

## Permitting Decisions - Bespoke Permit

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We have decided to grant the permit for Pilgrim's Pride, Redruth operated by Pilgrim's Pride Ltd.

The permit number is EPR/UP3904BM.

The application is for a meat (pork) processing plant including curing, smoking and slicing under Section 6.8 A(1)(d)(i) and an effluent treatment plant which consists of a DAF Plant under section 5.4 A(1)(a)(ii).

There are a number of directly associated activities on the site which support the obligated activity, including:

- Storage of raw materials;
- Steam raising and hot water boilers;
- Storage of waste prior to disposal off-site;
- Treatment of effluent prior to discharge to sewer; and
- Two ammonia refrigeration systems and three associated cooling towers.

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 considerations](#) section to show how the main relevant factors have been taken into account
- highlights [key issues](#) in the determination
- 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.

# Key issues of the decision

## Air Quality Impact Assessment

The application site is located on the Wilson Way Industrial Estate, Poole, Redruth. The nearest residential properties are immediately to the north of the site.

There are six boilers at the site, each with their own stack. These are summarised as follows:

- A1 - New Hall Boiler 1 - Ideal CX 310;
- A2 - New Hall Boiler 2 - Ideal CX 310;
- A3 - Curing Boiler Mk 3;
- A4 - Lochinvar Boiler;
- A5 - Old Hall Boiler 1 - Ideal CX 310; and,
- A6 - Old Hall Boiler 2 - Ideal CX 310.

Air dispersion modelling software ADMS-5 was used to carry out the air quality assessment. Meteorological data observed at Camborne was used between 2014 and 2018. The site is approximately 4.5 km east of the plant and we consider this meteorological site to be representative of the dispersion site.

The site is located in Kerrier AQMA (Air Quality Management Area) - an area encompassing the Camborne, Redruth and Pool regeneration area. The pollutant of concern in this AQMA is Nitrogen dioxide (NO<sub>2</sub>). The Cornwall Council website for this AQMA states that, "The biggest source of nitrogen dioxide is the exhaust gases from cars and lorries".

The background pollutant concentration predicted by Defra for this area is 8.01µg/m<sup>3</sup>. However the monitoring of NO<sub>2</sub> carried out by Cornwall Council for 2018 was 32.25µg/m<sup>3</sup>. The operator selected the monitoring data for use as background and we agree with this selection. The monitoring data indicates that NO<sub>2</sub> concentrations are reducing year on year at this monitoring location, however, the higher figure of 32.25µg/m<sup>3</sup> has been used as the background concentration when running the model. We agree that this selection is a conservative approach.

Air quality objectives (AQOs)/ Environmental Standard (ES) for human health for NO<sub>2</sub> are:

Concentration (µg/m <sup>3</sup> )	Averaging period
40	Annual mean
200	Short-term (1-hour mean, not to be exceeded on more than 18 occasions per annum)

#### Human Receptor Locations:

- Locations on Agar Road;
- Locations on Druid's Road;
- Locations in Boscarn Park; and
- Treloweth School.

Short-term - The highest modelled NO<sub>2</sub> concentrations predicted no short-term AQO exceedances. The predicted process contribution (PC) was less than 10% of the Environmental Standard at the human receptor locations. We agree that the short-term predicted effects are considered to be insignificant.

Long-term - The highest modelled NO<sub>2</sub> concentrations predicted no long-term AQO exceedances. Modelled process emissions concentrations (PECs) were all below the AQO.

The site has been operational since 2015 and we therefore agree with the report that the site emissions are already included in the 2018 background measured concentration of 32.25µg/m<sup>3</sup>.

Given that the modelled concentrations have been added to the background concentrations which also included emissions from the plant we agree with the Air Quality Assessment that the predicted effects on annual mean NO<sub>2</sub> concentrations are not considered to be significant.

