

# **Environment Agency permitting decisions**

## **Bespoke permit**

We have decided to grant the permit for Five Star Fish operated by Five Star Fish Limited.

The permit number is EPR/XP3434WY/A001.

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.

## **Description of the main features of the Installation**

Five Star Fish is located on the Great Grimsby Business Park. The centre of the Site is at National Grid reference 524340, 411040 and the site covers an area of around 1.6 hectares. The site is situated approximately 1,260 metres from the Humber Estuary Special Protection Area (SPA), Special Area of Conservation (SCA), Ramsar and Site of Special Scientific Interest ( SSSI).

The facility operates six fish product coating lines (chilled and frozen) and includes a 5,000 pallet cold store area. The site has been in operation since 1996 but expansions to the operations have increased production capacity sufficiently to exceed the threshold where a permit is required.

This application is for an Environment Permit to operate under the following schedule 1 activity:

*6.8 Part A (1) d) (i) Treating and processing materials intended for the production of food products from animal raw materials (other than milk) at a plant with a finished product production capacity of more than 75 tonnes per day*

Frozen fish is delivered to the site and stored in the holding area before being treated on the six processing lines (Lines 1, 2, 4, 5, 6, and 7). The process is broadly similar on each line and operations are listed below:

- Fish is placed on the line. Lines 4 and 5 can manufacture fish cakes and have an extra process step to form the cake.
- The fish is then sent through a batter curtain (enrobing) and then coated in breadcrumbs (first pass).
- The fish then passes through another batter curtain and then coated with another layer of breadcrumbs (second pass).
- Some fish pass through a batter curtain and have breadcrumbs added for the third time.
- The coated fish is then fried.

- The product is then chilled and frozen before being packaged and stored prior to dispatch. Lines 5 and 6 use a GyroCompact spiral chiller, using ammonia as the refrigerant. The other lines use liquid nitrogen (CES Cryogen spiral freezer).

Ancillary operations include four Thermal Heaters fuelled on natural gas, an ammonia refrigeration plant and a liquid nitrogen cooling plant.

The main point source emissions to air from the site are combustion products from thermal oil heaters. There are four natural gas fired thermal oil boilers used to heat the fryers.

Process wastewater is discharged under the terms of a trade effluent consent issued by Anglian Water.

Five Star Fish Ltd has implemented an informal environmental management system (EMS) in line with the requirements of BS EN ISO14001:2004.

## **Purpose of this document**

This decision document:

- explains how the application has been determined
- provides a record of the decision-making process
- shows how all relevant factors have been taken into account
- justifies the specific conditions in the permit other than those in our generic permit template.

Unless the decision document specifies otherwise we have accepted the applicant's proposals.

## **Structure of this document**

- Key issues
- Annex 1 the decision checklist
- Annex 2 the consultation, web publicising and responses

## **Key issues of the decision**

### **1) Emissions to atmosphere**

The combined thermal input capacity of the four combustion units is 3 MWth. The Environment Agency does not normally set Emission Limit Values (ELVs) for boilers of this size. The Combustion Sector Guidance Note (SGN) EPR 1.01 identifies benchmarks for boilers of <100MW thermal input, but these are not generally applied to small boilers such as these. Due to this, and the results from the H1 air screening that showed no significant adverse effect on the environment from the operation of all combustion units at the installation simultaneously, the Environment Agency has determined not to set ELVs for emissions from the thermal heaters (emission points A1 and A2). This decision is in line with the approach taken at similar installations elsewhere in the UK

No assessment was required on sites of heritage, landscape or nature conservation, and/or protected species or habitat due to the size of the combustion plant. The combined thermal input of 3 MWth is below the 5 MWth threshold and therefore the relevant distance criteria of zero metres was applied for a European site in accordance with AQTAG014 "Guidance on identifying '*relevance*' for assessment under the Habitats regulations for installations with combustion processes". This installation is therefore not considered '*relevant*' for assessment under the Agency's guidance. There are no other emissions from the installation, thus no detailed assessment of the effect of the releases from the installation on SACs, SPAs and Ramsar sites is required. An Appendix 11 Form for recording likely significant effect (Stage 2) was completed and sent to Natural England for information.

The same criteria can be applied to SSSI's and non statutory sites therefore no further assessment is required. An Appendix 4 was completed and saved to our Electronic Document and Records Management system (EDRM) for information only.

