

# **Environment Agency permitting decisions**

## **Bespoke permit**

We have decided to grant the permit for Linden Foods Burradon operated by Linden Foods Burradon Limited.

The permit number is [EPR/ZP3934WT/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

Unless the decision document specifies otherwise we have accepted the applicant's proposals.

## **Structure of this document**

- [Annex 1 the decision checklist](#)
- [Annex 2 the consultation responses](#)

- **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
<b>Receipt of submission</b>		
Identifying confidential information	We have not identified information provided as part of the application that we consider to be confidential. The decision was taken in accordance with our guidance on commercial confidentiality.	✓
<b>Consultation</b>		
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.  The application was publicised on the Environment Agency website on 24 <sup>th</sup> April 2015	✓
<b>Operator</b>		
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.	✓
<b>European Directives</b>		
Applicable directives	All applicable European directives have been considered in the determination of the application.	✓
<b>The site</b>		
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
Site condition report	<p>The operator has provided a description of the condition of the site.</p> <p>As per IED requirements all new permit applications must include baseline monitoring of soil and groundwater conditions. As part of the application documents the applicant has included baseline qualitative and quantitative soil/groundwater analysis in relation to the extent of the site footprint.</p> <p>We consider this description is satisfactory. The decision was taken in accordance with our guidance on site condition reports and baseline reporting under IED–guidance and templates (H5).</p>	✓
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>Northumbria Coast SPA/RAMSAR 7490m Annitsford (LNR) 1240m Burradon Colliery (LWS) 91m Killingworth Village Churchyard (LWS) 2047m Gosforth Wood Nature Reserve (LWS) 1740m Seaton Burn Ponds (LWS) 1879m Weetslade Country Park (LWS) 1454m Annitsford Pond (LWS) 1233m</p> <p>An assessment of the application and its potential to affect the site(s) and protected species has been carried out as part of the permitting process. We consider that the application will not affect the features of the site(s).</p>	✓

Aspect considered	Justification / Detail	Criteria met Yes
	<p><u>Emissions to Air</u></p> <p>Emissions to air are via a small natural gas fired boiler rated at 0.58MWth discharging via a 7.2m high stack.</p> <p>“The combustion process at the PPC installation is not considered ‘<i>relevant</i>’ for assessment under the Agency’s procedures which cover the Conservation (Natural Habitats &amp;c.) Regulations 1994 (Habitats Regulations). This was determined by referring to the Agency’s guidance ‘AQTAG014: Guidance on identifying ‘<i>relevance</i>’ for assessment under the Habitats Regulations for installations with combustion processes.’ Thus no detailed assessment of the effect of the releases from the installation’s combustion processes on the SPAs, Ramsar or Local Wildlife Sites is required.”</p> <p>The Environment Agency agrees the with the operators conclusion that there is no need to carry out further modelling and that no further assessment is required.</p> <p><u>Emissions to Water</u></p> <p>There are no direct discharges to controlled waters except clean uncontaminated surface waters via appropriate interceptor (Emission Point W1 on Drawing Reference: B3-T2). All process water discharges are made to sewer under a relevant discharge consent issued by Northumbrian Water (Emission Point S1 on Drawing reference B3-T2). Emissions contain mostly sanitary determinands only which are readily treated at the STW, there are no species within 10km of the final fate discharge location.</p> <p>We consider that the application will not affect the features of the site/habitat. We have not formally consulted on the application. The decision was taken in accordance with our guidance.</p>	

Aspect considered	Justification / Detail	Criteria met Yes
<b>Environmental Risk Assessment and operating techniques</b>		
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 with the exception of:</p> <p><u>Emissions to Air</u></p> <p>Long Term (LT) NO<sub>2</sub></p> <p>The installation includes one small natural gas boiler rated at ~0.6MWth discharging via a 7.2m (effective height 0 as not &gt;3m above building height) high stack. The operator has undertaken an H1 Risk assessment, all emissions are calculated as insignificant with the exception of Long Term (LT) NO<sub>2</sub>, process contribution (PC) calculated at 2.46µg/m<sup>3</sup> which is &gt;1% of an EQS of 40 µg/Nm<sup>3</sup> (6.14%) and therefore cannot be screened out as insignificant.</p> <p>Although not insignificant the emissions of NO<sub>2</sub> cannot be described as significant as the Process Contribution plus Background Concentration (PEC) is calculated to be 21.5µg/m<sup>3</sup> against an EQS of 40µg/m<sup>3</sup> this is &lt;70% of the EQS at 53.7%.</p> <p>In order to verify the applicant's conclusions and impacts we have reviewed the information provided by the operator in accordance with our H1 Horizontal Guidance Note Annex (F) and have undertaken check modelling with the AQMAU screening tool, using AERMOD Prime as the dispersion model, source terms for the model were based on reported flow rate data, and emission levels reported in application.</p>	✓

