

Environment Agency permitting decisions

Bespoke permit

We have decided to grant the permit for 2 Sisters Food Group (Site D) operated by 2 Sisters Food Group Limited.

The permit number is EPR/JP3433WU.

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

The Installation

The installation is located at Dial Lane, West Bromwich and is approximately centred on National Grid Reference SO 98810 92800. The site covers an area of 1.65 hectares.

The installation is subject to the Environmental Permitting Regulations (EPR) as it carries out an activity listed in Part 1 of Schedule 1 of the EPR:

Section 6.8 Part A(1) (d)(i) Treatment and processing materials intended for the production of food products from animal raw materials (other than milk) at a plant with a finished product production capacity of more than 75 tonnes per day

And includes the following directly associated activities (DAA):

Boilers for the production of heat and power.

Storage and handling of waste.

Storage and handling of chemicals.

Chicken is delivered to the site in refrigerated vans and then processed via a number of production lines. On site processing comprises the following:

- chicken filleting (ten filleting lines);
- chicken thigh deboning;
- unglazed chicken wings/drumsticks (fresh and frozen); and
- glazed chicken wing/drumsticks (fresh and frozen)

Ancillary operations on site include two hot water boilers (total net thermal input 0.8 MWth) fired on natural gas, four point source condensing boilers (total net thermal input 0.28 MWth) fired on natural gas and ammonia refrigeration plant with cooling towers.

The main point sources emissions to air from the site are combustion products from the hot water boilers and condensing boilers all of which are fired on natural gas.

There are no discharges to surface water from the site. All process wastewater is discharged to foul sewer under the terms of a trade effluent consent issued by Severn Trent Water.

2 Sisters Food Group Limited have implemented an environmental management system (EMS) in line with the requirements of ISO 14001:2004. The EMS is subject to third party audits to ensure continued compliance to the standards requirements.

Emissions to Air

The site operates two 0.4 MWth hot water boilers fired on natural gas and four 0.07 MWth point source condensing boilers fired on natural gas. The combined thermal input capacity for the six combustion units is 1.08 MWth. The main pollutants from the operation of these boilers are; oxides of nitrogen (NO_x) and carbon monoxide (CO).

The Operator has undertaken a H1 Risk Assessment screen that quantified the cumulative impact of air emissions for the site to determine whether impact from these pollutants can be screened out as having no likely significant effect.

The Operator assessed the installations potential emissions to air against relevant air quality standards. In accordance with Environment Agency guidance 'Air emissions risk assessment for your environmental permit', the NO_x and CO emissions are considered insignificant as the long term impact is < 1% of the long term Environmental Quality Standard/Environmental Assessment Level (EQS/EAL) and the short term impacts are < 10% of the relevant short term EQS/EAL. See table below for H1 screening results.

Table 1 – Long term process contributions (PC)

Pollutant	EQS/EAL µg/m ³	PC µg/m ³	PC as % of EQS/EAL	> 1% of the EQS/EAL
NO ₂	40	0.05	0.13	No
CO	-	-	-	-

Table 1 – Short term process contributions

Pollutant	EQS/EAL µg/m ³	PC µg/m ³	PC as % of EQS/EAL	> 1% of the EQS/EAL
NO ₂	200	0.7	0.3	No
CO	10 000	0.04	0.0004	No

All emissions screen out as being considered insignificant.

There are no concerns of sulphur dioxide (SO₂) from natural gas fired boilers as only trace quantities of sulphur are present in UK natural gas. Furthermore, dust emissions from natural gas fired boilers are not a concern as natural gas is an ash free fuel and high efficiency combustion in the boiler does not generate particulate matter.

The Combustion Sector Guidance Note (SGN) EPR 1.01 identifies the benchmarks for boilers of < 100 MWth, however, these are not generally applied to small boilers such as these. Considering this and the results from the H1 air screening that showed no significant adverse effect on the environment from the operation of all the combustion units at the installation, the Environment Agency has determined not to set emission limit values (ELVs) for emissions from the boilers (emission point A1). This decision is in line with the approach taken at similar installations elsewhere in the UK.