### **2) Noise and odour**

There have been no odour complaints in the last two years. In 2012 there was a complaint about odour from the site. In response to this the site installed additional sections to the fryer stacks to ensure adequate dispersal of exhaust gases. There have been no complaints since.

The main potential for odours is from the operation of frying the fish in oil. The site has management procedures in place for controlling the operation to minimise the potential for odour. This involves managing and treating the oil in the fryers and the implementation of a cleaning schedule:

At the end of a production day any oil left over is allowed to cool and filtered to remove carbon deposits (the primary source of odour). The treated oil is blended with fresh oil for use on the next production run

The sites hygiene team follow a cleaning schedule for all the fryer units and stacks. This is documented along with photographs showing the oil before and after to allow management to monitor effectiveness and increase the frequency of cleaning if required.

The processing plant is fully enclosed within the main building and are not considered to represent a risk of noise or vibration. There is no history of noise complaints associated with the installation.

The site has developed a non-conformance procedure (EMS Procedure 4.5.3) to establish and maintain a system for handling any environmental complaints.

### **3) Site Condition Report**

A Site Condition Report (SCR) submitted as part of the application confirmed that prior to the establishment of the facility the area consisted of undeveloped land. There have been no recorded pollution incidents on the site and in addition no recorded land pollution incidents adjacent to the site.

There are no anticipated emissions to ground, surface water or groundwater. All surface water run off and process effluent is designed to discharge to sewer. The majority of the site, excluding areas occupied by buildings, is either laid to concrete or tarmacadam. The hard standing will prevent the downwards migration of any substance.

All tanks or containers with the potential to cause pollution are located on hard standing. The fresh oil and waste oil tanks are double skinned to a capacity of 110% of the contents and are deigned to catch any potential leaks from the fittings, be impermeable and resistant to the stored material and be subject to routine planned inspections and maintenance. The fresh / waste oil and Nitrogen storage tanks are anchored to the floor and will withstand tank buoyancy in the event of flooding.

Inside the factory the drains are fitted with slatted grate covers to retain coarse solids and prevent their discharge to drain. All effluent drains discharge to a Duplex Interceptor System ("settlement pit" with no agitation) below ground where some solids settle out and the waste water overflows to sewer at emission point S1.

There are no records of pollution incidents at the site since it was commissioned.

Taking these points into consideration and the low likelihood that land pollution will occur during the future operation of the site it is not considered that intrusive sampling is necessary for a baseline to be established.

## Annex 1: decision checklist

This document should be read in conjunction with the application, supporting information and permit/notice.

Aspect considered	Justification / Detail	Criteria met
		Yes
<b>Receipt of submission</b>		
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 commercial confidentiality.	✓
<b>Consultation</b>		
Scope of consultation	The consultation requirements were identified and implemented. The decision was taken in accordance with RGN 6 High Profile Sites, our Public Participation Statement and our Working Together Agreements.  For this application we consulted the following bodies: <ul style="list-style-type: none"> <li>• Natural England</li> <li>• Local Authority Environmental Protection</li> <li>• HSE</li> </ul>	✓
Responses to consultation, web publicising	The web publicising and consultation responses (Annex 2) were taken into account in the decision.  The decision was taken in accordance with our guidance.	✓
<b>Operator</b>		
Control of the facility	We are satisfied that the applicant (now the operator) is the person who will have control over the operation of the facility after the grant of the permit. The decision was taken in accordance with EPR RGN 1 Understanding the meaning of operator.	✓
<b>European Directives</b>		
Applicable directives	All applicable European directives have been considered in the determination of the application.	✓
<b>The site</b>		

Aspect considered	Justification / Detail	Criteria met Yes
Extent of the site of the facility	<p>The operator has provided a plan which we consider is satisfactory, showing the extent of the site of the facility including discharge points.</p> <p>A plan is included in the permit and the operator is required to carry on the permitted activities within the site boundary.</p>	✓
Site condition report	<p>The operator has provided a description of the condition of the site.</p> <p>We consider this description is satisfactory. The decision was taken in accordance with our guidance on site condition reports and baseline reporting under IED—guidance and templates (H5).</p> <p><b>Further details are given in the Key Issues section.</b></p>	✓
Biodiversity, Heritage, Landscape and Nature Conservation	<p>The application is within the relevant distance criteria of a site of heritage, landscape or nature conservation, and/or protected species or habitat.</p> <p>An Appendix 11 Form for recording likely significant effect (Stage 2) was completed and sent to Natural England for information. The application screens out from requiring further assessment in accordance with AQTAG014.</p> <p>As a result of this risk assessment, the Environment Agency can conclude that there is No Likely Significant Effect and no consultation is necessary.</p> <p><b>Further details are given in the Key Issues section.</b></p>	✓
Environmental Risk Assessment and operating techniques		
Environmental risk	<p>We have reviewed the operator's assessment of the environmental risk from the facility.</p> <p>The operator's risk assessment is satisfactory. The assessment shows that, applying the conservative criteria in our guidance on Environmental Risk Assessment, all emissions may be categorised as environmentally insignificant.</p>	✓