Aspect considered	Justification / Detail	Criteria met Yes
	<p>The Environment Agency agrees the with the operators conclusion that there is no need to carry out further detailed modelling and that boiler plant emissions will not lead to a breach of AQS outside of the permitted boundary.</p> <p>The operator has confirmed that activities will be managed and operated in accordance with a management system including the inspection and maintenance of equipment/engine management systems. The activities are not being carried out within an AQMA designated for NOx.</p> <p><u>Emissions to Water:</u></p> <p>We conclude that the potential for any adverse impact from the operators discharge is negligible, and agree with the sewerage undertaker that the trade effluent consent issued by them provides adequate protection, however we feel that the discharge of process waters should be part of an appropriate IPPC BAT assessment of the options available to reduce emissions to sewer from the site in compliance with Sector Guidance S6.10 and have included an improvement condition to this effect.</p> <p><u>Noise</u></p> <p>The operator has confirmed that there are no significant noise sources which are not enclosed within buildings. The site does not accept pigs for slaughter which can be inherently noisy especially during unloading and marshalling activities, in addition no animals are housed overnight except in emergency circumstances. Whilst we accept that there is limited potential for noise generated pollution, external consultation with the local authority environmental health has shown there to be a small but significant number of noise complaints relating to the facility from local residents.</p> <p>An improvement condition is included in the environmental permit in relation to fugitive noise pollution, see Improvement condition section for further details.</p>	

Aspect considered	Justification / Detail	Criteria met Yes
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 indicated the use of techniques and standards in line with technical guidance notes IPPC S6.12 (SGN), EPR 1.00 “How to comply with your Environmental Permit and BREF document for the “Slaughterhouses and Animal By-Products Industries”</p> <p>The Key issues for determining BAT for the installation are described in EPR 6.12 Sections 1.1, 1.2, 1.3, 2.1, 2.2, 2.3, 2.6, 3.2, 3.3, 3.4, 3.5 and 3.6 the operator has provided relevant information including a comprehensive site specific BAT conclusion documents confirming use of the standards as set out in the TGN.</p> <p>A formal maintenance, inspection and accounting system for refrigerant use is in place.</p> <p>The operator has supplied a full Odour management plan in accordance with Agency Horizontal Guidance H1 and H4.</p> <p>The proposed techniques for control are in line with the benchmark levels contained in the TGN and we consider them to represent appropriate techniques for the facility. The permit conditions ensure compliance with relevant BREFs and BAT Conclusions.</p> <p><u>Odour</u></p> <p>The operations have the potential to generate odour pollution, the operator was required to provide a revised odour management plan via way of a Schedule 5 request for further information due to a number of deficiencies.</p> <p>We have assessed the applicants Odour Management Plan and we approve the OMP in as far as it goes, but set out below the ways in which we consider it to be deficient and, in particular, which additional appropriate measures the operator needs to take which include but are not limited to:</p>	✓

Aspect considered	Justification / Detail	Criteria met Yes
	<ul style="list-style-type: none"> <li>• Minimisation of manure/paunch production by controlling feeding rate prior to transportation of animals to site.</li> <li>• Storage of putrescible waste and by-products in sealed containers</li> <li>• Frequent clean down of waste containers to prevent build-up of malodorous material.</li> <li>• Frequent (Daily) blood and by-products removal off site.</li> <li>• Refrigeration of blood, animal by-products and putrescible material if extended on-site storage is carried out.</li> </ul> <p>Additional measures are required and an improvement condition (IC1) is included in the environmental permit. Please see Improvement condition section for further details.</p>	
<b>The permit conditions</b>		
Improvement conditions	<p>Based on the information on the application, we consider that we need to impose a number of improvement conditions.</p> <p>We have imposed improvement conditions to ensure that:</p> <ul style="list-style-type: none"> <li>• accidents that may cause pollution are minimised.</li> <li>• appropriate measures are in place to ensure the efficient use of raw materials and water.</li> <li>• appropriate measures are in place to prevent or minimise odour and noise pollution.</li> </ul>	✓