#### Critical levels for the protection of vegetation for NO<sub>2</sub> are:

Concentration (µg/m <sup>3</sup> )	Averaging period
30	Annual mean
75	Short-term (24 hour mean)

#### Ecological receptor locations

- Bristol Channel Approaches / Dynesfeydd Mor Hafren Special Area of Conservation (SAC);
- Godrevy Head to St Agnes SAC;
- West Cornwall Bryophytes Site of Special Scientific Interest (SSSI);
- Red River Valley Local Nature Reserve (LNR);
- Roskear Local Wildlife Site (LWS);
- Carn Brea LWS; and,
- Penventon Moor LWS.

We agree that the modelled impacts in terms of annual mean nitrogen concentrations, nitrogen deposition and acid deposition, collectively referred to as Environmental Quality Standards (EQSs) can be considered insignificant in that the PC is <1% of the long-term nitrogen oxides critical level, the PC is <10% of the short-term nitrogen oxides critical level and the PC is <1% for the critical loads for nitrogen deposition and acid deposition.

## **Conclusion**

Based on the report, modelling provided and the results from our audit, the proposed plant is not likely to cause an exceedance of environmental standards for the protection of human health nor affect the conservation of habitats sites listed in the report.

## **Emissions from the Smokers**

BAT 5 of the Best Available Techniques (BAT) Reference Document for the Food, Drink and Milk Industries requires emissions to air from smokers to be monitored on an annual basis. Table S3.1 of the permit covers this requirement.

BAT 29 of the Best Available Techniques (BAT) Reference Document for the Food, Drink and Milk Industries requires Associated Emission Levels (AELs) in a permit where the TVOC loading is greater than 500g/h. The TVOC loading from the smokers used in Redruth is currently unknown. An improvement condition (3a and b) has been included requiring the TVOC loading to be monitored and AELs are included in Table S3.1 in case the loading is found to be >500g/h.

## **Assessment of Bunding Arrangements**

The 9,000 litre sludge tank associated with the effluent treatment plant is located in a raised kerb area of the site. An assessment of the tank, bund arrangements, safety measures and an assessment in the case of catastrophic failure has not been carried out as part of the application. An Improvement condition (IC1a and b) has been included for this information, including a requirement to carry out any improvement work.

## **Decision considerations**

### **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.

## **Consultation**

The consultation requirements were identified in accordance with the Environmental Permitting (England and Wales) Regulations (2016) and our public participation statement.

The application was publicised on the GOV.UK website.

We consulted the following organisations:

Food Standards Agency  
Local Authority – Environmental Health  
Public Health England  
South West Water

A response was received from Public Health England. The comments and our response is summarised in the [consultation responses](#) section.

## **Operator**

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 regulated facility**

We considered the extent and nature of the facility at the site in accordance with Appendix 1 of RGN 2 'Interpretation of Schedule 1'.

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.

## **The site**

The operator has provided plans which we consider to be satisfactory.

These show the extent of the site of the facility.

The Site Layout and Emission Point location Plan is 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.

## **Nature conservation, landscape, heritage and protected species and habitat designations**

We have checked the location of the application to assess if it is within the screening distances we consider relevant for impacts on nature conservation, landscape, heritage and protected species and habitat designations. The application is within our screening distances for these designations.

We have assessed the application and its potential to affect sites of nature conservation, landscape, heritage and protected species and habitat designations identified in the nature conservation screening report as part of the permitting process.

A Habitats Risk Assessment was carried out in relation to the Bristol Channel Approaches / Dynesfeydd Mor Hafren, possible special area of conservation (PSAC) and Godrevey Head to St Agnes, Special Area of Conservation (SAC) and this determined that no likely significant effect from the site is expected.

An assessment of risk from the site in relation to the West Cornwall Bryophytes Site of Special Scientific Interest (SSSI) was carried out. Disturbance, habitat loss and physical damage from the installation are of concern including activities such as:

Cultivation, grazing, mowing or other methods of cutting vegetation, application of any form of fertilisers or pesticides or other materials, burning  
Release into the site of any animal, plant or seed or micro-organism (including genetically modified organisms).

Destruction, displacement, removal or cutting of any plant the introduction of tree and/or woodland management including planting.

Drainage modifications including alterations to water levels

Infilling, removal or digging of the land or roads

Storage of materials.

