

Decision document variation

We have decided to grant the variation for Moy Park Primary Factory operated by Moy Park Limited.

The variation number is EPR/TP3835PD/V008.

The permit was issued on 11/08/2026

The variation is for a throughput capacity increase to 436 t/d to better reflect the actual maximum theoretical capacity of the site. The site discharges process effluent to sewer under sewer authority consent. The current permit states that the site is 'consented' to discharge 800 m³/day, however the sewer authority has a consented discharge of 1550 m³/day and the operator wants that reflected in the new permit. There will be a very marginal increase in energy and water use corresponding with production volumes achieved being routinely closer to the plant's theoretical operational capacity. The EA approved odour management plan (OMP) has been updated to reflect the throughput capacity and discharge increase.

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

Effluent

The site discharges process effluent to sewer under sewer authority consent. The operator has requested that the discharge 800 m³/day limit currently held in the permit be updated to the actual limit that the site is consented to discharge by the sewer authority which is 1,550 m³/day. There will be a very marginal increase in energy and water use corresponding with production volumes achieved being routinely closer to the plant's theoretical operational capacity.

The key issue of concern regarding this effluent increase is due to the use of ethylenediaminetetraacetic acid (EDTA) on-site which was screened in the operators relevant hazardous substances (RHS) stage 1-3 assessment of RHS used on-site.

Process effluent is generated primarily from hygiene operations in the production and lairage areas, there is also a small input from external yard area effluent drainage channels. The wastewater is pumped to an underground pit before entering the balance tank, where it is homogenised prior to treatment in the DAF plant. Coagulants are added and solids are separated from the liquid in the DAF plant. The separated solids are scraped from the surface and discharged to a sludge tank. Sludge is then removed from site regularly by a suitable contractor. The remaining liquid undergoes final pH adjustment before discharge to the public foul sewer.

In a worst-case scenario, the maximum EDTA final discharge to controlled water was calculated at 4702 µg/l which is below the maximum EDTA of 7500 µg/l for a regulated site. When carrying out a H1 assessment, test 1 failed as the EDTA release concentrations were calculated to be greater than 10% of the EDTA EQS (400 µg/l) therefore the emissions could not be screened out as insignificant at this stage of testing. Test 2 introduced the dilution available in the receiving water to determine whether the process contribution (PC) of EDTA to the receiving water is greater than 4% of the EQS. The calculated annual average emission of EDTA was calculated as 3.68% PC of the EQS value. Therefore, EDTA can be screened as having an insignificant impact on the receiving aquatic environment.

The remaining constituents of concern detected in the RHS stage 1-3 assessment do not have EQS screening values as inland freshwater pollutants. However, the operator assessed these compounds in accordance with the EA methodology to determine the potential effect of these emissions to water.

All remaining chemicals are routinely widely used materials that would be expected in any food manufacturing and effluent treatment environment. No component of the inventory is abnormal across food manufacturing. All materials would be readily removed by physiochemical and biological treatment processes and are received in large quantities at all public scale sewage treatment plants.

All substances can be screened as likely having an insignificant impact on the receiving water.

Odour

The operator provided an updated odour management plan (OMP) as part of this variation. The OMP was updated to reflect the maximum theoretical production and effluent discharge capacity with this permit variation. In terms of actual product and effluent discharge changes, there is a negligible increase and therefore a negligible increase in potential odour risk emanating from the site. We find the proposed changes for this site's operational changes to be suitable however, the OMP as a whole is pending re-assessment from the EA regulatory officer for approval.

Decision considerations

Noise

An updated noise management plan (NMP) was submitted at application for this variation however, as no NMP is listed on the operational table of the permit nor anything submitted or reviewed from the previous V007 application, the NMP update in relation to this variation application was assessed but not charged for. Upon review with the EA regulatory officer, it was confirmed that the site does have approved NMP as confirmed in the EPR compliance assessment report (CAR) from dated 17/02/2025 (report ID: TP3835PD/0541745). The site's subsistence component record has been updated as a result of the change but there is no increase in subsistence charge. Upon review of the updated NMP, the operational changes in regard to this variation changes were assessed to be suitable. Table 2.1.1 in the permit has been updated to include the approved NMP.

Permit consolidation

As per variation V007, the scope of this variation is limited to the changes applied for by the operator and are detailed above. It is considered that consolidating and updating the permit to modern conditions would be outside scope of this variation and have therefore not been carried out.

Confidential information

A claim for commercial or industrial confidentiality has not been made.

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

No consultation was initiated due to there being no to low risk identified during determination.

The decision was taken in accordance with our guidance identified in accordance with the Environmental Permitting (England and Wales) Regulations (2016) and our public participation statement.

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 1.1.1 of the permit.

The site

The operator has provided a plan which we consider to be satisfactory.

This show the extent of the site of the facility.

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, protected species and habitat designations. The application is within our screening distances for these designations.

While the Peak District special area of conservation (SAC) is within screening distance of the site, there are no increases in emissions to air as a result of this application and therefore no further assessment is required for this application. Additionally, while effluent discharge theoretical maximum capacity is increasing as a result of this application, there are no emissions to water that would impact a habitat site within screening distance. The site also discharges to sewer rather than direct to water. The use of EDTA and other non-EQS cleaning/process chemicals used on site was assessed and it was concluded the risk to be low. See the 'Effluent' section of this decision document for more details. No further assessment is required.

We have assessed the application and its potential to affect sites of nature conservation, landscape, heritage, 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.

Environmental risk

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

The operator's risk assessment is satisfactory.

General operating techniques

We have reviewed the techniques used by the operator and compared these with the relevant BAT Reference document and 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 2.1.1 in the environmental permit.

Operating techniques for emissions that screen out as insignificant

Emissions of EDTA 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.

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 table 2.1.1 of the environmental permit.

Fire prevention plan

We haven't requested a Fire Prevention Plan at this time, but we will request one in the future if we consider the site poses a risk of fire.

Raw materials

We have specified limits and controls on the use of raw materials and fuels.

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.