

Notice of variation and consolidation with introductory note

The Environmental Permitting (England & Wales) Regulations 2010

Mr Edward Thomas, Mr Derek Thomas and Mrs Angela Thomas
Trading as L Thomas and Son

Claston Farm
Dormington
Hereford
HR1 4EA

Variation application number

EPR/MP3735EP/V002

Permit number

EPR/MP3735EP

Claston Farm

Permit number EPR/MP3735EP

Introductory note

This introductory note does not form a part of the notice.

The following notice gives notice of the variation and consolidation of an environmental permit.

Claston Farm Poultry Unit is situated on the outskirts (North) of Dormington, Herefordshire. The installation is approximately centred on National Grid Reference SO 58541 40721.

The installation is operated by L Thomas & Son for production of broiler chickens. All manure is exported from the installation for spreading on land owned by third parties.

There are two poultry houses which originally provided a combined capacity for 100,000 bird places. Day old chicks are supplied to the site by hatchery and reared to approximately 50 days. Both poultry houses are ventilated by roof fans with an emission point higher than 5.5 metres above ground level and an efflux velocity of 11 metres per second.

Historically, the land use is that of arable agriculture. The site boundaries are also adjoined by arable farm land. Feed is supplied from an accredited mill and water is supplied from the mains. Poultry Bedding is placed in the houses on concrete floors. Fallen stock is collected on regular basis and stored in sealed bins. At the end of every cycle the litter accumulated is removed from the poultry houses to allow cleaning of the houses and setting up for the next cycle. The heat produced by the heaters is retained by draught sealed, well insulated buildings.

Every 7 weeks the poultry units are cleared of litter, swept and wet washed with disinfectants. Water from the wash out of poultry houses is channelled to underground wash tank where it is collected and utilised for land spreading. The storm water collected from the yard and roof areas is allowed to flow into receiving waters via attenuation pond.

This variation authorises the increase in the capacity of the facility from 100,000 to 150,000 broiler places. The rest of the installation and its operating techniques are unchanged.

The relevant nature conservation sites include:

- Two Special Areas of Conservation (SAC): River Wye and River Wye / Afon Gwy within 10,000m of the site,
- Nine Sites of Special Scientific Interest (SSSI): River Wye, Perton Roadside Section & Quarry, Scutterdine Quarry, Woodshuts Wood, Haugh Wood, Lugg And Hampton Meadows, Little Hill, Sharpnag Wood and River Lugg within 5,000m.
- Five Local Wildlife Sites: Perton Roadside Section and Quarry, Woodland on Shucknall, Woodland along Seager Hill, River Frome and Backbury Hill within 2,000m
- Five Ancient Woodland: Dormington Wood, Westside Wood, Fern Hope Wood, Priors Court Wood and Unnamed Woodland.

The ammonia screening results showed that ammonia impacts on these sites from the proposal will not be significant.

This Variation also removes feed storage from Table S1.1 because this is not a Directly Associated Activity but part of the listed activity itself

The schedules specify the changes made to the permit.

The status log of a permit sets out the permitting history, including any changes to the permit reference number.

Status log of the permit		
Description	Date	Comments
Application EPR/MP3735EP/A001	Duly made 28/03/14	Application for Intensive Farming Poultry Installation.
Additional information received	16/04/14	Email confirming technical standards
Schedule 5 Response	30/05/14	Response to questions on: <ul style="list-style-type: none"> • Diverter valve • Drainage pathways • Underground wash tank & design details
Additional information received	10/06/14	Response to questions on : <ul style="list-style-type: none"> • Delivery of feeds to the poultry • the locations of the emission points and site plan • how the broiler units are cleaned
Permit determined. EPR/MP3735EP (Billing Ref. MP3735EP)	25/06/14	Permit issued to Mr Derek Thomas, Mrs Angela Thomas and Mr Edward Thomas
Application EPR/MP3735EP/V002	Duly made 09/09/14	Application to increase the capacity to 150,000 broiler places
Additional information received	26/09/14	Amended Noise/Odour Management Plans arising from increase in broiler places
Variation determined EPR/MP3735EP/V002 (Billing Ref. BP3839WW)	13/11/14	Varied and consolidated permit issued.

