Permitting decisions

Variation

We have decided to grant the permit for Ryedale Poultry Farm operated by Annyalla Chicks (UK) Broilers Limited.

The permit number is EPR/EP3736JQ/V002.

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:

- 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

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

1) New Intensive Rearing of Poultry or Pigs Best Available Techniques (BAT) Conclusions document

The new BAT Reference Document (BReF) for the Intensive Rearing of Poultry or Pigs was published on the 21 February 2017. There is now a separate BAT Conclusions document which sets out the standards that permitted farms have to meet. Now that the BAT Conclusions are published, all installation farming permits issued after the 21 February 2017 must be compliant or where there is non-compliance identified then put in place an improvement programme to meet the BAT Conclusions. 'New plant' is defined as plant first permitted at the site of the farm following the publication of the BAT conclusions. 'Existing plant' is defined in the BREF as any plant that is not a 'new plant'. As no 'new plant' has been added as part of this permit variation no BAT assessment is required.

There are some new requirements for permit holders. The conclusions include BAT Associated Emission Levels (BAT-AELs) for ammonia which apply to the majority of permits as well as BAT-AELs for nitrogen and phosphorous excretion. A BAT-AEL provides us with a performance benchmark to determine whether an activity is BAT. For some types of rearing practices stricter standards apply to farms and housing permitted after the new BAT Conclusions are published.

There are 33 BAT conclusion measures in total within the BAT Conclusions document dated 21 February 2017. The new BAT Conclusions include a set of BAT-AELs for ammonia emissions to air from animal housing for broilers and therefore an ammonia emission limit value has been included within the permit. Some of the ammonia BAT-AELs allow a higher value for existing plant.

BAT Measure	Applicant Compliance Measure
BAT 3 – nutritional management for nitrogen excretion.	BAT-AEL for broilers 0.2 to 0.6kgN/animal place/yr.
BAT 4 - nutritional management for phosphorous excretion.	BAT-AEL for broilers 0.05 to 0.25kgP/animal place/yr.
BAT 24 – monitoring of emissions and process parameters for total nitrogen and phosphorous excreted.	Table S3.3: Process monitoring. This table requires the Applicant to undertake relevant monitoring that complies with these BAT Conclusions.
BAT 25 - monitoring of emissions and process parameters for ammonia emissions.	
BAT 27 - monitoring of emissions and process parameters for dust emissions.	
BAT 32 – ammonia emissions from poultry houses for broilers with a final weight upto 2.5kg.	BAT-AEL for broilers is 0.01 to 0.08kgNH_3/ animal place/yr.

The requirements are given in Table S3.3 - process monitoring requirements – and the Applicant is required to undertake relevant monitoring that complies with these BAT conclusions. The changes have been incorporated within the permit template for application EPR/EP3736JQ/V002, the main alterations to the permit are as follows but are not limited to:

- Sections 1.1, 1.2, 1.3, 1.4, 2.1, 2.3, 3.2 and 4.2
- Schedules 3 and 4.

2) Grade A Wood Burning

The Applicant has applied to use Grade A recycled waste wood from shredded pallet manufacture as fuel for one site biomass boiler with a net rated thermal input of 1.1MW. The biomass boiler is to be fed by grade A wood only but may utilise virgin biomass if the stock of grade A wood runs out. "Grade A waste wood" means visibly 'clean' recycled waste wood mainly originating from packaging waste, pallets, packing cases and process off-cuts from the manufacture of untreated wood products as defined in BSI PAS 111: 2012. The total capacity of the installation biomass boiler using Grade A wood is 167kg/hour.

The 1.1MWth boiler comes under the Medium Combustion Plant Directive (MCPD). The planned annual operation is 8,760 hours and, with maintenance and cleaning requirements, is expected to be 8,456 hours. At 6 tonnes of grade A waste wood per batch (36 hours burn time and 1,250tpa), 208 batches are require to combust 1,250 tonnes of grade A waste wood. This equates to a burn time of 7,488hours p.a. The remaining 968 burn hours will utilise virgin biomass equating to 25 batches and 900 hours operating time to combust 150 tonnes of virgin biomass.