No assessment was required on sites of heritage, landscape, nature conservation and/or protected species or habitat due to the size of the combustion plant. The combined thermal input of 1.08MWth is below the 5 MWth threshold and therefore the relevant distance criteria of zero metres was applied for a European site in accordance with AQTAG014 “Guidance on identifying ‘*relevance*’ for assessment under the Habitats regulations for installations with combustion processes”. This installation is therefore not considered ‘*relevant*’ for assessment under the Agency’s guidance. There are no other emissions from the installation, thus no detailed assessment of the effect of the releases from the installation on SACs, SPAs and Ramsar sites is required. An Appendix 11 Form for recording likely significant effect (Stage 2) was completed which concluded no significant effect was likely to occur. This was sent to Natural England for information.

The same criteria can be applied to SSSI’s and other designated sites therefore no further assessment is required.

Emissions to Sewer

The site’s wastewater is discharged to public foul sewer as either a domestic sewerage or as a trade effluent. Process effluent is discharged under the terms of a trade effluent consent issued by Severn Trent Water (consent reference 006196V, dated May 2005).

Catchment pots are fitted to the process drain inside the factory. The effluent is treated by three Condor Filtaflo units to remove fats, oil and grease prior to discharge to sewer at emission point (S1).

All clean surface water drainage is separated from the process effluent and discharges via interceptors to the foul sewer.

Odour

The site has submitted an Odour Management Plan (OMP) as part of the permit application (document reference: Odour Management Plan (OMP) 2Sis-EPR-Part B3-Section 3b-i, dated 12 January 2016). The OMP identifies the risks of odour problems (normal and abnormal operations), controls in place, monitoring regimes and measures in place to be used in the event of an odour being detected.

The following areas of the site are highlighted as being potentially odorous and control measures for each source:

Source of odour	Control measures
Receipt of raw materials	Raw materials arrive refrigerated and are directly taken into the enclosed building. Area is cleaned regularly.
Waste handling	Designated waste handling areas onsite. All food waste is segregated and stored in separate sealed containers. General waste is stored in a sealed compactor.

	All receptacles are regularly emptied. Dedicated waste area operatives are responsible for overseeing waste handling across the site.
Ammonia plant	An Ammonia Emergency Procedure has been developed in case of an ammonia leak. The ammonia plant rooms are effectively sealed from production areas. There are gas-monitoring units in the plant room fitted with audible alarms and flashing lights. A gas monitor controls all of these automatically. These are tested and logged monthly, a copy of the log is kept. In the event that a leak or fault is detected by the detection system the plant is designed to automatically shut down. All leaks are repaired immediately and replaced with no parts if required.

The site has a non conformance procedure in place for handling any complaints received. The health and safety environment manager will investigate any non conformances, identify the root cause and the need for corrective and preventative action. A summary of the environmental corrective and preventive action reports shall be reviewed annually.

We are satisfied that the OMP is sufficient to minimise the potential for odour emissions from the facility so that there will be no odour nuisance beyond the installation boundary. The Operator is required to operate in accordance with the OMP, at all times, to prevent pollution arising from odours and implement all mitigation measures in line with the plan.

We have reviewed and approved the OMP and consider it complied with the requirement of our H4 Odour Management guidance note. We agree with the scope and suitability of the key measures but 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.

The Operator confirmed in the application that no odour complaints have been received to date.

Noise

The processing operations are fully enclosed within the main building. The processes at the installation are not considered to represent a risk of noise or vibration.

The site has developed a non conformance procedure to establish and maintain a system for handling any environmental complaints (see odour section above).

We are satisfied the site poses a low risk of exposure to the local community, as per the risk assessment included in the application. Once permitted, if the site receives substantiated noise complaints Condition 3.4 will require the

operator to produce and implement a comprehensive noise management plan.

The Operator confirmed in the application that no noise complaints have been received to date.

Site Condition Report

A site condition report (SCR) submitted as part of the application stated that there are no records of pollution incidents at the site since it was commissioned. A non intrusive investigation confirmed there are no visual evidence of pollution incidents.