End of introductory note

Notice of variation and consolidation

The Environmental Permitting (England and Wales) Regulations 2010

The Environment Agency in exercise of its powers under regulation 20 of the Environmental Permitting (England and Wales) Regulations 2010 varies and consolidates

Permit number

EPR/MP3735EP

Issued to

**Mr Edward Thomas, Mr Derek Thomas and Mrs Angela Thomas
Trading as L Thomas and Son ("the operator")**

whose principal office is

**Claston Farm
Dormington
Hereford
HR1 4EA**

to operate an installation at

**Claston Farm
Dormington
Hereford
HR1 4EA**

to the extent set out in the schedules.

The notice shall take effect from 13/11/2014

Name	Date
Claire Roberts	13/11/14

Authorised on behalf of the Environment Agency

Schedule 1

Only conditions 2.1.1 and 2.3.1 have been varied by the consolidated permit ERP/MP3735EP as a result of the application made by the operator.

Schedule 2 – consolidated permit

Consolidated permit issued as a separate document.

Permit

The Environmental Permitting (England and Wales) Regulations 2010

Permit number

EPR/MP3735EP

This is the consolidated permit referred to in the variation and consolidation notice for application EPR/MP3735EP/V002 authorising,

**Mr Edward Thomas, Mr Derek Thomas and Mrs Angela Thomas
trading as L Thomas and Son (“the operator”)**

(“the operator”),

whose principal office is

**Claston Farm
Dormington
Hereford
HR1 4EA**

to operate an installation at

**Claston Farm
Dormington
Hereford
HR1 4EA**

to the extent authorised by and subject to the conditions of this permit.

Name	Date
Claire Roberts	13/11/14

Authorised on behalf of the Environment Agency

Conditions

1 Management

1.1 General management

- 1.1.1 The operator shall manage and operate the activities:
- (a) in accordance with a written management system that identifies and minimises risks of pollution, including those arising from operations, maintenance, accidents, incidents, non-conformances, closure and those drawn to the attention of the operator as a result of complaints; and
 - (b) using sufficient competent persons and resources.
- 1.1.2 Records demonstrating compliance with condition 1.1.1 shall be maintained.
- 1.1.3 Any person having duties that are or may be affected by the matters set out in this permit shall have convenient access to a copy of it kept at or near the place where those duties are carried out.

1.2 Energy efficiency

- 1.2.1 The operator shall:
- (a) take appropriate measures to ensure that energy is used efficiently in the activities;
 - (b) review and record at least every four years whether there are suitable opportunities to improve the energy efficiency of the activities; and
 - (c) take any further appropriate measures identified by a review.

1.3 Efficient use of raw materials

- 1.3.1 The operator shall:
- (a) take appropriate measures to ensure that raw materials and water are used efficiently in the activities;
 - (b) maintain records of raw materials and water used in the activities;
 - (c) review and record at least every four years whether there are suitable alternative materials that could reduce environmental impact or opportunities to improve the efficiency of raw material and water use; and
 - (d) take any further appropriate measures identified by a review.

1.4 Avoidance, recovery and disposal of wastes produced by the activities

- 1.4.1 The operator shall take appropriate measures to ensure that:
- (a) the waste hierarchy referred to in Article 4 of the Waste Framework Directive is applied to the generation of waste by the activities; and
 - (b) any waste generated by the activities is treated in accordance with the waste hierarchy referred to in Article 4 of the Waste Framework Directive; and
 - (c) where disposal is necessary, this is undertaken in a manner which minimises its impact on the environment.
- 1.4.2 The operator shall review and record at least every four years whether changes to those measures should be made and take any further appropriate measures identified by a review.

2 Operations

2.1 Permitted activities

2.1.1 The operator is only authorised to carry out the activities specified in schedule 1 table S1.1 (the “activities”).

2.2 The site

2.2.1 The activities shall not extend beyond the site, being the land shown edged in green on the site plan at schedule 7 to this permit.

2.3 Operating techniques

- 2.3.1 (a) The activities shall, subject to the conditions of this permit, be operated using the techniques and in the manner described in the documentation specified in schedule 1, table S1.2, unless otherwise agreed in writing by the Environment Agency.
- (b) If notified by the Environment Agency that the activities are giving rise to pollution, the operator shall submit to the Environment Agency for approval within the period specified, a revision of any plan or other documentation (“plan”) specified in schedule 1, table S1.2 or otherwise required under this permit which identifies and minimises the risks of pollution relevant to that plan, and shall implement the approved revised plan in place of the original from the date of approval, unless otherwise agreed in writing by the Environment Agency.
- 2.3.2 The operator shall maintain and implement a system to record the number of animal places and animal movements.
- 2.3.3 The operator shall take appropriate measures in off-site disposal or recovery of solid manure or slurry to prevent, or where this is not practicable to minimise, pollution.
- 2.3.4 The operator shall ensure that where waste produced by the activities is sent to a relevant waste operation, that operation is provided with the following information, prior to the receipt of the waste:
- (a) the nature of the process producing the waste;
- (b) the composition of the waste;
- (c) the handling requirements of the waste;
- (d) the hazardous property associated with the waste, if applicable; and
- (e) the waste code of the waste.

