

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/V003.

The original permit was issued on 24/04/2006.

The variation is for the reduction of stack heights of the two existing kerosene boilers from 30m to 5m. The boilers, each with a net rated input of 1.25MWth, are run on gas oil and operate for a maximum of 5760 hours a year each.

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

Air Quality Assessment

The operator has provided detailed air dispersion modelling undertaken by AWN Consulting Ltd. The report is titled 'Determination of air emissions to atmosphere from the ABP Foodgroup facility in Yetminster, Dorset, 20 February 2023'. The atmospheric dispersion modelling study was undertaken using the United States Environmental Protection Agency's regulated model AERMOD (version 22112).

We have assessed the air quality modelling report, as a result of our checks, we agree with the consultant's numerical value of process contributions. On their comparison with the relevant Environmental Standards, it is found that the impact of the contributions from the site is not significant to human health and insignificant to ecological receptors. The contributions from the site will not exceed the relevant critical levels and loads.

The overall conclusion is that the environmental risk is low from the reduction of stack heights of the two kerosene boilers from 30m to 5m. Therefore, there should be no exceedances of the relevant Environmental Standards.

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.

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.

With regards to the emissions of combustion gases from the boilers, this installation is not considered 'relevant' for assessment under the Environment Agency's procedures which cover the Conservation of Habitats and Species Regulations 2017 (Habitats Regulations) and the Wildlife and Countryside Act 1981 (as amended by the Countryside and Rights of Way Act (CRoW) 2000). This was determined by referring to the Environment Agency's guidance 'AQTAG014: Guidance on identifying 'relevance' for assessment under the Habitats Regulations for installations with combustion processes'. For combustion plants with a combined rated thermal input between 2 - 5 MWth and gas oil fired, Special Areas of Conservation (SACs), Special Protection Areas (SPAs), Ramsar sites and Sites of Special Scientific Interest (SSSIs) screen out if not within 1000m of the installation. In addition, combustion plants with a combined rated thermal input between 1 – 5 MWth and gas oil fired, Local Nature Reserves, Local Wildlife Sites and Ancient Woodlands screen out if not within 100m of the installation.

The screening report shows that all nature conservation sites are beyond the distances specified above and therefore no further assessment is required for these sites.

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.

Operating techniques

The operating techniques that the applicant must use are specified in table S1.2 in the environmental 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.

Boiler annual operating hours have been increased from 3650 to 5760 for each boiler as a result of this variation. The revised boiler operating hours reflect additional operating time outside of production hours for activities such as washdown. We are satisfied that the change in the operating hours will not affect discrete sensitive receptors as the detailed modelling screened out for impact based on both boilers operating 24 hours 7 days a week.

Operating techniques for emissions that screen out as insignificant

Emissions of nitrogen oxides (NO_x) 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.

National Air Pollution Control Programme

We have considered the National Air Pollution Control Programme as required by the National Emissions Ceilings Regulations 2018. By setting emission limit values in line with technical guidance we are minimising emissions to air. This will aid the delivery of national air quality targets. We do not consider that we need to include any additional conditions in this permit.

Updating permit conditions during consolidation

We have updated permit conditions to those in the current generic permit template as part of permit consolidation. The conditions will provide the same level of protection as those in the previous permit.

In addition, improvement conditions within Table S1.3 of the permit have been marked as complete as these controls have become obsolete or superseded due to changes in the monitoring requirements and site operations.

Emission limits

Emissions limit of $300\text{m}^3/\text{day}$ for the trade effluent to sewer has been removed as a result of this variation. Removal of the limit will prevent double regulation of the process water emission to the sewer as this is currently regulated through the operator's Trade Effluent Consent.

Emission point to land (L1, site plan at schedule 5 of the original permit issued 24/04/2006) has been removed from the permit as it has been superseded by changes in site management. Surface water runoff from the car park currently drains to the surface water monitoring point (SWMP) via an emergency interceptor that has been installed at the northeast end of the car park to ensure that any spills are contained. Monitoring of surface water runoff shall continue to be included in the permit as part of emissions monitoring.

Monitoring

Monitoring has been removed for emission point (S1) in line with the sectors approach. Unless there is a site specific requirement the monitoring of emissions to sewer are to be removed to prevent double regulation, as this is currently regulated through the operator's Trade Effluent Consent.

Reporting

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

Emissions to air from the reduced stacks of the two existing kerosene boilers (A8 and A9) are to be reported 4 months from date of issue of the permit and every 3 years thereafter.

We made these decisions in accordance with the Medium Combustion Plant Directive.

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.