

Natural Resources Wales Permitting Decisions

Solway Foods Ltd (RF Brookes) Decision Document

Application for a Minor Technical Variation

The application number is: PAN-024180

The permit variation number is: EPR/UP3237CP/V008

The operator is: Solway Foods Limited

The Installation is located at: Rogerstone Park, Azalea Road, Newport, NP10 9SA

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.

Contents

Application for a Minor Technical Variation	1
Contents	2
1. Executive summary	3
1.1. Application summary.....	3
1.2. Our decision.....	3
2. Receipt of the application	3
5. Consultation	5
6. The Installation.....	5
6.1. The permitted activities	5
7. The site	5
7.1. Site Plan.....	5
8. Environmental Risk Assessment.....	5
8.1. Updating permit conditions during consolidation.....	5
8.2. Emission Limits	6
8.3. Improvement conditions	6
9. OPRA.....	6

1. Executive summary

1.1. Application summary

This minor technical variation is to upgrade an internal cooking process. The new equipment includes a new air emission point A12 that is below any threshold for regulation from a Babcock Wanson thermal oil heater rated at 698kWh (thermal input) (and an associated storage tank for fuel for the heater).

1.2. Our decision

We have decided to issue the permit variation for RF Brookes at Rogerstone Park, operated by Solway Foods Limited.

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.

2. Receipt of the application

The application was accepted as duly made on 18/12/2023. This means we considered it was in the correct form and contained sufficient information for us to begin our determination, but not that it necessarily contained all the information we would need to complete that determination.

The application was received as a normal variation but duly made as a minor technical with a partial refund of the difference in application fee arranged.

3. Confidential information

The applicant made no claim for commercial confidentiality, and we have not received information in relation to the application that appears to be confidential in relation to any party.

4. Legislation

The variation is issued, under Regulation 20 of the EPR. The Environmental Permitting regime is a legal vehicle which delivers most of the relevant legal requirements for activities falling within its scope. In particular, the regulated facility is:

- an *installation* as described by the Industrial Emissions Directive (IED)

We address the legal requirements directly where relevant in the body of this document. NRW is satisfied that the decision on this application is consistent with its general purpose of pursuing the sustainable management of natural resources (SMNR) in relation to Wales and applying the principles of SMNR.

As the EPR regulator in Wales, NRW are required to determine any duly made permit application. This means that we must decide either to grant, or to refuse the variation based upon an objective assessment of the proposals against the detailed legal requirements of EPR. Our public participation statement¹ gives more information on what can, and cannot, be taken into account when making our permitting decision.

The application, and this decision document, only considers the permitting of the facility under EPR as described throughout the document. We only assess the installation and its impacts and cannot take into consideration indirect impacts which are not as a direct result of activity within the installation boundary.

Any proposed development and wider associated activities will be required to be compliant with all relevant and applicable law, for example, environmental law, health and safety law, planning law. This other legislation acts largely independently of EPR (although they may be inter-related). Such other matters are beyond both the scope of this document, and of our regulatory remit and expertise and are not relevant to our EPR permitting decision. Ensuring compliance with all other regulation and obtaining any required consents (such as planning permission) is the responsibility of those undertaking the development and is regulated by the relevant appropriate authority for each.

¹ [Natural Resources Wales / Public participation: how you can take part in our permit and licence consultations](#)

5. Consultation

No consultation has been carried out on this application because it is a low risk minor technical variation application that does not change activities on site. This decision was made in accordance the Environment Permitting Regulations (EPR), our statutory Public Participation Statement² and our Regulatory Guidance.

6. The Installation

6.1. The permitted activities

There are no changes to the permitted activities as a result of this minor technical variation.

7. The site

7.1. Site Plan

The applicant has provided an updated plan which we consider is satisfactory, showing the extent of the site of the facility and the new air emission point A12. The updated plan is included in the permit and the operator is required to carry on the permitted activities within the site boundary.

8. Environmental Risk Assessment

A risk assessment was not needed as the new natural gas-fired inline thermal oil heater serving the new air emission point A12, is below the 1MWth threshold for regulatory control of Medium Combustion Plant. As it does not generate electricity, it is also not a Specified Generator, so the environmental risk associated with combustion gases from this size of plant and the fuel used is inherently low. .

8.1. Updating permit conditions during consolidation

² [Natural Resources Wales / Public participation: how you can take part in our permit and licence consultations](#)

We have updated previous permit conditions to those in the new generic permit template as part of permit consolidation. The new conditions have the same meaning as those in the previous permit(s).

8.2. Emission Limits

The new emission point A12 has no Emission Limit Values (ELVs) as it's below regulatory thresholds for control. It therefore has no monitoring or reporting requirements either. We have also removed monitoring and reporting requirements for air emission point A5 as this is an identical emission source, so the permit has been updated to align the identical emission points to the same requirements.

8.3. Improvement conditions

Improvement conditions 7-10 have been marked as complete during the permit consolidation.

9. OPRA

The OPRA score has not been changed as a result of this variation and remains as 54. This will form the basis for ongoing subsistence fees.