2.4 Pre-operational conditions

- 2.4.1 The activities shall not be brought into operation until the measures specified in schedule 1 table S1.4A have been completed.
- 2.4.2 The operations specified in schedule 1 table S1.4B shall not commence until the measures specified in that table have been completed.

3 Emissions and monitoring

3.1 Emissions to water, air or land

- 3.1.1 There shall be no point source emissions to water, air or land except from the sources and emission points listed in schedule 3 tables S3.1, S3.2 and S3.3.
- 3.1.2 The limits given in schedule 3 shall not be exceeded.
- 3.1.3 Periodic monitoring shall be carried out at least once every 5 years for groundwater and 10 years for soil, unless such monitoring is based on a systematic appraisal of the risk of contamination.

3.2 Emissions of substances not controlled by emission limits

- 3.2.1 Emissions of substances not controlled by emission limits (excluding odour) shall not cause pollution. The operator shall not be taken to have breached this condition if appropriate measures, including, but not limited to, those specified in any approved emissions management plan, have been taken to prevent or where that is not practicable, to minimise, those emissions.
- 3.2.2 The operator shall:
- (a) if notified by the Environment Agency that the activities are giving rise to pollution, submit to the Environment Agency for approval within the period specified, an emissions management plan which identifies and minimises the risks of pollution from emissions of substances not controlled by emission limits;
 - (b) implement the approved emissions management plan, from the date of approval, unless otherwise agreed in writing by the Environment Agency.
- 3.2.3 All liquids in containers, whose emission to water or land could cause pollution, shall be provided with secondary containment, unless the operator has used other appropriate measures to prevent or where that is not practicable, to minimise, leakage and spillage from the primary container.

3.3 Odour

- 3.3.1 Emissions from the activities shall be free from odour at levels likely to cause pollution outside the site, as perceived by an authorised officer of the Environment Agency, unless the operator has used appropriate measures, including, but not limited to, those specified in any approved odour management plan, to prevent or where that is not practicable to minimise the odour.

3.4 Noise and vibration

- 3.4.1 Emissions from the activities shall be free from noise and vibration at levels likely to cause pollution outside the site, as perceived by an authorised officer of the Environment Agency, unless the operator has used appropriate measures, including, but not limited to, those specified in any approved noise and vibration management plan to prevent or where that is not practicable to minimise the noise and vibration.

3.5 Monitoring

- 3.5.1 The operator shall, unless otherwise agreed in writing by the Environment Agency, undertake the monitoring specified in the following tables in schedule 3 to this permit:
- (a) point source emissions specified in tables S3.1, S3.2 and S3.3.

3.6 Pests

- 3.6.1 The activities shall not give rise to the presence of pests which are likely to cause pollution, hazard or annoyance outside the boundary of the site. The operator shall not be taken to have breached this condition if appropriate measures, including, but not limited to, those specified in any approved pests management plan, have been taken to prevent or where that is not practicable, to minimise the presence of pests on the site.
- 3.6.2 The operator shall:
- (a) if notified by the Environment Agency, submit to the Environment Agency for approval within the period specified, a pests management plan which identifies and minimises risks of pollution, hazard or annoyance from pests;
 - (b) implement the pests management plan, from the date of approval, unless otherwise agreed in writing by the Environment Agency.

4 Information

4.1 Records

- 4.1.1 All records required to be made by this permit shall:
- (a) be legible;
 - (b) be made as soon as reasonably practicable;
 - (c) if amended, be amended in such a way that the original and any subsequent amendments remain legible, or are capable of retrieval; and
 - (d) be retained, unless otherwise agreed in writing by the Environment Agency, for at least 6 years from the date when the records were made, or in the case of the following records until permit surrender:
 - (i) off-site environmental effects; and
 - (ii) matters which affect the condition of the land and groundwater.
- 4.1.2 The operator shall keep on site all records, plans and the management system required to be maintained by this permit, unless otherwise agreed in writing by the Environment Agency.