Erection of any structure, or the undertaking of engineering works, including drilling and modification of natural or man-made features

Use of vehicles, recreational activities.

\* 'animal' includes any mammal, reptile, amphibian, bird, fish or invertebrate (including honey bees).

No source of disturbance, loss of habitat or physical damage has been identified as part of this site. There is no pathway linking the sites and the site boundary is approximately 1.6 km away from the nearest point of the West Cornwall Bryophytes site requiring assessment. The proposed permission is not likely to damage any of the flora, fauna or geological or physiological features which are of special interest at West Cornwall Bryophytes SSSI.

We consider that the application will not affect any site of nature conservation, landscape and heritage, and/or protected species or habitats identified.

We have not consulted Natural England.

The decision was taken in accordance with our guidance.

## **Environmental risk**

We have reviewed the operator's assessment of the environmental risk from the facility.

The operator's risk assessment is satisfactory.

## **Climate change adaptation**

We have assessed the climate change adaptation risk assessment.

We consider the climate change adaptation risk assessment is satisfactory.

We have decided to include a condition in the permit requiring the operator to review and update their climate change risk assessment over the life of the permit.

## **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.

## **Odour management**

We have reviewed the odour management plan in accordance with our guidance on odour management.

We consider that the odour management plan is satisfactory and we approve this plan.

We have approved the odour management plan as we consider it to be appropriate measures based on information available to us at the current time. The applicant should not take our approval of this plan to mean that the measures in the plan are considered to cover every circumstance throughout the life of the permit.

The applicant should keep the plans under constant review and revise them annually or if necessary sooner if there have been complaints arising from operations on site or if circumstances change. This is in accordance with our guidance 'Control and monitor emissions for your environmental permit'.

The plan has been incorporated into the operating techniques S1.2.

## **Improvement programme**

Based on the information on the application, we consider that we need to include an improvement programme.

We have included an improvement programme to ensure that:

1a and b – bunding arrangements are to the required standard (see Key Issues section)

2a and b – an assessment of measures in place and those that are required to reduce the risk of pollution caused by firewater, including a requirement to complete any improvements required in the assessment. The applicant signed up to carrying out this work in response to question 10 of the Schedule 5 Notice dated 11/02/2021.

3 – monitoring of the TVOC loading from the smokers to determine whether AELs are required in the permit (see Key Issues section).

## **Emission Limits**

Emission Limit Values (ELVs) based on Best Available Techniques (BAT) have been added for the following substances: TVOC emissions to air. See Key Issues section for details.

## **Monitoring**

We have decided that monitoring should be carried out for the parameters listed in the permit, using the methods detailed and to the frequencies specified.

These monitoring requirements have been included in order to comply with the Best Available Techniques (BAT) Reference Document for the Food, Drink and Milk Industries, specifically BAT 5.

We made these decisions in accordance with Best Available Techniques (BAT) Reference Document for the Food, Drink and Milk Industries.

## **Reporting**

We have specified reporting in the permit.

We made these decisions in accordance with relevant technical guidance.



## **Management System**

We are not aware of any 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.

## **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**

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:

“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 Responses**

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

No responses were received from the local community via gov.uk

## **Responses from organisations listed in the consultation section:**

Response received from Public Health England

Brief summary of issues raised:

There is insufficient information contained within the permit application to be able to fully assess the impact of the installation on public health. There is no clear justification for the selection of pollutants considered in the H1 assessment of emissions to air, or for only considering emissions from the boilers and not other point sources. We recommend that the regulator is satisfied that no other pollutants or emission points should be considered by the applicant.

Summary of actions taken: Air emission points have been confirmed by the applicant and these include emission points for six boilers and five smokers. Air dispersion modelling has been submitted in relation to the boilers (see Key Issues of the Decision section of this document) and annual monitoring of emissions from the smokers has been required in line with BATc 5 of the Best Available Techniques (BAT) Reference Document for the Food, Drink and Milk Industries, with limits placed on TVOC should the loading from the smokers exceed 500g/h.