

# **Environment Agency permitting decisions**

## **Variation**

We have decided to issue the variation for Hollywood Poultry Unit operated by L. M. Fountain.

The variation number is EPR/SP3139UA/V003.

This was applied for and determined as a substantial variation.

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.

This variation authorises the use of Grade A waste wood in the existing four biomass boilers with an aggregated thermal input not exceeding 0.85 MWth. The operator has also submitted an amended site plan showing the correct layout of the poultry houses. The incinerator is also removed from tables S1.1 and S3.1 as mortalities are collected by a licensed renderer.

## Key issues of the decision

### Biomass boilers

The variation is authorising the use of Grade A waste wood as well as virgin biomass fuel.

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 for poultry sites 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 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).

This is in line with the Environment Agency's document "Air Quality and Modelling Unit C1127a Biomass firing boilers for intensive poultry rearing", an assessment has been undertaken to consider the proposed addition of the biomass boilers.

In this case, the biomass boilers do not screen out based on these criteria as the fuel will include Grade A waste wood.

Further more detailed criteria have been developed by the Environment Agency to determine whether the emissions from the biomass boilers require quantitative assessment where the biomass boilers do not meet the criteria above. Detailed assessment is not required where:

- 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 point(s);
    - no National Nature Reserves, Local Nature Reserves, ancient woodlands or local wildlife sites within 100 metres of the emission point(s), 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 point(s).

This is 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.

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

## 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
<b>Receipt of submission</b>		
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.	✓
<b>Consultation</b>		
Scope of consultation	The consultation requirements were identified and implemented. The decision was taken in accordance with our Public Participation Statement and our Working Together Agreements. For this application we consulted the following bodies: <ul style="list-style-type: none"><li>• Public Health England</li><li>• Health and Safety Executive</li><li>• Derbyshire Dales District Council Environmental Health Department</li><li>• Derbyshire Dales District Council Director of Public Health</li></ul>	✓
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.	✓
<b>European Directives</b>		
Applicable directives	All applicable European directives have been considered in the determination of the application.	✓
<b>The site</b>		
Biodiversity, Heritage, Landscape and Nature Conservation	The application is not within the relevant distance criteria of a site of heritage, landscape or nature conservation, and/or protected species or habitat .	✓

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.</p> <p>See the key issues for details.</p>	✓
Operating techniques	<p>We have reviewed the techniques used by the operator and compared these with the relevant guidance notes. The operating techniques are as follows:</p> <ul style="list-style-type: none"> <li>• the fuel is derived from virgin timber or grade A waste wood or a mixture of the two,</li> <li>• the biomass boiler appliance and its installation meets the technical criteria to be eligible for the Renewable Heat Incentive; and</li> <li>• the stacks are 1m or more higher than the apex of the adjacent buildings.</li> </ul> <p>The proposed techniques for priorities for control are in line with the benchmark levels contained in the Sector Guidance Note EPR6.09 and we consider them to represent appropriate techniques for the facility. The permit conditions ensure compliance with relevant BREFs.</p>	✓
<b>The permit conditions</b>		
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>	✓
Raw materials	<p>We have specified limits and controls on the use of raw materials and fuels.</p>	✓
Waste types	<p>We have specified the permitted waste types, descriptions and quantities, which can be accepted at the regulated facility.</p>	✓

Aspect considered	Justification / Detail	Criteria met
		Yes
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>	✓
<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 our guidance on what a competent operator is.</p>	✓

## Annex 2: External Consultation and web publicising

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

<i>Response received from</i>
Health and Safety Executive
<i>Brief summary of issues raised</i>
No comments
<i>Summary of actions taken or show how this has been covered</i>
No action required

<i>Response received from</i>
Public Health England
<i>Brief summary of issues raised</i>
No comments
<i>Summary of actions taken or show how this has been covered</i>
No action required

<i>Response received from</i>
Derbyshire Dales District Council – Pollution Control
<i>Brief summary of issues raised</i>
No comments
<i>Summary of actions taken or show how this has been covered</i>
No action required

We also consulted Derbyshire Dales District Council Director of Public Health but did not receive any comments.

This proposal was also publicised on our website between 09/09/16 and 07/10/16 and no representations were received.