

Permitting Decisions- Variation

We have decided to grant the variation for ABP Kingswinford operated by Anglo Beef Processors UK.

The variation is for the following changes on site:

- The removal of boilers associated with point source emissions to air A3, A4, A5, A6, A7 and A8 while installing a 450kW hot water boiler which will now be associated with point source emission to air A3
- The inclusion of a pre-treatment (physico-chemical – 5.4 activity) to the on-site wastewater prior to discharge to sewer and relabelling point source emissions to sewer from E1 and E2 to S1 (trade effluent consent number: 009330V) and S2 (trade effluent consent number: 009331V). The (pre) treatment will comprise of screening, dissolved air flotation (DAF), sludge dewatering and flow control tank.

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

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.

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.

Consultation

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

We consulted the following organisations:

- Local Authority – Environmental Protection Department
- Health and Safety Executive
- Sewerage Authority

The consultees did not respond with any concerns or comments

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'

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 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.

Emissions to air

- Fens Pools – Special Areas of Conservation (SAC)

- Ketley Claypit – Sites of Special Scientific Interest (SSSI)
- Barrow Hill and Tansey Green – SSSI
- South Staffordshire Railway Walk – Local Nature Reserves (LNR)
- Baggeridge Country Park – LNR & LWS
- Cotwall End – LNR
- Barrow Hill, Dudley – LNR
- Oak Lane Quarry – Local Wildlife Sites (LWS)
- Oak Farm – LWS
- Holbeache Lane – LWS
- Holbeache Brook Valley – LWS
- Land off Charterfield Drive – LWS
- Kingswinford Railway Walk – LWS
- Round Hill, Holbeche Lane - LWS
- King George VI Park – LWS
- Himley Hall – LWS
- St. Mary's Churchyard, Kingswinford – LWS
- Prosper Meadow - LWS
- Stallings Lane - LWS
- Conference Wood and Gornal Sewage Works - LWS
- Tansey Green Road - LWS
- Moss Grove - LWS
- Brick Kiln Lane - LWS
- Wallowswood Pastures - LWS
- Ketley Quarry - LWS
- Land off Chase Road - LWS
- Smithy Lane - LWS
- Greenfields Road Pond - LWS
- Himley Fields (land at), Hinksford Farm - LWS
- Barrow Hill and Cooper's Bank - LWS
- Cotwall End South - LWS
- Heathbrook Farm Railway - LWS
- Gornal Wood Cemetery - LWS
- Chase Road Pond - LWS
- Land off Standhills Road - LWS
- Woody Park, Wodehouse - LWS
- Ellowes Road, Cotwall End - LWS
- Baggeridge Wood – Ancient Woodland

Emissions to sewer (via Roundhill Wastewater Treatment Works (Severn Trent Water))

- Stourvale Marsh – SSSI
- Puxton Marshes – SSSI
- Penhole Coppice and the Bogs, Kinver – LWS

- Staffordshire and Worcestershire Canal – LWS
- River Stour – LWS
- Protected Habitat
 - Coastal and Floodplain Grazing Marsh
 - Fens
- Protected Species
 - European Eel migratory route *Anguilla anguilla* migratory route

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.

Emissions to air

In order to ascertain whether any damage will occur to the sites of nature conservation, landscape, heritage and protected species and habitat designations identified in the nature conservation screening report from emissions to air, the applicant has calculated their process contributions (PC), which represent the pollutants likely to be present at the sites of nature conservation, landscape, heritage and protected species and habitat designations as a result of the proposed permission alone. They have compared the PC against the environmental standards (ES) detailed in our 'Air emissions risk assessment for your environmental permit' guidance. These environmental standards represent the concentrations of individual pollutants above which damage may occur to the features of the sites of nature conservation, landscape, heritage and protected species and habitat designations.

Process contributions (PC) screened out as insignificant if:

- The long-term process contribution is less than 1% of the relevant ES; and
- The short-term process contribution is less than 10% of the relevant ES.

The long term 1% process contribution insignificance threshold is based on the judgements that:

- It is unlikely that an emission at this level will make a significant contribution to air quality;
- The threshold provides a substantial safety margin to protect health and the environment.

The short term 10% process contribution insignificance threshold is based on the judgements that:

- Spatial and temporal conditions mean that short term process contributions are transient and limited in comparison with long term process contributions.
- The threshold provides a substantial safety margin to protect health and the environment.

In line with the process above all relevant emissions to air are insignificant, meaning that the emissions associated with this permission are not likely to damage the features of the SSSI.

Emissions to water

The activities associated with this application, includes a permanent discharge of effluent from the onsite effluent treatment plant to sewer (Roundhill Waste Water Treatment Works (WwTWs)), at a volume/rate of no more than 5 l/s and 350 m³/d. The discharge occurs via emission to sewer point S1. The proposed discharge will have no discharge limits listed in the permit.

