

Environment Agency permitting decisions

Variation

We have decided to issue the variation for Hall O'th Hill Farm operated by Riley Broilers Limited.

The variation number is EPR/UP3037VE/V002.

The permit number is EPR/UP3037VE.

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; and
- 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 Assessment; Odour; Biomass boiler; Groundwater / Soil Monitoring; and Industrial Emissions Directive;
- Annex 1 the decision checklist; and
- 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 5 kilometres of the site. There are also 14 Local Wildlife Sites and one Ancient Woodland site within 2km of the installation. An assessment of the impacts of ammonia from the site has demonstrated that there will be no significant impact on the nature conservation sites from the farm installation, as detailed below.

Assessment of Site of Special Scientific Interest (SSSI)

White Coppice Flush and Charnock Richard Pasture are designated as SSSIs, located 5km and 3.5km away from the farm respectively. The following trigger thresholds have been applied for the assessment of SSSIs. If the Process

Contribution (PC) is less than 20% of relevant Critical Level (CLe) or Load (CLo), then the farm can be permitted.

Initial screening using Ammonia Screening Tool v4.4 has indicated that emissions from the installation are less than 0.2ug/m³ (i.e. less than 20% of the precautionary 1ug/m³ critical level) and it is therefore possible to conclude no damage on these sites (see table below).

Where the precautionary level of 1µg/m³ 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 1µg/m³ level used has not been confirmed by Natural England, but it is precautionary. It is therefore possible to conclude no damage on the interest features of these sites.

Table 1 – SSSI Assessment

Name of SSSI	Critical Level (µg/m ³)	AST Predicted Ammonia (ug/m3)	PC as % of CLe Ammonia
White Coppice Flush	1	0.042	4.2%
Charnock Richard Pasture	1	0.063	6.3%

Assessment of Local Wildlife Sites (LWS) and Ancient Woodland (AW)

The following trigger thresholds have been applied for the assessment of LWS's. If the PC is less than 100% of relevant CLe or CLo, then the farm can be permitted.

Screening using Ammonia Screening Tool v4.4 has indicated that the PC from the installation on all LWS's and AW is less than 1ug/m³ (i.e. less than 100% of the precautionary 1ug/m³ critical level) and therefore the PC is insignificant. They therefore all screen out of any further assessment (see Table 2 below).

Where the precautionary level of 1µg/m³ is used, and the PC is assessed to be less than 100%, the site automatically screens out as insignificant, and no further assessment of critical load is necessary. It is possible to conclude no significant pollution will occur at these sites and no further assessment is required.

Table 2 – LWS Ammonia Assessment

Name of LWS/AW	Critical Level (µg/m ³)	AST Predicted Ammonia (ug/m3)	PC as % of CLe Ammonia
Lower Rivington Reservoir LWS	1	0.142	14.2
Duxbury Woods LWS	1	0.384	38.4
Abyssinia LWS	1	0.584	58.4
Pond Near Holy Cross High School, Chorley LWS	1	0.080	8.0
Holland Fold Field LWS	3	1.164	38.8
Upper Rivington Reservoir LWS	1	0.226	22.6
Bradley's Farm Fields LWS	1	0.123	12.3

Spring Wood LWS	1	0.971	97.1
Anglezarke Reservoir LWS	1	0.290	29.0
Coppull Hall Wood; Coppull LWS	1	0.065	6.5
Ellerbeek Colliery LWS	1	0.205	20.5
Anglezarke Quarries and Woodlands LWS	1	0.192	19.2
Tennis Court Field LWS	1	0.115	11.5
Coppull Hall Wood LWS	1	0.065	6.5
Spring Wood AW	1	0.609	60.9

Table 3 - Nutrient enrichment

Site	Critical Load N Deposition (kg N/ha/year)	PC Kg N/ha/yr	PC % Critical Load
Holland Fold Field	20	6.048	30.2

Table 4 – Acid enrichment

Site	Critical Load Acid Deposition (keq/ha/year)	PC Kg Keq/ha/yr	PC % Critical Load
Holland Fold Field	4.73	0.432	9.1

* CLe3 applied as no protected lichen or bryophytes species were found when checking protected species easimap layer

** CLo values taken from APIS website for Broadleaved Woodland 02/07/2014

No further assessment of these sites is required.