4.2 Reporting

- 4.2.1 The operator shall send all reports and notifications required by the permit to the Environment Agency using the contact details supplied in writing by the Environment Agency.
- 4.2.2 The operator shall, unless notice under this condition has been served within the preceding four years, submit to the Environment Agency, within six months of receipt of a written notice, a report assessing whether there are other appropriate measures that could be taken to prevent, or where that is not practicable, to minimise pollution.

4.3 Notifications

- 4.3.1 (a) In the event that the operation of the activities gives rise to an incident or accident which significantly affects or may significantly affect the environment, the operator must immediately—
- (i) inform the Environment Agency,
 - (ii) take the measures necessary to limit the environmental consequences of such an incident or accident, and
 - (iii) take the measures necessary to prevent further possible incidents or accidents;
- (b) in the event of a breach of any permit condition the operator must immediately—
- (i) inform the Environment Agency, and
 - (ii) take the measures necessary to ensure that compliance is restored within the shortest possible time;
- (c) in the event of a breach of permit condition which poses an immediate danger to human health or threatens to cause an immediate significant adverse effect on the environment, the operator must immediately suspend the operation of the activities or the relevant part of it until compliance with the permit conditions has been restored.
- 4.3.2 Any information provided under condition 4.3.1 shall be confirmed by sending the information listed in schedule 5 to this permit within the time period specified in that schedule.
- 4.3.3 Where the Environment Agency has requested in writing that it shall be notified when the operator is to undertake monitoring and/or spot sampling, the operator shall inform the Environment Agency when the relevant monitoring and/or spot sampling is to take place. The operator shall provide this information to the Environment Agency at least 14 days before the date the monitoring is to be undertaken.
- 4.3.4 The Environment Agency shall be notified within 14 days of the occurrence of the following matters, except where such disclosure is prohibited by Stock Exchange rules:

Where the operator is a registered company:

- (a) any change in the operator's trading name, registered name or registered office address; and
- (b) any steps taken with a view to the operator going into administration, entering into a company voluntary arrangement or being wound up.

Where the operator is a corporate body other than a registered company:

- (a) any change in the operator's name or address; and
- (b) any steps taken with a view to the dissolution of the operator.

In any other case:

- (a) the death of any of the named operators (where the operator consists of more than one named individual);
- (b) any change in the operator's names or addresses; and
- (c) any steps taken with a view to the operator, or any one of them, going into bankruptcy, entering into a composition or arrangement with creditors, or, in the case of them being in a partnership, dissolving the partnership.

4.3.5 Where the operator proposes to make a change in the nature or functioning, or an extension of the activities, which may have consequences for the environment and the change is not otherwise the subject of an application for approval under the Regulations or this permit:

- (a) the Environment Agency shall be notified at least 14 days before making the change; and
- (b) the notification shall contain a description of the proposed change in operation.

4.3.6 The Environment Agency shall be given at least 14 days notice before implementation of any part of the site closure plan.

4.4 Interpretation

4.4.1 In this permit the expressions listed in schedule 6 shall have the meaning given in that schedule.

4.4.2 In this permit references to reports and notifications mean written reports and notifications, except where reference is made to notification being made "without delay", in which case it may be provided by telephone.

Schedule 1 - Operations

Table S1.1 activities		
Activity listed in Schedule 1 of the EP Regulations	Description of specified activity	Limits of specified activity
Section 6.9 A(1)(a)(i) Rearing poultry intensively in an installation with more than 40,000 places for poultry	The rearing of poultry in a facility with a capacity for 150,000 broiler places.	From receipt of birds, raw materials and fuels onto the site to removal of birds and associated wastes from site.
Directly Associated Activity		
-		

Table S1.2 Operating techniques		
Description	Parts	Date Received
Application EPR/MP3735EP/A001	Responses to Parts B2 and B3 of the application form and referenced supporting documentation.	28/03/14
Additional information requested 15/04/14	Email confirming Technical Standards document (EPR 6.09 V.2) in response to section 3a, Part B3 of the application form.	16/04/14
Response to Schedule 5 Notice dated 16/05/14	Response to questions 1, 2, 3 on <ul style="list-style-type: none"> • Diverter valve • Drainage pathways • Underground wash tank capacity 	30/05/14
Additional information requested on 02/06/14	Response to the questions on : <ul style="list-style-type: none"> • Delivery of feeds to the poultry • the locations of the emission points and site plan • how the broiler units are cleaned 	10/06/14
Application EPR/MP3735EP/V002	Responses to Parts C2 and C3 of the application form and referenced supporting documentation	09/09/14
Application EPR/MP3735EP/V002	Amended Odour management plan reference <i>Appendix 8</i> and Noise management plan reference <i>Appendix 9</i> submitted as additional information.	26/09/14