Water Framework Directive (WfD) and Common Standards Monitoring Guidance (CSMG) targets as well as statutory EQS have been derived via long term research to be protective of all aquatic (plants and animals) organisms. If the proposed discharge does not have the potential to, (i) cause a significant deterioration of the existing background water quality as monitored and classified within the WFD framework or (ii) threaten long term WFD quality targets or (iii) cause a breach of any other CSMG or statutory EQS within the boundaries of the sites of nature conservation, landscape, heritage and protected species and habitat designations identified in the nature conservation screening report from emissions to water (or on the migratory routes of designated fish species), we can be very confident that there will be no damage on the designated species and habitats. As the proposed permission does not pose a risk of breaching any of these environmental standards we can conclude the discharge from site is not likely to damage any of the sites of nature conservation, landscape, heritage and protected species and habitat designation features.

We have not consulted Natural England

The decision was taken in accordance with our guidance.

Environmental risk

The operator has submitted risk assessments for proposed emissions to air and fresh surface waters via sewer (WwTWs) included all potential pollutants that may be released from the site to air and water, these pollutants have been taken through the relevant screening tests for emissions to air and emissions to fresh surface waters and screen out as insignificant.

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.

We have completed a BAT assessment audit (document reference: BAT assessment audit) against the requirements of the relevant sections of the Waste Treatment BAT conclusions and Slaughterhouses, Animal By-products and/or Edible Co-products Industries BRef document.

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

Operating techniques for emissions that screen out as insignificant

Emissions to air

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

See above section 'Nature conservation, landscape, heritage and protected species and habitat designations' for more details.

Emissions to sewer

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

Parameter (red - in TEC)	Max/Mean concentration?	Value	Unit	PNEC	STRF remaining fraction
Receiving water flow rate	Q95	0.694	m ³ /s	n/a	
Effluent flow rate	Mean	0.004	m ³ /s	n/a	
	Max	0.005	m ³ /s	n/a	

Chloride	Max	10000	µg/l	n/a	
	Mean	10000	µg/l	n/a	
Iron (total)	Max	3830	µg/l	n/a	
	Mean	3830	µg/l	n/a	
Sulphate	Max	1000	µg/l	n/a	
	Mean	1000	µg/l	n/a	
EDTA	Max	4000	µg/l	n/a	
	Mean	400	µg/l	n/a	
Nickel (total)	Max	34	µg/l	n/a	
	Mean	4	µg/l	n/a	
Alcohol Ethoxylates, sulphate, sodium salts (CAS: 68891-38-3)	Max	0.5	µg/l	240 ug/l	0.3
	Mean	0.5	µg/l		
Alcohols C12 – 16 (CAS 68855-56-1)	Max	0.1	µg/l	65 ug/l	0.185
	Mean	0.1	µg/l		
Diethylene glycol n-butyl ether (2-(2-BUTOXYETHOXY)ETHANOL) (CAS: 112-34-5)	Max	6	µg/l	1100 ug/l	0.9814
	Mean	6	µg/l		
Citric acid	no ecotoxic properties				
Gluconic Acid (CAS: 526-95-4)	Max	3	µg/l	100 ug/l	0.9815
	Mean	3	µg/l		
DICHLOROISOCYANURIC ACID SALTS (CAS: 2893-78-9)	Max	2.7	µg/l	0.17 ug/l	1
	Mean	2.7	µg/l		
N-(3-aminopropyl)-N-dodecylpropane-1,3-diamine (CAS # - 2372-82-9)	Max	2	µg/l	1 ug/l	0.4609
	Mean	2	µg/l		
Sodium hydroxide	no ecotoxic properties				
SODIUM ALKYL ETHER SULPHATE (CAS 68891-38-3 – alcohols, C12-14, ethoxylated, sulphates, sodium salts)	Max	0.05	µg/l	240 ug/l	1
	Mean	0.05	µg/l		
2-(2-BUTOXYETHOXY)ETHANOL (CAS 112-34-5)	Max	0.05	µg/l	1100 ug/l	0.9814
	Mean	0.05	µg/l		
ETHYLENEDIAMINETETRAACETIC ACID TETRASODIUM SALT (CAS 64-02-8)	Max	0.05	µg/l	28300 ug/l	1
	Mean	0.05	µg/l		
ALKYL DIMETHYL AMINE OXIDE (CAS 308062-28-4)	Max	0.01	µg/l	34 ug/l	1
	Mean	0.01	µg/l		

However, as the concentrations used in the screening tests were assumed, we have included an improvement condition into the permit which requires the

operator to validate these assumptions with monitoring data or documented actual operational chemical usage.

See above section 'Nature conservation, landscape, heritage and protected species and habitat designations' for more details.

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'.

Raw materials

We have specified limits and controls on the use of raw materials as follows and specified in Table S1.2 of the permit,

Ferric Chloride – Less than or equal to 1% Nickel Dichloride content

Bootwash – Less than or equal to 5% EDTA content

Improvement programme

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

We have included improvement condition IC4 into the permit to ensure that the assumed concentrations used in the screening tests are validated with monitoring data.

