

Environment Agency permitting decisions

Variation

We have decided to issue the variation for Aston Hall Farm Poultry Unit operated by Mr Delwyn Jones, Mrs Sheila Jones, Mr Aubrey Jones and Mr Nick Jones.

The variation number is EPR/FP3637ZV/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

- Description of the changes introduced by the variation
- Key issues
- Annex 1 the decision checklist
- Annex 2 the consultation and web publicising responses

Description of the changes introduced by the Variation

This is a Substantial Variation because of the addition of a new listed activity.

This variation authorises:

- an increase in the permitted livestock capacity from 200,000 to 205,000 broiler places and
- to permit the use of Grade A waste wood to be used as fuel in the existing biomass boiler.

Key issues of the decision

Biomass Fuel

The operator previously only used virgin wood as fuel for the biomass boiler and this was included in the permit as a directly associated activity.

The operator has applied to use grade A recycled waste wood. Where virgin and waste wood are mixed the fuel is all considered a waste.

As the activity does not meet the criteria of a U4 waste exemption it will fall under section 5.1 B)a)v) of the Environmental Permitting Regulations 'The incineration in a small waste incineration plant with an aggregated capacity of 50kgs or more per hour of the following waste – wood waste with the exception of waste which may contain halogenated organic compounds or heavy metals as a result of treatment with wood preservatives or coatings'.

The operator has confirmed he will use grade A waste wood from three suppliers only (as detailed in emails received 25/04/16 and 13/05/16 in response to not duly made requests for further information). In addition the specification of the grade A waste wood to be received has been supplied which confirms that only 'clean recycled A Grade wood chip will be supplied, produced in accordance with BSI PAS 111:2012, to the following specification, for use as wood-fuel for combustion in a boiler which does not comply with the Waste Incineration Directive', and details the specification. It also includes details of the EWC Codes as follows:

Origin of feedstock:

03 01 05: Production Woodworking, Sawdust, Off Cuts

15 01 03: Waste Wood Packaging

Delivered material:

19 12 07: Untreated Recycled Fibre

To ensure that only grade A waste wood is accepted the operator will ask for written assurance before purchase that it is Grade A and will only purchase from the pre-approved list of suppliers.

The Environment Agency's area officer has agreed to allow the inclusion of the caveat in the permit table S1.1 'Waste types as specified in table S2.2 from a sources agreed in writing with the Environment Agency' to enable the operator to use alternative grade A waste wood sources as long as they agree them in writing with the area officer first, which will avoid the need for further variations of the permit in this operation.

The area officer has also confirmed that the source, suppliers and procedures proposed by the operator to guarantee that it is grade A waste wood as is required for this application, are acceptable.

The operator will only be permitted to accept the waste types listed above. We are satisfied that the waste wood is from a manufacturing source and that it will not be contaminated.

The operator has confirmed that biomass fuel will be stored within the permitted area in a steel portal framed shed with capacity of 12m x 18m x 6m eaves and it is unlikely there will be over 50 tonnes stored at any one time.

The operator has stated that Defra's guide "Farm Fires – Protecting Farm Animal Welfare" and the Fire Protection Association RICS Authority guide on Fire Risk have been considered with regard to fire risk and control measures, and has detailed measures taken to reduce the risk of fire at the installation.

Ammonia emissions

There is one Special Area of Conservation (SAC) site and one Ramsar site located within 10 kilometres of the installation. There are seven Sites of Special Scientific Interest (SSSI) located within 5 km of the installation. There is also one Ancient Woodland (AW) within 2 km of the installation.

Ammonia assessment – SAC/SPA/Ramsar

The following trigger thresholds have been designated for the assessment of European sites:

- If the process contribution (PC) is below 4% of the relevant critical level (CL_e) or critical load (CL_o) then the farm can be permitted with no further assessment.
- Where this threshold is exceeded an assessment alone and in combination is required.
- An in combination assessment will be completed to establish the combined PC for all existing farms identified within 10 km of the application.

Initial screening using ammonia screening tool version 4.5 has indicated that emissions from Aston Hall Farm Poultry Unit will only have a potential impact on the SAC/SPA/Ramsar sites with a precautionary critical level of 1µg/m³ if they are within 4309 metres (m) of the emission source.

Beyond 4309m the PC is less than 0.04µg/m³ (i.e. less than 4% of the precautionary 1µg/m³ critical level) and therefore beyond this distance the PC is insignificant. In this case all SAC/SPA/Ramsars are beyond this distance (see table below) and therefore screen out of any further assessment.

Where the precautionary level of $1\mu\text{g}/\text{m}^3$ is used, and the process contribution is assessed to be less than 4% the site automatically screens out as insignificant and no further assessment of critical load is necessary. In this case the $1\mu\text{g}/\text{m}^3$ level used has not been confirmed by Natural England, but it is precautionary. It is therefore possible to conclude no likely significant effect

Table 1 – SAC/SPA/Ramsar Assessment

Name of SAC/SPA/Ramsar	Distance from site (m)
The Stiperstones & The Hollies SAC	4685
Midland Meres and Mosses - Phase 1 Ramsar	5724

No further assessment is required.