Table S1.4A Pre-operational measures	
Reference	Pre-operational measures
1	<p>Prior to commencement of operations at the site the operator shall submit a written plan for installing an impermeable base and design specifications for the Underground Wash Tank to the Environment Agency for approval detailing containment measures for dirty water/wash water to comply with the requirements of S3.2 of EPR6.09 Sector Guidance Note, How to Comply with your environmental permit for intensive farming, Version 2 and the technical measures detailed in the Control of Pollution (Silage, Slurry and Agricultural Fuel Oil) Regulations 1991 (Amended). The proposals shall include a timetable for the construction work.</p> <p>The plan shall be implemented by the operator from the date of approval in writing by the Environment Agency subject to such amendments or additions as notified by the Environment Agency.</p>
2	At least 14 days before using the new poultry units the operator shall inform the Environment Agency that the installation of the Underground Wash Tank (dirty water/slurry storage system) has been completed.

Table S1.4B Pre-operational measures for future development		
Reference	Operation	Pre-operational measures
1	Tank Farm B	The operator shall submit a report demonstrating that all bulk liquid storage tanks, pipelines and secondary containment in bunded Tank B have been leak-tested at least 4 weeks before the start of operations.

Schedule 2 - Waste types, raw materials and fuels

Table S2.1 Raw materials and fuels	
Raw materials and fuel description	Specification
-	-

Schedule 3 – Emissions and monitoring

Table S3.1 Point source emissions to air – emission limits and monitoring requirements						
Emission point ref. & location	Parameter	Source	Limit (incl. unit)	Reference period	Monitoring frequency	Monitoring standard or method
Ridge Ventilation Fan Outlets on poultry housing, shown on the site plan in schedule 7 as Ridge Extraction Fans	---	Poultry housing 1 and 2	---	---	---	---
Exhaust from generator shown on the site plan in schedule 7 as 'B' (bundled tank)	---	Generator	---	---	---	---
Diesel tank pressure vent shown on the site plan in schedule 7 as 'B' (bundled tank)	---	Diesel Tank	---	---	---	---

Table S3.2 Point Source emissions to water (other than sewer) – emission limits and monitoring requirements						
Emission point ref. & location	Parameter	Source	Limit (incl. unit)	Reference Period	Monitoring frequency	Monitoring standard or method
Site drainage outfall as shown on the site plan in schedule 7	---	Storm water from the poultry housing and yard to the attenuation pond prior to discharge to River Frome.	---	---	---	---

Table S3.3 Point source emissions to land– emission limits and monitoring requirements						
Emission point ref. & location	Parameter	Source	Limit (incl. Unit)	Reference period	Monitoring frequency	Monitoring standard or method
Attenuation pond west of poultry houses, shown on the site plan in schedule 7	---	Roof water from poultry houses 1 and 2	---	---	---	---

Schedule 4 - Reporting

There is no reporting under this schedule.

Schedule 5 - Notification

These pages outline the information that the operator must provide.

Units of measurement used in information supplied under Part A and B requirements shall be appropriate to the circumstances of the emission. Where appropriate, a comparison should be made of actual emissions and authorised emission limits.

If any information is considered commercially confidential, it should be separated from non-confidential information, supplied on a separate sheet and accompanied by an application for commercial confidentiality under the provisions of the EP Regulations.

Part A

Permit Number	
Name of operator	
Location of Facility	
Time and date of the detection	

(a) Notification requirements for any activity that gives rise to an incident or accident which significantly affects or may significantly affect the environment	
To be notified immediately	
Date and time of the event	
Reference or description of the location of the event	
Description of where any release into the environment took place	
Substances(s) potentially released	
Best estimate of the quantity or rate of release of substances	
Measures taken, or intended to be taken, to stop any emission	
Description of the failure or accident.	

