

Permitting Decisions- Variation

We have decided to grant the variation for Yetminster Red Meat Processing operated by Anglo Beef Processors UK.

The variation number is EPR/HP3530CL/V002.

The variation is to permit the operation of a centralised refrigeration plant and two 1.25MWth gas oil boilers to replace 2 existing oil-fired boilers and three existing LPG boilers. The refrigeration system will operate on propane and glycol refrigerants while the boiler will run on gas oil and will operate for a maximum 3650 hours a year.

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 considerations section to show how the main 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 and the variation notice.

Key issues of the decision

BAT assessment

This is a permit variation application to add two new 1.25MWth MCP gas oil boilers and a centralised refrigeration plant to the installation that is subject to Best Available Techniques (BAT) Reference documents (BRef) and BAT Conclusions for the Food, Drink and Milk Industries.

We have reviewed the BAT assessment and are satisfied that it has taken into account all relevant BAT Conclusions for the manufacture of food and drinks, and that the assessment has been carried out in accordance with our guidance. The applicant provided a BAT assessment with the application which is detailed in document - Environmental Permit Variation Application referenced: Best Available Technology Assessment for the ABP Yetminster refrigeration system received 24/02/2022. We are satisfied that the applicant's proposal meets BAT.

Air Quality

This permit variation application adds two new gas oil boilers as a Directly Associated Activity to an IED installation that is subject to MCP requirements, in line with the Environment Agency's guidance <https://www.gov.uk/guidance/medium-combustion-plant-apply-for-an-environmental-permit#apply-for-a-bespoke-permit>).

We require applicants to submit an air impact screening assessment as part of their application to assess the predicted impacts of air emission on human receptors (for example dwellings, workplaces, and parks) and ecological sites, as appropriate. Results of the H1 risk assessment undertaken by the applicant showed that the short and long-term impact of the emissions screened out as insignificant at stage 1 screening exercise. Hence, there was no need to either progress to stage 2 of the H1 risk assessment or complete a complex air dispersion modelling exercise.

We have reviewed the assessments and are satisfied that it has taken into account all relevant human health receptors, that the model and its inputs are appropriate, and that the assessment has been carried out in accordance with our guidance.

We agree with the applicant's conclusions that the short term and long-term impact of the emissions screened out as insignificant.

This variation application also adds a refrigeration plant to the installation. There is no emission to air from the refrigeration system as such no emission impacts have been undertaken by the applicant.

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.

The regulated facility

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 RGN2 'Defining the scope of the installation', 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 a plan which we consider to be satisfactory.

These show the extent of the site of the facility including the discharge points.

The plans show the location of the part of the installation to which this permit applies on that site.

The plan is included in the permit.

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.

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.

Risk Assessment

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

The operator's risk assessment is satisfactory.

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.

Operating techniques for combustion plant

We have specified the operating techniques and the operator must use the operating techniques specified in table S1.2 of the permit.

Operating techniques for emissions that screen out as insignificant

Emissions of Sulphur dioxide, Nitrogen dioxide and Particulates (PM₁₀) have been screened out as insignificant, and so we agree that the applicant's proposed techniques are Best Available Techniques (BAT) for the installation.

We consider that the emission limits included in the installation permit reflect the BAT for the sector.

Emission limits

Emission Limit Values (ELVs) equivalent parameters or technical measures based on Best Available Techniques (BAT) have been added for the following substances:

- Oxides of Nitrogen (NO and NO₂ expressed as NO₂)

Monitoring

We have decided that monitoring should be added for the following parameters, using the methods detailed and to the frequencies specified:

- Oxides of Nitrogen (NO and NO₂ expressed as NO₂)
- Carbon monoxide

These monitoring requirements have been included in order to demonstrate compliance with the emission limits specified in the permit. The operator will carry out monitoring in accordance with the relevant MCERTS methods.

We made these decisions in accordance with MCP Medium Combustion Plant guidance: <https://www.gov.uk/guidance/medium-combustion-plant-and-specified-generator-permits-how-to-comply>

Based on the information in the application we are satisfied that the operator's techniques, personnel and equipment have either MCERTS certification or MCERTS accreditation as appropriate.

Reporting

We have added reporting in the permit for the following parameters:

- Oxides of Nitrogen (NO and NO₂ expressed as NO₂)
- Carbon monoxide

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.

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 variation.

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.