

Environment Agency permitting decisions

Variation

We have decided to issue the variation for Humberstone Road operated by Young's Seafood Limited.

The variation number is EPR/BQ1972IR/V003.

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

Change of variation type

This variation application was submitted as a minor technical variation and changed to a substantial variation during the duly making process. The reason for this is that the capacity of the new effluent treatment plant is greater than 50 tonnes per day therefore requires the addition of an activity listed in Schedule 1 of the Environmental Permitting Regulations.

The activity being added to the permit is for the new effluent treatment plant under Section 5.4 A(1)(a)(ii): Disposal of non-hazardous waste with a capacity exceeding 50 tonnes per day involving physico-chemical treatment.

Effluent treatment plant

The effluent treatment plant (ETP) is being installed to treat effluent from the new production line (process lubrication and hygiene effluent). Waste water from the new line will flow to a pit from where it will be pumped through a screen to remove larger solids. Effluent will then flow through a balancing tank, a dissolved air flotation (DAF) plant and existing effluent pits before being discharged to sewer. The change in volume of effluent will enable the site to remain within its existing trade effluent discharge consent limits.

The introductory note has been amended where it describes the previous effluent disposal system incorrectly as an ETP.

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
Receipt of submission		
Confidential information	The operator has not made a claim for commercial or industrial confidentiality.	✓
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.	✓
The facility		
The regulated facility	The extent/nature of the facilities taking place at the site did not require clarification.	✓
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. The site plan has been replaced as part of this variation to correct an error from the previous version of the permit. Emission point A5 should have been within the installation boundary. The revised site plan in Schedule 7 shows the amended installation boundary. No site	✓

Aspect considered	Justification / Detail	Criteria met
		Yes
	condition report was required because it is correcting an error and is an insignificant addition to the size of the installation.	
Site condition report	A site condition report was not required for this variation.	✓
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>We have not formally consulted on the application. The decision was taken in accordance with our guidance.</p> <p>The effluent treatment plant discharges through existing emission point S1 to sewer and limits are set by a trade effluent discharge consent from Anglian Water Services Limited.</p> <p>We are satisfied that there is no additional risk to the nearby heritage, landscape and nature conservation sites.</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>	✓
Operating techniques	<p>We have reviewed the techniques used by the operator and compared these with the relevant guidance notes.</p> <p>The proposed techniques for priorities for control are in line with the benchmark levels contained in the TGN and we consider them to represent appropriate techniques for the facility.</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 permit(s).</p> <p>The operator has agreed that the new conditions are acceptable.</p>	✓
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.	✓

Aspect considered	Justification / Detail	Criteria met
		Yes
	These descriptions are specified in the Operating Techniques table in the permit.	
Emission limits	There are no changes to emission limits.	✓
Monitoring	There are no changes to monitoring.	✓
Reporting	There are no changes to reporting.	✓
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.	✓
Technical competence	Technical competency is not required for the new listed activity. The effluent treatment plant is not classed as a specified waste management activity because it is not the activity which constitutes the primary purpose of operating the installation which is a food and drink installation under Section 6.8A(1)(d)(i).	✓
Relevant convictions	The National Enforcement Database has been checked to ensure that all relevant convictions have been declared. No relevant convictions were found.	✓
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

We consulted the following consultees:

- Health and Safety Executive; and
- North East Lincolnshire Council – Environmental Protection.

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

Response received from
North East Lincolnshire Council – Pollution Control
Brief summary of issues raised
Complaints have been received regarding a cooking fat odour. A visit to the site did not detect offensive odours, but a letter was sent to the operator asking them to ensure all odour control and abatement equipment is operating correctly and is cleaned regularly.
The application suggests the additional process would not impact on current cooking/frying system so no comments to make.
Summary of actions taken or show how this has been covered
No action required.

Response received from
North East Lincolnshire Council – Environmental Protection – Food Health and Port Team
Brief summary of issues raised
The proposed additional production will require some variation to the approval or inspection (under food safety legislation) but this will be taken up with the operator directly. No other comments to make.
Summary of actions taken or show how this has been covered
No action required.

We received no responses to the publication of the application on our website.