(b) Notification requirements for the breach of a permit condition	
To be notified immediately	
Emission point reference/ source	
Parameter(s)	
Limit	
Measured value and uncertainty	
Date and time of monitoring	
Measures taken, or intended to be taken, to stop the emission	

Time periods for notification following detection of a breach of a limit	
Parameter	Notification period

Schedule 6 - Interpretation

“*accident*” means an accident that may result in pollution.

“*application*” means the application for this permit, together with any additional information supplied by the operator as part of the application and any response to a notice served under Schedule 5 to the EP Regulations.

“*authorised officer*” means any person authorised by the Environment Agency under section 108(1) of The Environment Act 1995 to exercise, in accordance with the terms of any such authorisation, any power specified in section 108(4) of that Act.

“*emissions to land*” includes emissions to groundwater.

“*EP Regulations*” means The Environmental Permitting (England and Wales) Regulations SI 2010 No.675 and words and expressions used in this permit which are also used in the Regulations have the same meanings as in those Regulations.

“*emissions of substances not controlled by emission limits*” means emissions of substances to air, water or land from the activities, either from the emission points specified in schedule 3 or from other localised or diffuse sources, which are not controlled by an emission or background concentration limit..

“*groundwater*” means all water, which is below the surface of the ground in the saturation zone and in direct contact with the ground or subsoil.

“*Industrial Emissions Directive*” means DIRECTIVE 2010/75/EU OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL of 24 November 2010 on industrial emissions

“*Manure and slurry*” have the following meaning:

- Manures may be either slurries or solid manures.
- Slurries consist of excreta produced by livestock whilst in a yard or building mixed with rainwater and wash water and, in some cases, waste bedding and feed. Slurries can be pumped or discharged by gravity.
- Slurry includes duck effluent, seepage from manure and wash water.
- Solid manures include farmyard manure (FYM) and comprise material from straw-based housing systems, excreta with lots of straw/sawdust/woodchips in it, or solids from mechanical separators.
- Most poultry systems produce solid manure (litter).
- Solid manure can generally be stacked.

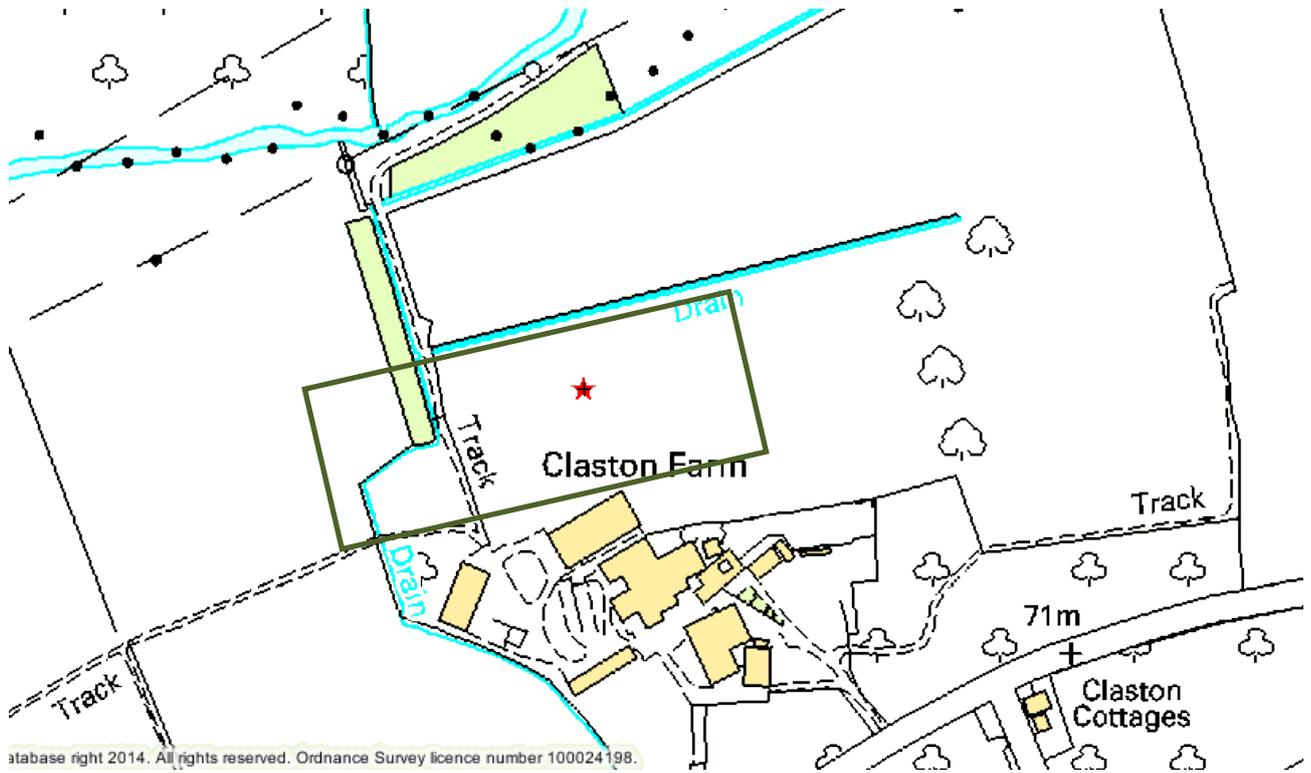
“*Pests*” means Birds, Vermin and Insects.

