

Permitting decisions

Bespoke permit

We have decided to grant the permit for Telford Meat and Poultry Processing Plant operated by Faccenda Foods Limited.

The permit number is EPR/FP3934RK.

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 provides a record of the decision making process. It summarises the decision making process in the decision checklist to show how all relevant factors have been taken in to account. This decision document provides a record of the decision making process. It:

- highlights [key issues](#) in the determination
- summarises the decision making process in the [decision checklist](#) to show how all relevant factors have been taken into account
- shows how we have considered the [consultation responses](#).

Unless the decision document specifies otherwise we have accepted the applicant's proposals. Read the permitting decisions in conjunction with the environmental permit. The introductory note summarises what the permit covers.

Key issues of the decision

Telford Meat and Poultry Processing Plant has been operational since 1998 running three processing lines. The site is now being brought under Environmental Permitting Regulation as it will be operating at a production capacity of more than 75 tonnes per day. A major expansion and refurbishment allowed light meat (poultry) operations previously carried out at Dudley to be incorporated in the new expanded site at Telford. The scheduled activity undertaken at the site is:

- section 6.8 Part A (d) (i) for treating and processing materials intended for the production of food products from animal raw materials (other than milk).

Directly associated activities include a 1.7MWth gas fired direct thermal exchange water heater, refrigeration systems, waste and raw material storage, gas holding tanks and consented discharge to sewer. The site does not operate an effluent treatment plant so all site processing water is discharged directly to sewer from two site discharge points (S1 and S2) via 2-stage or 3-stage interceptors to trap solids.

The category 3 waste generated is removed from site daily and the category 2 waste is stored internally and removed from site twice a week to manage potential odour emissions and complaints. Noise from the site has caused previous complaints so several reduction and management techniques have been employed on site to reduce this.

Decision checklist

Aspect considered	Decision
Receipt of application	
Confidential information	A claim for commercial or industrial confidentiality has not been made.
Identifying confidential information	We have not identified any information provided as part of the application that we consider to be confidential.
Consultation	
Consultation	<p>The consultation requirements were identified in accordance with the Environmental Permitting Regulations and our public participation statement. The application was publicised on the GOV.UK website. We consulted the following organisations:</p> <ul style="list-style-type: none"> ➤ Local Authority: Planning Department and Environmental Health ➤ Food Standards Agency ➤ Health and Safety Executive ➤ Severn Trent Water Limited ➤ Public Health England ➤ Director of Public Health. <p>The comments and our responses are summarised in the consultation section.</p>
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 our guidance on legal operator for environmental permits.
The facility	
The regulated facility	<p>We considered the extent and nature of the facility at the site in accordance with RGN2 'Understanding the meaning of regulated facility', Appendix 2 of RGN 2 'Defining the scope of the installation', Appendix 1 of RGN 2 'Interpretation of Schedule 1', guidance on waste recovery plans and permits.</p> <p>The extent of the facility is defined in the site plan and in the permit. The activities are defined in table S1.1 of the permit.</p>
The site	
Extent of the site of the facility	The operator has provided plans which we consider are satisfactory, showing the extent of the site of the facility. Two plans are included in the permit.
Site condition report	The operator has provided a description of the condition of the site, which we consider is satisfactory. The decision was taken in accordance with our guidance on site condition reports (SCR).

Aspect considered	Decision
	<p>The SCR for the Telford Site (dated November 2016) demonstrates that there are no significant hazards or likely pathways to land or groundwater and no historic contamination sources on site that may present a significant risk.</p> <p>Therefore, on the basis of the assessment presented in the SCR the Environment Agency accepts that no baseline reference data needs to be provided for the site soil and groundwater conditions as part of application EPR/FP3934RK/A001.</p>
Biodiversity, heritage, landscape and nature conservation	<p>The application is within the relevant distance criteria of nature conservation. We have assessed the application and its potential to affect all known sites of nature conservation identified in the nature conservation screening report as part of the permitting process.</p> <p>We consider that the application will not affect any sites of nature conservation identified. In accordance with our guidance as there is a statutory site within 10km of the installation we are required to complete an Appendix 11 Habitats Directive Assessment. The Appendix 11 was completed for auditing purposes on 31 March 2017 and is recorded for information only on the public register. It discusses why we consider that the application will not affect the site of nature conservation identified.</p>
Environmental risk assessment	
Environmental risk	<p>We have reviewed the operator's assessment of the environmental risk from the facility. The operator's risk assessment is satisfactory. The assessment shows that, applying the conservative criteria in our guidance on environmental risk assessment all emissions may be categorised as environmentally insignificant with the exception of short term emissions of nitrogen oxides from the installation boiler with regards to human health. However, as the boiler is not a scheduled activity in its own right and the predicted environmental contribution is less than half of the environmental quality standard, no detailed modelling was requested to be undertaken.</p>
Operating techniques	
General operating techniques	<p>We have reviewed the techniques used by the operator and compared these with the relevant guidance notes in line with the Food and Drink Sector Guidance Note (SGN) EPR6.10. We consider them to represent appropriate techniques for the facility and reflect the BAT for the sector. The operating techniques that the applicant must use are specified in table S1.2 in the environmental permit.</p>
Odour management	<p>We have reviewed the odour management plan in accordance with our guidance on odour management. We consider that the odour management plan is satisfactory.</p>
Noise management	<p>We have reviewed the noise management plan in accordance with our guidance on noise assessment and control. We consider that the noise management plan is satisfactory.</p>
Permit conditions	
Emission limits	<p>We have decided that emission limits are not required in the permit. The company is working with Severn Trent Water to identify potential improvements to the BOD levels in the Western discharge and investigating specific BOD testing to</p>

