and 3.6
- Inclusion of condition 3.1.3 and amendment of condition 4.3.1 was as a result of the requirements of the Industrial Emissions Directive (IED)
- Livestock numbers have been amended in table S1.1 activities
- Directly Associated Activity for biomass boilers included in table S1.1
- Site drainage was clarified and as a result table S3.2 and S3.3 have been amended accordingly

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 variation and a consolidated permit has been issued, so that it now implements the requirements of the EU 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 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 Wreningham Poultry Unit (received 29/01/07) 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 monitoring is likely to be required at this installation as a result.**

Biomass boilers

The applicant is varying their permit to include nine biomass boilers with a net rated thermal input of 1.935 MW.

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 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 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;

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 points;

- no National Nature Reserves, Local Nature Reserves, ancient woodlands or local wildlife sites within 100 metres of the emission points, 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 points.

The biomass boilers meet the requirements of criteria C above, and are therefore considered not likely to pose a significant risk to the environment or human health and no further assessment is required.

Ammonia Assessment

The applicant submitted a calculation which has shown a reduction in emissions when stocking the broiler chickens instead of the turkeys. The reduction of emissions is shown in a basic mass balance 'before and after' calculation:

Permit	Animal/ Housing Type	Emission Factor	Bird Places	Ammonia Emissions kg NH ₃ /year
Original permit	Turkeys	0.138	275,000	37,950 kg

Permit	Animal/ Housing Type	Emission Factor	Bird Places	Ammonia Emissions kg NH ₃ /year
Proposed permit, when stocking broilers instead of turkeys	Broilers	0.034	790,000	26,860 kg

As the overall emissions have shown to reduce as a result of this proposal (by approximately 29%), it was not necessary to reconsider the impacts upon the nature conservation sites within the relevant screening distance criteria.

Site drainage

A revised site drainage plan was received from the applicant contact on 25/07/14, and further clarification was received on 28/07/14, both by email. As a result emissions to water table S3.2 and emissions to land table S3.3 have been amended.

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 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. This permit implements the requirements of the EU Directive on Industrial Emissions. See key issues section above for further information.	✓
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.	✓

Aspect considered	Justification / Detail	Criteria met Yes
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>Ammonia: A full assessment of the application and its potential to affect the sites has been carried out as part of the original permitting process. We consider that the application will not affect the features of the sites. Please refer to section ‘Ammonia Assessment’ in Key Issues above.</p> <p>Natural England did not need to be contacted as this meets scenario 5 of guidance 84_07 which is for an ‘existing farm, no impact caused by variation’. The decision was taken in accordance with our guidance 84_07.</p> <p>Biomass Boilers: Natural England were consulted in the construction of the Environment Agency’s May 2013 document “Biomass boilers on EPR Intensive Farms”. This proposal screened out based on the criteria within that paper and as such is considered acceptable in terms of potential to impact sites of heritage, landscape or nature conservation, and/or protected species or habitat. Please refer to section ‘Biomass boilers’ in Key Issues above.</p>	✓
Environmental Risk Assessment and operating techniques		
Environmental risk	<p>We have reviewed the operator's assessment of the environmental risk from the facility. 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 operating techniques are as follows:</p> <ul style="list-style-type: none"> the biomass fuel is derived from virgin timber; and 	✓

Aspect considered	Justification / Detail	Criteria met Yes
	<ul style="list-style-type: none"> • the biomass boiler appliance and it's installation meets the technical criteria to be eligible for the Renewable Heat Incentive • broiler chickens will be fed a minimum of three diets <p>The proposed techniques for priorities for control are in line with the benchmark levels contained in the SGN EPR6.09 and we consider them to represent appropriate techniques for the facility. The permit conditions ensure compliance with relevant BREFs and BAT Conclusions, and ELVs deliver compliance with BAT-AELs.</p>	
The permit conditions		
Updating permit conditions during consolidation.	<p>We have updated previous permit conditions to those in the new generic permit template as part of permit consolidation. The new conditions have the same meaning as those in the previous permits.</p> <p>The operator has agreed that the new conditions are acceptable.</p>	✓
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. 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>	✓

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 responses

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
South Norfolk Council Planning Department (received 01/09/14)
Brief summary of issues raised
No issues raised
Summary of actions taken or show how this has been covered
No action required

In addition South Norfolk Council Environmental Health and the Health and Safety Executive were consulted but no responses were received.

No responses have been received as a result of the web publication.