Ammonia assessment – SSSI

The following trigger thresholds have been applied for assessment of SSSIs:

- If the process contribution (PC) is below 20% of the relevant critical level (CL_e) or critical load (CL_o) then the farm can be permitted with no further assessment.
- Where this threshold is exceeded an assessment alone and in combination is required. An in combination assessment will be completed to establish the combined PC for all existing farms identified within 5 km of the application.

Initial screening using the ammonia screening tool version 4.5 has indicated that emissions from Aston Hall Farm Poultry Unit will only have a potential impact on SSSI sites with a precautionary critical level of $1\mu\text{g}/\text{m}^3$ if they are within 1555m of the emission source.

Beyond 1555m the PC is less than $0.2\mu\text{g}/\text{m}^3$ (i.e. less than 20% of the precautionary $1\mu\text{g}/\text{m}^3$ critical level) and therefore beyond this distance the PC is insignificant. In this case all SSSIs are beyond this distance (see table below) and therefore screen out of any further assessment.

Where the precautionary level of $1\mu\text{g}/\text{m}^3$ 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 this case the $1\mu\text{g}/\text{m}^3$ level used has not been confirmed by Natural England, but it is precautionary. It is therefore possible to conclude no likely damage to these sites.

Table 2 – SSSI Assessment

Name of SSSI	Distance from site (m)
Snailbeach Mine	4526
Betton Dingle & Gulley Green	4489
Hope Valley	3900
Granham's Moor Quarry	4788
Hope Valley Meadows	4890
Minsterley Meadows	3385
The Stiperstones & The Hollies	4685

No further assessment is necessary

Ammonia assessment - AW

The following trigger thresholds have been applied for the assessment of these sites:

- If the process contribution (PC) is below 100% of the relevant critical level (CLe) or critical load (CLo) then the farm can be permitted with no further assessment.

Initial screening using ammonia screening tool version 4.5 has indicated that emissions from Aston Hall Farm Poultry Unit will only have a potential impact on the AW site with a precautionary critical level of $1\mu\text{g}/\text{m}^3$ if they are within 561m of the emission source.

Beyond 561m the PC is less than $1\mu\text{g}/\text{m}^3$ and therefore beyond this distance the PC is insignificant. In this case the AW is beyond this distance (see table below) and therefore screen out of any further assessment.

Table 3 – LWS/AW/LNR Assessment

Name of LWS/AW/LNR	Distance from site (m)
Unnamed woodland	2056

No further assessment is necessary

Annex 1: decision checklist

This document should be read in conjunction with the application, supporting information and permit/notice.

Aspect considered	Justification / Detail	Criteria met
		Yes
Receipt of submission		
Confidential information	A claim for commercial or industrial confidentiality has not been made.	✓
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.	✓
Consultation		
Scope of consultation	<p>The consultation requirements were identified and implemented. The decision was taken in accordance with our Public Participation Statement and our Working Together Agreements.</p> <p>For this application we consulted the following bodies:</p> <ul style="list-style-type: none">• Health and Safety Executive (HSE)• Shropshire Council Environmental Health <p>We have not consulted with Public Health England or the Director of Public Health because there are no sensitive receptors within 100m of the installation boundary.</p>	✓
Responses to consultation and web publicising	<p>The web publicising and consultation responses (Annex 2) were taken into account in the decision.</p> <p>The decision was taken in accordance with our guidance.</p>	✓
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	<p>The operator has provided a plan which we consider is satisfactory, showing the extent of the site of the facility.</p> <p>Plans are included in the permit and the operator is required to carry on the permitted activities within the site boundary.</p>	✓

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>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 site.</p> <p>Please refer to Key Issues section Ammonia Assessment for further information.</p> <p>We have not formally consulted on the application. The decision was taken in accordance with our guidance.</p> <p>An Appendix 11 has been sent to Natural England for information only (dated 28/06/16) and saved on the Environment Agency's Electronic Document and Records Management system (EDRM).</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 operating techniques include the following:</p> <ul style="list-style-type: none"> • the biomass boiler fuel is derived from virgin timber and/or grade A waste wood • the waste wood is from a manufacturing source, it will not be contaminated and it will be produced in accordance with BSI PAS 111:2012 <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</p>	✓

Aspect considered	Justification / Detail	Criteria met
		Yes
	techniques for the facility. The permit conditions ensure compliance with relevant BREFs and BAT Conclusions.	
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.</p> <p>The operator has agreed that the new conditions are acceptable.</p>	✓
Use of conditions other than those from the template	Based on the information in the application, we consider that we do not need to impose conditions other than those in our permit template, which was developed in consultation with industry having regard to the relevant legislation.	✓
Waste types	We have specified the permitted waste types, descriptions and quantities, which can be accepted at the regulated facility.	✓
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>	✓
Emission limits	No emission limits have been added, amended or deleted as a result of this variation.	✓
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 our guidance on what a competent operator is.	✓

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 Health and Safety Executive (HSE) and Shropshire Council Environmental Health were consulted, however no consultation responses were received.

The application was also advertised on the www.gov.uk website, with a deadline of 29/06/16 for comments, but none were received.