As the activity does not meet the criteria of a U4 waste exemption and has a capacity of >50kg/hr it will fall under section 5.1B(a)(v) of the Environmental Permitting Regulations 'The incineration in a small waste incineration plant with an aggregated capacity of 50kg 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'.

A site specific description of waste source and acceptance/rejection procedures have been reviewed and accepted as satisfactory to ensure that only grade A waste wood will be accepted. The Applicant will only be permitted to accept this waste type. Table S2.2 of the permit includes relevant waste wood and descriptions. We are satisfied that the waste wood is from a manufacturing source and that it will not be contaminated.

3) Acceptance Procedures for Grade A Wood Waste

Procedures for the acceptance and processing of biomass fuel feedstock materials are handled and inspected by the adjoining Ryedale Organics site from which the fuels are then transferred to Ryedale Poultry Farm. Details of the processes undertaken have been provided within the application supporting documentation and referenced in Table S1.2 in the permit.

Pallet wood is received via the Ryedale Organics waste facility site entrance under contract from a local pallet yard which is then processed by Ryedale Organics by shredding. Also, clean and untreated Roundwood is received directly in a chipped form (G50 spec) from a local arboriculture and forestry contractor. The processed pallet wood (or the G50 Roundwood) is then transferred to Ryedale Poultry Farm for use in the poultry shed boiler (PSB).

Ryedale Organics shall provide a written specification of the feedstock materials and documented procedures covering collection, transportation and delivery. Contractual agreements shall specify criteria for acceptance or rejection of loads delivered for processing. Personnel shall ensure that the site has capacity to store and treat any incoming materials and will not exceed permitted limits/waste types.

If material comes from a supplier with whom Annyalla Chicks (UK) Broilers Limited has no previous trading experience a representative of Annyalla Chicks (UK) Broilers Limited may, where practical, visit the supplier in advance to check that the material is of the correct form. Before delivery of materials, the suppliers shall confirm the following in advance to Annyalla Chicks (UK) Broilers Limited:

- form and estimated mass of material
- form of container in which it is to be transported
- existence of valid waste carrier's registration.

If it is necessary to refuse a particular load due to meeting the rejection criteria a standard rejection procedure will be implemented comprising:

- vehicle will be parked in a hard-standing holding or quarantine area in the waste reception area for closer inspection
- loads rejected following deposit will be isolated and subsequent actions will depend upon the reason for rejection. The supplier shall be informed and given the chance to inspect the load within 24 hours of notification, prior to final disposal
- any non-conforming pallet material shall be kept to one side and returned to the supplier if it has not been chipped.

Decision checklist

Aspect considered	Decision
Receipt of application	
Confidential information	A claim for commercial or industrial confidentiality has not been made. The decision was taken in accordance with our guidance on confidentiality.
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 confidentiality.
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 as well as the adjacent (and permitted separately) composting site. A plan is included in the permit.
Biodiversity, heritage, landscape and nature conservation	The application is within the relevant distance criteria of nature conservation and protected species or habitats. In accordance with the Environment Agency's Air Quality Technical Advisory Guidance 14: "for combustion plants under 5MW, no habitats assessment is required due to the size of combustion plant". Therefore this proposal is considered acceptable and no further assessment is required.
Environmental risk assessment	
Environmental risk	We have reviewed the operator's assessment of the environmental risk from the facility. The operator's risk assessment is satisfactory.