Aspect considered	Decision
	be able to derive more accurate BOD:COD conversion factors.
Reporting	We have specified reporting in the permit to ensure the efficient use of water and energy in the production process and the minimisation of category 2 and category 3 waste generation by the site. We made these decisions in accordance with Food and Drink SGN EPR6.10.
Operator competence	
Management system	There is no known reason to consider that the operator will not have the management system to enable it to comply with the permit conditions. The decision was taken in accordance with the guidance on operator competence and how to develop a management system for environmental permits.
Relevant convictions	The Case Management System and National Enforcement Database have been checked to ensure that all relevant convictions have been declared. No relevant convictions were found. The operator satisfies the criteria in our guidance on operator competence.
Financial competence	There is no known reason to consider that the operator will not be financially able to comply with the permit conditions.
Growth Duty	
Section 108 Deregulation Act 2015 – Growth duty	<p>We have considered our duty to have regard to the desirability of promoting economic growth set out in section 108(1) of the Deregulation Act 2015 and the guidance issued under section 110 of that Act in deciding whether to grant this permit. Paragraph 1.3 of the guidance says:</p> <p>“The primary role of regulators, in delivering regulation, is to achieve the regulatory outcomes for which they are responsible. For a number of regulators, these regulatory outcomes include an explicit reference to development or growth. The growth duty establishes economic growth as a factor that all specified regulators should have regard to, alongside the delivery of the protections set out in the relevant legislation.”</p> <p>We have addressed the legislative requirements and environmental standards to be set for this operation in the body of the decision document above. The guidance is clear at paragraph 1.5 that the growth duty does not legitimise non-compliance and its purpose is not to achieve or pursue economic growth at the expense of necessary protections.</p> <p>We consider the requirements and standards we have set in this permit are reasonable and necessary to avoid a risk of an unacceptable level of pollution. This also promotes growth amongst legitimate operators because the standards applied to the operator are consistent across businesses in this sector and have been set to achieve the required legislative standards.</p>

Consultation

The following summarises the responses to consultation with other organisations, our notice on GOV.UK for the public and the way in which we have considered these in the determination process.

Responses from organisations listed in the consultation section

Response received from Public Health England (PHE) dated 20 March 2017.
Brief summary of issues raised
PHE had no significant concerns regarding risk to health of the local population from this proposed activity, providing that the applicant takes all appropriate measures to prevent or control pollution in accordance with the relevant sector technical guidance or industry best practice. Any additional information obtained in relation to these comments should be sent to PHE for consideration. Such information could affect the comments made in their initial response.
Summary of actions taken or show how this has been covered
Conditions are within the permit to ensure the correct operation of the installation under Environmental Permitting Regulation. The Applicant has also confirmed they will operate the installation in accordance with the BAT specific for the Food and Drink Sector.

Response received from Severn Trent Water dated 03 March 2017.
Brief summary of issues raised
With reference to the environmental permit application EPR/FP3934RK/A001, we have no objection for this application. The application activities do not seem to have direct impacts on STW groundwater abstraction site based on the following reasons: 1 - The effluent will be discharged into the sewer system 2 - The site is located outside groundwater SPZ 3 - There is a relatively long distance from STW BPS (>3.5km) 4 - The geology onsite suggests the presence of Glacial Till superficial deposits that would protect the Sherwood Sandstone aquifer. It is important to note that spilling from the onsite deasil tank would be our main concern. Therefore, it is recommended to ensure the bund is effective to prevent any hydrocarbon spill into the ground. Also a proper safe procedure has to be followed to mitigate any potential spill.
Summary of actions taken or show how this has been covered
The diesel tanks are bunded and spill kits are available for minor spills should they occur. The Applicant has confirmed that the site will be operated in accordance with BAT and best practice. Any inadequacy in the tanks' bunding will require improving using conditions within the environmental permit.