“*SGN How to comply – Intensive Farming*” The EPR Sector Guidance Note 6.09 for intensive pig and poultry farmers, Version 2 published January 2010.

“*year*” means calendar year ending 31 December.

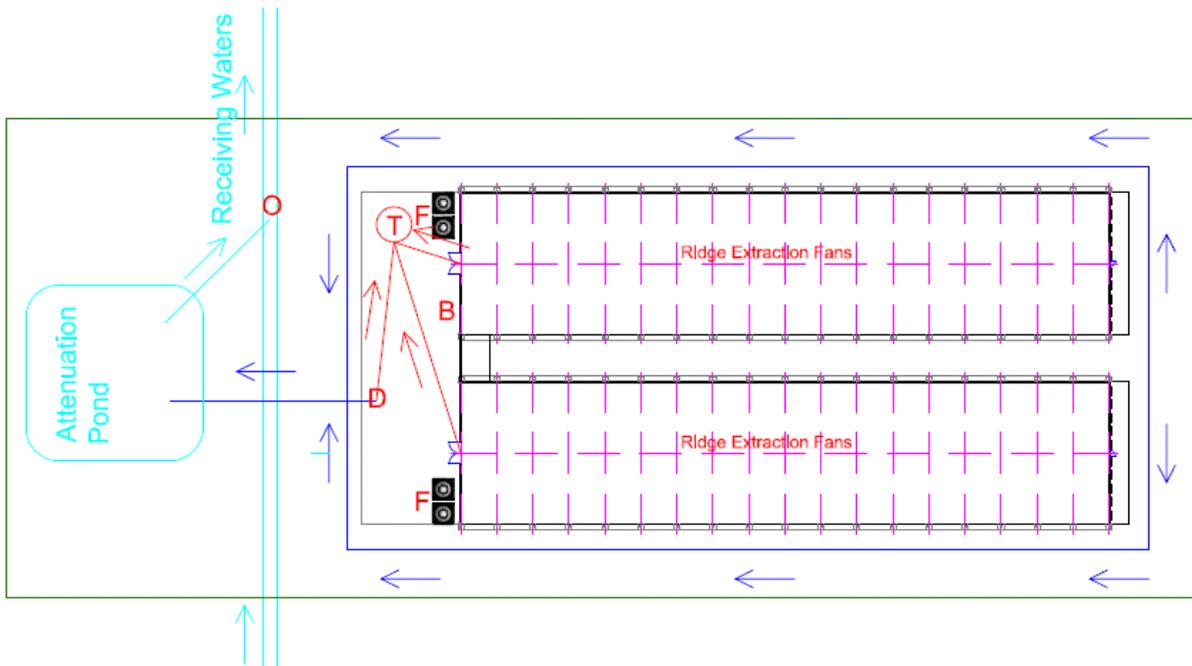
Schedule 7 - Site plan

Site location



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Installation boundary plan



- Installation Boundary
- Water Course
- Storm Water
- Wash Water
- B = Bunded Tank
- D = Diverter Valve
- O = Site Drainage Outfall
- T = Underground Wash Tank
- F = Feed Silos (Feed Storage)

POWELL & CO CONSTRUCTION LTD <small>LOWWOOD, BRIMLEIGH, ENGLAND REGISTRATION NUMBER: 1055 916 TEL: 01563 703819 FAX: 01563 703129</small>	Client	L. Thomas & Sons
	Date	10/08/14
	Subject	EPC Drainage Plan
	Drawn By	I. Thomas EPR
	Scale	1:500 (A3)
	Approved By	IGAM

END OF PERMIT