Aspect considered	Decision
Operating techniques	
General operating techniques	We have reviewed the techniques used by the operator and compared these with the relevant guidance notes and we consider them to represent appropriate techniques for the facility. The operating techniques that the applicant must use are specified in table S1.2 in the environmental permit. 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.
Permit conditions	
Raw materials	We have specified limits and controls on the use of raw materials and fuels. We have specified that only biomass chips or pellets comprising grade A waste wood or virgin biomass are acceptable.
Waste types	We have specified the permitted waste types, descriptions and quantities, which can be accepted at the regulated facility. We are satisfied that the operator can accept these wastes for the following reasons: • they are suitable for the proposed activities • the proposed infrastructure is appropriate • the environmental risk assessment is acceptable. We made these decisions with respect to waste types in accordance with and as defined in BSI PAS 111:2012. A site specific description of waste source and procedure have been reviewed and accepted as satisfactory to ensure that only grade A waste wood will be accepted. The Applicant will only be permitted to accept this waste type. Table S2.2 of the permit includes relevant waste wood and descriptions. We are satisfied that the waste wood is from a manufacturing source and that it will not be contaminated.
Emission limits	BAT-AELs based on the recently published BAT Conclusions have been set in the permit for the substances ammonia, nitrogen and phosphorous.
Monitoring	With the publication of the IRPP BAT Conclusion Document, we have included monitoring for the parameters listed in the permit, using the methods detailed and to the frequencies specified. These monitoring requirements have been added in order to comply with the IRPP BAT Conclusion Document and are not related to any perceived issues with the operation of the installation.
Reporting	With the publication of the IRPP BAT Conclusion Document, we have specified reporting in the permit. These reporting requirements have been added in order to comply with the IRPP BAT Conclusion Document and are not related to any perceived issues with the operation of the installation
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.

Aspect considered	Decision
Growth Duty	
Section 108 Deregulation Act 2015 – Growth duty	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 vary this permit. Paragraph 1.3 of the guidance says: "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." 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. 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.

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 09 August 2018.
Brief summary of issues raised
1) The Environment Agency should consider the inclusion of monitoring of oxides of nitrogen within annual manual extractive testing, if this is specified in sector guidance. 2) There are two installations that are closely related: Annyalla Chicks (UK) Broilers Limited and Ryedale Organics. As the installations are closely linked, the following recommendations are made to the Environment Agency with regards to this permit variation: ➢ procedures for the acceptance and processing of biomass fuel materials are handled by the adjoining Ryedale Organics site and that the permit conditions in both installations' permits adequately address acceptance and processing ➢ ensure that the Ryedale Poultry Farm and Ryedale Organics Best Available Techniques (BAT) Assessments and management systems differentiate clearly between the actions of Ryedale Poultry Farm and Ryedale Organics ➢ ensure that the respective Accident Management Plans and/or Fire Prevention Plans address site activities as both processes are inter-related and adjacent to one another. The total amount of combustible biomass on the farm is unclear.
Summary of actions taken or show how this has been covered
1) Table S3.1 in the permit requires oxides of nitrogen (expressed as nitrogen dioxide) from the PSB to be monitored (hourly averaged) and Tables S4.1 and S4.3 require the monitoring data to be reported to the Environment Agency annually. 2) the operator has confirmed that the procedures for the acceptance and processing of biomass fuel materials are handled by the adjoining Ryedale Organics site. Permit conditions 1.1.1, 1.1.2, 1.1.3, 1.4.1, 2.3.1, 2.3.6, 2.3.7 and 2.3.8, and Sections 3.5, 4.1 and 4.2 all cover these concerns. Also, a handover note has been prepared for the Area Officer highlighting these concerns to ensure they are reviewed and checked during site visits, inspections and audits for both of the installations. The total amount of virgin biomass stored on the Ryedale Poultry Farm site is a maximum of 80 tonnes (600m^3) at any one time in a dedicated building. No chipped pallet grade A wood waste is stored at the Poultry Site – currently a Fire Prevention Plan is only required for installations where combustible solid wastes are stored.

Response received from: East Riding of Yorkshire Environmental Health dated 27 July 2018.
Brief summary of issues raised
The documents and application were reviewed and no comments were made on the application.
Summary of actions taken or show how this has been covered
N/A.

The Local Authority Planning Department, Fire Service and the Health and Safety Executive were consulted on this application. However, consultation responses were not received.

The application was advertised externally on the GOV.UK website between 24 July and 21 August 2018 to invite any responses and comments from the general public. No responses were received.