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**Natural Resources Wales permitting decisions**

# Dragon Fruit Holdings Limited (Parc Busnes Edwards Biomass Boiler) decision document

## Minor technical variation

**The variation number is:** PAN-005576/V002

**The Applicant / Operator is:** Dragon Fruit Holdings Limited

**The Facility is located at:** Parc Business Edwards, Llantrisant, Pontyclun, CF72 8QZ

We have decided to issue the variation for Parc Busnes Edwards Biomass Boiler operated by Dragon Fruit Holdings Limited. The variation number is PAN-005576/V002.

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:

- 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

- Table of contents
- Key issues

## Table of Contents

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## Key issues of the decision

### 1 Our decision

We have decided to issue the variation for Parc Busnes Edwards Biomass Boiler operated by Dragon Fruit Holdings Limited. The variation number is PAN-005576/V002.

We consider that, in reaching that decision, we have taken into account all relevant considerations and legal requirements and that the permit will ensure that a high level of protection is provided for the environment and human health.

This Application is to operate a regulated facility which is subject principally to the Medium Combustion Plant Directive (MCPD).

The permit contains many conditions taken from our standard Environmental Permit template including the relevant Annexes. We developed these conditions in consultation with industry, having regard to the legal requirements of EPR and other relevant legislation. This document does not therefore include an explanation for these standard conditions. Where they are included in the permit, we have considered the Application and accepted the details are sufficient and satisfactory to make the standard conditions appropriate. This document should be read in conjunction with the application and supporting information and permit.

### 2 How we reached our decision

#### 2.1 Receipt of Application

The Application was accepted as duly made on 22 September 2021. 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 Applicant made a claim for **no claim for commercial confidentiality**. We **have not** received information in relation to the Application that appears to be confidential in relation to any party.

## 2.2 Consultation on the Application

There was no requirement to carry out a consultation on this application.

## 3 The Legal Framework

The variation will be 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:

- plant as described by Schedule 25A covering the Medium Combustion Plant Directive (MCPD)
- subject to aspects of the Well-Being of Future Generations (Wales) Act 2015 and the Environment (Wales) Act 2016 which also have to be addressed.

We address the legal requirements directly where relevant in the body of this document. NRW is satisfied that this decision 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. In particular, NRW acknowledges that it is a principle of sustainable management to take action to prevent significant damage to ecosystems. We consider that, in granting the Permit a high level of protection will be delivered for the environment and human health through the operation of the Facility in accordance with the permit conditions. NRW is satisfied that this decision is compatible with its general purpose of pursuing the sustainable management of natural resources in relation to Wales and applying the principles of sustainable management of natural resources.

### **Environment Wales Act 2016 – Biodiversity and resilience of ecosystems duty**

Section 6 of the Environment Wales Act 2016 requires that we seek to maintain and enhance biodiversity in the exercise of our functions, and in so doing promote the resilience of ecosystems, in a manner that is consistent with the proper exercise of our functions. NRW is satisfied that in this case we have taken into account and had due regard to this duty in so far as it is consistent with the function of determining an application for an EPR permit.

## 4 The Facility

### 4.1 Description of the Facility and related issues

#### 4.1.1 The permitted activities

The Facility is subject to the EPR because it carries out an activity as described in Schedule 25A of the EPR:

- One new Medium Combustion Plant aggregated to <50 MWth at a specified location

This variation changes the number and type of biomass boilers on the permit. The variation changes the biomass boilers from 3No. 1.335 MWth input Hertz boilers to 2No. 1.2 MWth input WK RKK 1000 Binder boilers. The boilers will continue to operate continuously (8760 hours per year) and be fuelled on virgin woodchip only. Each boiler will remain to have their own 9 metre flue, with no change to the stack parameters due to the variation except the removal of the third redundant emission point (A3).

## 4.2 Operation of the Facility – general issues

### 4.2.1 Administrative issues

The Applicant is the sole Operator of the Facility. We are satisfied that the Applicant is the person who will have control over the operation of the Facility if the Permit were to be granted; and that the Applicant will be able to operate the Facility so as to comply with the conditions included in the Permit, if issued.

### 4.2.2 Management

The Applicant has stated in the Application that they will implement an Environmental Management System (EMS) that will meet the requirements for an EMS in our “*How to comply with your environmental permit guidance*”. The Applicant submitted a summary of the EMS with their application.

We are satisfied that appropriate management systems and management structures will be in place for this Facility, and that sufficient resources are available to the Operator to ensure compliance with all the Permit conditions.

### 4.2.3 Operating techniques

We have reviewed the operating techniques used by the Operator and compared these with the relevant guidance notes. The relevant guidance notes for this plant are:

- Technical Guidance Note (TGN) M5: Monitoring of stack emissions from medium combustion plants and specified generators

Monitoring of point source emissions to air will be carried out in line with the monitoring requirements contained within TGN M5 and will have MCERTS accreditation.

As a new Medium Combustion Plant, the site must adhere to the following operating techniques specific for MCP:

- Each MCP must be operated in accordance with the manufacturer's instruction and records must be made and retained to demonstrate this.
- The operator must keep periods of start-up and shut down of each MCP as short as possible.
- There must be no persistent emission of 'dark smoke' as defined in Section 3(1) of the Clean Air Act 1993.

## **5 Minimising the Facility's environmental impact**

For this kind of regulated activity, the principal emissions are emissions to air. There are no permit conditions for water, land, energy efficiency, odour or noise and BAT does not apply.

Due to this variation there will be no increase in emissions to air from the regulated facility, in fact there will be a decrease in emissions which symbolises a reduction of impacts with regards to human health and ecological receptors. The location of the stacks, all stack parameters and the maximum emissions remain the same as previously assessed within the initial permit application, which included detailed air dispersion modelling for emissions of NO<sub>x</sub>, particulate matter and carbon monoxide. Therefore we consider the detailed air dispersion modelling completed within the original permit application to remain valid albeit now overly conservative for the requested change from 3No boilers to 2No boilers. No further assessment of air quality has been completed as part of this variation.

## **6 Setting ELVs and other Permit conditions**

The Emission Limit Values (ELVs) and monitoring requirements for each unit remain the same as previously permitted. The ELVs have been set in line with the MCP Directive and monitoring will be completed to MCERTS standard.

## **6.1 Reporting**

We have specified the reporting requirements in Schedule 4 of the Permit to ensure data is reported to enable timely review by Natural Resources Wales to ensure compliance with permit conditions.

## **7 MCPD Charges and Subsistence Fees**

The type of application regarding MCPD will have an associated charge. The MCPD application type and number of plant will also form the basis for ongoing subsistence fees. More information on this can be found in our charging scheme on our website.