Aspect considered	Justification / Detail	Criteria met Yes
	<b>Further details are given in the Key Issues section.</b>	
Operating techniques	<p>We have reviewed the techniques used by the operator and compared these with the relevant guidance notes - How to comply with your environmental permit and additional guidance for the food and drink sector (EPR 6.10).</p> <p>Key operational techniques proposed by the operator include:</p> <ul style="list-style-type: none"> <li>• Use of high efficiency natural gas fired boilers.</li> <li>• Interceptors within production areas.</li> <li>• Chilled storage areas are fitted with curtains and fast closing doors with alarms.</li> <li>• The site has a Climate Change Agreement and have recently fitted 1,000 solar panels (250 kW system).</li> <li>• The majority of the process lines are dedicated to particular types of products; therefore there is little changeover waste (including batter and crumb wastage) and the lines do not need to undergo a full clean using water and generating effluent.</li> <li>• Trays are placed under process lines (at junction points) to ensure that waste crumb is captured, resulting in little waste on the floor of the factory. This reduces the need to use water to clean the floor during production.</li> <li>• Routine preventative maintenance checks.</li> <li>• Double skinned oil storage tanks.</li> <li>• Emergency preparedness procedures and equipment in place.</li> </ul> <p>The proposed techniques/ emission levels for priorities for control are in line with the benchmark levels contained in the Technical Guidance Note and we consider them to represent appropriate techniques for the facility. The permit conditions ensure compliance with relevant BREFs and BAT Conclusions, of the installation concerned.</p>	✓
<b>The permit conditions</b>		
Use of conditions other than those from the template	Based on the information in the application, we consider that we do not need to impose conditions other than those in our permit template, which was developed in consultation with industry having regard to the relevant legislation.	✓

Aspect considered	Justification / Detail	Criteria met Yes
Incorporating the application	<p>We have specified that the applicant must operate the permit in accordance with descriptions in the application, including all additional information received as part of the determination process.</p> <p>These descriptions are specified in the Operating Techniques table in the permit.</p>	✓
Emission limits	<p>We have decided that emission limits should not be set for the parameters listed in the permit.</p> <p><b>Further details are given in the Key Issues section.</b></p>	✓
Reporting	<p>We have specified reporting in the permit.</p> <p>Annual reporting is required for annual production, energy usage and water.</p> <p>We made these decisions in accordance with SGN EPR 6.10 for the Food and Drink sector.</p>	✓
<b>Operator Competence</b>		
Environment management system	There is no known reason to consider that the operator will not have the management systems to enable it to comply with the permit conditions. The decision was taken in accordance with RGN 5 on Operator Competence.	✓
Relevant convictions	<p>The National Enforcement Database has been checked to ensure that all relevant convictions have been declared.</p> <p>No relevant convictions were found. The operator satisfies the criteria in RGN 5 on Operator Competence.</p>	✓
Financial provision	There is no known reason to consider that the operator will not be financially able to comply with the permit conditions. The decision was taken in accordance with RGN 5 on Operator Competence.	✓

## **Annex 2: External Consultation and web publicising responses.**

Summary of responses to consultation and web publication and the way in which we have taken these into account in the determination process.

Response received on 28/08/15
Natural England
Brief summary of issues raised
Natural England agreed with our assessment.
Summary of actions taken or show how this has been covered
No action required

Response received from
Local Authority Environmental Protection
Brief summary of issues raised
No response received.
Summary of actions taken or show how this has been covered
No action required

Response received from
Health and Safety Executive
Brief summary of issues raised
No response received.
Summary of actions taken or show how this has been covered
No action required

This proposal was also publicised on the Environment Agency's website between 24/07/15 and 21/08/15, but no representations were received during this period.