Table S1.3 Improvement programme requirements		
Reference	Requirement	Date
IC4	<p>The operator shall submit a written report to the Environment Agency for technical assessment and written approval.</p> <p>The report must contain:</p> <ul style="list-style-type: none"> • The results from 12 months of sampling and monitoring of effluent discharges from the outfall of emission point S1 in the site plan as shown in Schedule 7 of this permit at a frequency of a minimum of one sample a month. • Evidence that the sampling and monitoring has been undertaken in line with the Environment Agency guidance: https://www.gov.uk/guidance/surface-water-pollution-risk-assessment-for-your-environmental-permit and to standards outlined in Table S3.2. • An updated H1 assessment and/or modelling results which take into consideration relevant environmental standards as specified in Environment Agency guidance 'Surface water pollution risk assessment for your environmental permit - GOV.UK (www.gov.uk)'. • A comparison of the conclusions of the updated H1 assessment and/or modelling results against the conclusions of the H1 assessment submitted in permit variation application EPR/CP3049QY/V002 • Where the results of the updated H1 assessment and/or modelling show that significant/adverse impact is likely from the emissions of any of the parameters, the operator shall cease further discharge of the site effluent to sewer and shall provide proposals and timescales on how to manage the effluent to ensure discharges have insignificant impact on receiving waters. <p>The operator shall implement the proposals in the report in line with the timescales as agreed in writing with the Environment Agency.</p>	12 months from the date of completion of commissioning of the wastewater pre-treatment plant

We have marked improvement condition IC3 as complete and removed the following complete improvement conditions from the permit:

Table S1.3 Improvement programme requirements		
Reference	Requirement	Date
IC1	The operator shall submit a completed odour management plan (OMP) to the Environment Agency for review. This OMP shall include final versions of all relevant procedures and policies being developed as part of the Environment Management System. The OMP provided shall be agreed in writing by the Environment Agency	Complete
IC2	The operator shall submit a written accident management plan (AMP) to the Environment Agency for review. This AMP shall include final versions of all relevant procedures and policies being developed as part of the Environment Management System. The AMP provided shall be agreed in writing by the Environment Agency.	Complete
IC3	The Operator shall provide a copy of the trade effluent consent from Severn Trent Water for the discharge of process effluent from Building B (Suffolk House).	Complete

Emission limits

No emission limits have been added, amended or deleted as a result of this variation.

All pollutants expected in the effluent have been screened out as insignificant in the emissions to water screening tests at assumed concentrations. An improvement condition has been included into the permit that requires confirmation of these assumptions.

See 'Improvement Programme' section above.

Monitoring

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

Table S3.2 Point source emissions to sewer, effluent treatment plant or other transfers off-site– emission limits and monitoring requirements						
Emission point ref. & location	Source	Parameter	Limit (incl. Unit)	Reference period	Monitoring frequency	Monitoring standard or method
S1 (Point S1 on site plan in Schedule 7; emission to Severn Trent Water Sewage Treatment Works) Discharge Consent No: 009330V	Process effluent discharge from the production factory and ancillary production activities via Effluent Treatment Plant	Iron (total)	No limit set	24-hour flow-proportional composite samples	Weekly	BS EN ISO 11885 or otherwise agreed in writing with the Environment Agency
		Sulphate	No limit set			BS EN ISO 10304-1 or otherwise agreed in writing with the Environment Agency
		EDTA	No limit set			BS EN ISO 16588 or otherwise agreed in writing with the Environment Agency
		Nickel (total)	No limit set			BS EN ISO 11885 or otherwise agreed in writing with the Environment Agency
		Alcohol Ethoxylates, sulphate, sodium salts (CAS: 68891-38-3)	No limit set	-	Monthly	Calculated from chemical use and effluent flow

		Alcohols C12 – 16 (CAS 68855-56-1)	No limit set			
		Diethylene glycol n-butyl ether (2-(2-BUTOXYETHOXY) ETHANOL) (CAS: 112-34-5)	No limit set			
		Gluconic Acid (CAS: 526-95-4)	No limit set			
		DICHLOROISOCY ANURIC ACID SALTS (CAS: 2893-78-9)	No limit set			
		N-(3-aminopropyl)-N-dodecylpropane-1,3-diamine (CAS: 2372-82-9)	No limit set			
		SODIUM ALKYL ETHER SULPHATE (CAS 68891-38-3 – alcohols, C12-14, ethoxylated, sulphates, sodium salts)	No limit set			
		2-(2-BUTOXYETHOXY) ETHANOL (CAS 112-34-5)	No limit set			

		ETHYLENEDIAMI NETETRAACETIC ACID TETRASODIUM SALT (CAS 64-02- 8)	No limit set			
		ALKYL DIMETHYL AMINE OXIDE (CAS 308062-28- 4)	No limit set			
		Alkanes, C16-20- iso (CAS 90622- 59-6)	No limit set			
		Alcohols, C12-18, ethoxylated (EC 5 00-201-8)	No limit set			

These monitoring requirements have been included in order to ensure the emissions do not deviate from those assumed in the emissions to water risk assessment submitted in this variation application.

We made these decisions in accordance with the Water Framework Directive.

Reporting

We have added reporting in the permit for the parameters listed in table S3.2 for emission point S1.

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