Aspect considered	Justification / Detail	Criteria met Yes
	<p><u>Fugitive Odour Pollution (IC1)</u></p> <p>The operations have the potential to generate odour pollution, the operator has provided a suitable risk assessment and odour management plan in relation to potential odour generation from the facility including a monitoring procedure and complaints procedure. There are limited receptors however consultation with the local health authority has shown their to be a small but significant history of odour complaints within the local area.</p> <p>However whilst we accept the operators risk assessment and odour management plan we have included an improvement condition (IC1) to ensure that the odour management plan is reviewed within 4 months of permit issue to ensure compliance with indicative BAT as provided in Sector Guidance Note S6.12 and Horizontal Guidance note H4.</p> <p><u>Assessment of bund integrity and Impermeable surfacing (IC2)</u></p> <p>The operator has confirmed a number of issues relating to secondary bunding and surfacing on site which at the time of permit application did not meet BAT standards, an improvement condition has been included for the operator to obtain an independent quality assurance report for the construction and integrity of the containment systems on site. We have imposed this improvement condition to ensure that appropriate measures are in place to ensure that accidents that may cause pollution are minimised.</p> <p><u>Noise (IC3)</u></p> <p>The operator did not include a noise management plan as part of the permit application documents, as a result of our determination we feel it necessary to include an improvement condition requiring the operator to submit a written noise management plan to the Environment Agency for approval; the plan must be produced in accordance with the requirements of Environment</p>	

Aspect considered	Justification / Detail	Criteria met
		Yes
	<p>Agency this is to ensure compliance with indicative BAT as provided in Sector Guidance Note S6.12 and Horizontal Guidance Note IPPC H3 - Noise Assessment and Control.</p> <p><u>Emissions to Sewer IC4</u></p> <p>The operator does not currently undertake treatment of process waters prior to discharge to sewer for treatment this is not considered to be BAT. On site effluent treatment offers opportunities to recycle treated water for some cleaning activities leading to reduced water consumption. An additional commercial benefit would be reductions in the volume and organic loading factors of the trade effluent charges. An improvement condition is therefore included for the operator to undertake an assessment of available options for reducing organic concentrations and volumes of process water to sewer.</p> <p>Water Metering (IC5)</p> <p>Sub-Metering of water is essential for bench marking and comparison in terms of water usage per head or tonne of carcass, identifying BAT techniques and resource efficiency in all areas of the process.</p> <p>We have included a condition for the operator to carry out a review of the options and opportunities available for water Sub-metering in compliance with Environment Agency Sector Guidance Note EPR 6.10 and BREF document 'Slaughterhouses and By-Products industries'.</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 S1.2 in the permit.</p>	✓
Monitoring	<p>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.</p> <p>These monitoring requirements have been imposed in</p>	✓

Aspect considered	Justification / Detail	Criteria met
		Yes
	<p>order to prevent pollution and protect surface waters, and are incorporated in accordance with Food and Drink Sector Guidance S6.12 and How to comply with your Environmental permit EPR 1.00.</p> <p>The operator has a suitable monitoring programme in place for emissions to sewer as agreed with the SU.</p>	
Reporting	<p>We have specified reporting in the permit.</p> <p>Reporting requirements for, emissions to water, annual meat production and performance parameters are included, these are proportionate to the process and in accordance with sector guidance S6.12 and EPR 1.00.</p> <p>Appropriate reporting forms have been included.</p>	✓
<b>Operator Competence</b>		
Environment management system	<p>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.</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 permit conditions. The decision was taken in accordance with RGN 5 on Operator Competence.</p>	✓

## Annex 2: Consultation responses

<b>Response received from</b>
Environmental Health – North Tyneside Council
<b>Brief summary of issues raised</b>
<p>Linden Foods Burradon have created a statutory nuisance from odours and a formal abatement notice was served upon the company on 19 July 2013.</p> <p>Complaints have also been received with regard to noise from plant however no statutory nuisance was found. I would recommend consideration is given a noise management plan so that they have a clear picture of the noise levels of plant and maintain at acceptable levels.</p>
<b>Summary of actions taken or show how this has been covered</b>
<p>An odour management plan was submitted with the application for an Environmental Permit on 31<sup>st</sup> March 2015 this was reviewed by the Environment Agency and found to be deficient in a number of key areas and did not fully address the requirements set out in H4. The operator was requested via way of a Schedule 5 to provide a revised odour management plan in accordance with BAT requirements as provided in Sector Guidance Note S6.12 and Horizontal Guidance note H4.</p> <p>A revised OMP was submitted on 06/07/15, the Environment Agency, have reviewed and accepted the operators OMP, although we agree with the scope and suitability of key measures this should not be taken as confirmation that the details of equipment specification design, operation and maintenance are suitable and sufficient. That remains the responsibility of the operator.</p> <p>Whilst we have accepted the operators risk assessment and odour management plan, we have included an improvement condition (IC1) to ensure that the submitted odour management plan is reviewed within 4 Months of permit issue, this is to ensure full compliance with indicative BAT as provided in Sector Guidance Note S6.12 and Horizontal Guidance note H4.</p> <p>Further regulatory control for fugitive emissions of odour is provided way of standard condition 2.3.4 within the permit.</p> <p>An improvement condition (IC3) is included for the operator to submit a noise management plan for approval to the environment agency.</p>