Biomass boiler

The operator is proposing to install eight 199 kW biomass boilers to the site to provide the poultry sheds with indirect heating (aggregated net thermal rated input of 1.592 MWth).

In line with the Environment Agency's revised H1 risk assessment guidance an assessment has been undertaken to consider the proposed addition of the biomass boilers on intensive farms.

The guidance states that emissions from small biomass boilers burning fuel derived from virgin timber, clean non virgin timber, straw and *Miscanthus* are not likely to pose a significant risk to the environment or human health providing certain criteria are met. For poultry sites a quantitative assessment of air emissions is not required where:

- the fuel will be derived from virgin timber, clean non virgin timber, straw or *Miscanthus*; and
- the biomass boiler appliance and its installation meets the technical criteria to be eligible for the Renewable Heat Incentive; and
- the aggregate boiler net rated thermal input is less than or equal to 4 MWth, and no individual boiler has a net thermal input greater than 1 MWth; and
- the stack height must be a minimum of 5 metres above the ground (where there are buildings within 25 metres the stack height must be greater than 1 metre above the roof level of buildings within 25 metres); and
- there are no sensitive receptors within 50 metres of the emission point(s).

The biomass boilers meet all the requirements above. Therefore no further assessment is required.

Odour

The operator has provided an Odour Management Plan (reference *Appendix 8 Odour Management Plan Hall Oth Hill Farm*) with the application, as there are sensitive receptors within 400m of the installation. The local compliance team have no history of substantiated odour complaints relating to the installation.

Potentially significant sources of odour are: feed selection, storage and delivery; poultry house ventilation; litter conditions; carcass storage and disposal; fluctuations in bird stocking densities; drinking water systems; de-stocking; house clean out; spent litter; dirty water management; carcass storage; and dust build up.

Mitigation techniques on site include, but are not limited to, the following:

- No onsite mixing and milling of feed; feed delivery system is sealed to minimise dust and odour; any spillage is immediately swept up;
- Ventilation systems are regularly adjusted according to requirements of the flock and is designed to efficiently minimise moisture from the house;

- Nipple drinkers minimise water spillage; insulated walls prevent condensation; concrete floors prevent water ingress;
- Carcasses are stored immediately after removal from the house and a DEFRA registered contractor removes them from site or they are destroyed in a purpose-designed incinerator which is approved by Animal Health;
- Spent litter is loaded into trailers at house clean out, and covered as soon as full before being taken off site; no storage of spent litter outside the house at any time; spent litter is transferred by covered trailer.

The Odour Management Plan 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 satisfied that the control and contingency measures on site are sufficient to control odorous emissions from the site. We have therefore accepted the Odour Management Plan for Hall Oth Hill Farm.

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 there is 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 Hillside Farm Poultry Unit (reference: *Appendix - 4 Site Baseline Condition Report*) demonstrates the installation activities have little likelihood of causing pollution (as detailed in original permit decision document). We are satisfied 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.

Industrial Emissions Directive

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).

This permit has been consolidated and amended so that it now implements the requirements of the European Union Directive on Industrial Emissions.

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. Refer to key issues section above for further information regarding the Industrial Emissions Directive (IED).	✓
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.	✓

Aspect considered	Justification / Detail	Criteria met
		Yes
	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).	
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 SSSI's has been saved to EDRM for information only on 20/02/2015.</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"> • Dirty water storage facilities are in place on site; • Nipple drinkers are used to reduce wastage of water and maintain dry litter; • Protein is reduced over the growing cycle by providing different feeds and phosphorus levels in rations are reduced over the production cycle; • Housing is fully insulated and have a damp proof course to reduce condensation and heat loss. Ventilation and heating is controlled by computers depending on the health and welfare needs of the birds; 	✓

Aspect considered	Justification / Detail	Criteria met
		Yes
	<ul style="list-style-type: none"> • Biomass boilers are being installed to provide heating for the houses; • High velocity ventilation fans are installed on site (10m/s). <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 Best Available Techniques (BAT) for the installation.</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>	✓
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	<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.</p>	✓

Aspect considered	Justification / Detail	Criteria met
		Yes
	The operator satisfies the criteria in RGN 5 on Operator Competence.	
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 responses

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

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

- Chorley District Council - Planning department
- Chorley District Council – Environment Health department
- Health and Safety Executive.

This proposal was also publicised on the Environment Agency's website between 12/01/2015 and 10/02/2015, but no representations were received during this period.