There are no anticipated emissions to ground, surface water or ground water. All surface water and process effluent discharges to public foul sewer. There are catchment pots fitted to the process drains and three Condor Filtaflo units to remove fats, oil and grease prior to discharge to sewer.

The majority of the site, excluding areas occupied by buildings, is either laid concrete or tarmacadam. The hard standing will prevent the downwards migration of any substance.

All tanks and containers with the potential to cause pollution are bunded and stored on hardstandings. Spill kits are strategically placed around the site and will be utilised in the event of a spillage onsite, in accordance with the site spill response procedures. Spill kits are checked regularly to ensure that they are correctly stocked. All relevant operatives have received spill response training.

Taking these points into consideration and the low likelihood that land pollution will occur during the future operation of the site it is not considered that intrusive sampling is necessary for a baseline to be established.

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.	✓
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 including discharge points. 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. We consider this description is satisfactory. The decision was taken in accordance with our guidance on site	✓

Aspect considered	Justification / Detail	Criteria met
		Yes
	<p>condition reports and baseline reporting under IED–guidance and templates (H5).</p> <p>See key issues ‘Site Condition Report’ section for further information.</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>A full assessment of the application and its potential to affect the sites/species/habitats has been carried out as part of the permitting process. We consider that the application will not affect the features of the sites/species/habitat.</p> <p>An Appendix 11 for recording likely significant effect was completed and sent to Natural England for information.</p> <p>The application screens out from requiring further assessment in accordance with AQTAG014.</p> <p>As a result of this risk assessment, the Environment Agency can conclude that there is No Likely Significant Effect and no consultation is necessary.</p> <p>See key issues ‘Emissions to Air’ section for further information.</p> <p>We have not formally consulted on the application. The decision was taken in accordance with our guidance.</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>	✓

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 – How to comply with your environmental permit and additional guidance for the food and drink sector (EPR 6.10).</p> <p>Key operational techniques proposed by the Operator include:</p> <ul style="list-style-type: none"> • Use of high efficiency natural gas fired boilers; • Interceptors prior to discharge of surface water; • Catchment pots fitted within production areas; • The site operates a zero waste to landfill policy; • The site has a Climate Change Agreement; • Emergency preparedness procedures and equipment in place; • Hoses are fitted with trigger nozzles and high pressure, low volume; • Routine preventative maintenance and monitoring checks; and • An environment accident preventative procedure has been developed as part of the site EMS. This includes fire, ammonia emergency and chemical spills procedures. <p>The proposed techniques/ emission levels for priorities for control are in line with the benchmark levels contained in the Technical Guidance Notes (TGN) and we consider them to represent appropriate techniques for the facility. The permit conditions ensure compliance with relevant BREFs and Best Available Techniques (BAT) Conclusions, of the installation concerned.</p>	✓
The permit conditions		
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	We have decided that emission limits should not be set for the parameters listed in the permit.	✓

Aspect considered	Justification / Detail	Criteria met
		Yes
	See key issues 'Emissions to Air' section above for further information.	
Reporting	<p>We have specified reporting in the permit.</p> <p>Annual reporting is required for annual production, energy usage and water.</p> <p>We made these decisions in accordance with Sector Guidance Note (SGN) EPR 6.10 for the Food and Drink sector.</p>	✓
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.	✓
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> <p>The operator satisfies the criteria in RGN 5 on Operator Competence.</p>	✓
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.

Response received from
Health and Safety Executive (HSE) on 18/03/2016
Brief summary of issues raised
No comments on the proposals.
Summary of actions taken or show how this has been covered
N/A

Response received from
Director of Public Health on 22/03/2016
Brief summary of issues raised
No comments on the proposals.
Summary of actions taken or show how this has been covered
N/A

Response received from
Public Health England on 04/04/2016
Brief summary of issues raised
No specific concerns about the impact of the process on human health.
Summary of actions taken or show how this has been covered
N/A

The following consultees were contacted however no responses were received:

- Planning Department
- Environmental Health Department

The proposal was also publicised on the Environment Agency's website between 09/03/2016 and 08/04/2016, but no representations were received during this period.