

Permitting decisions

Part surrender

We have decided to accept the surrender of part of the permit for Wheat Milling and Ethanol Plant operated by Cargill PLC.

The permit number is EPR/BM01171J.

We are satisfied that the necessary measures have been taken to avoid any pollution risk and to return the site to a satisfactory state. We consider in reaching that decision we have taken into account all relevant considerations and legal requirements.

Purpose of this document

This decision document provides a record of the decision making process. It summarises the decision making process in the decision checklist to show how all relevant factors have been taken into account.

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 checklist to show how all 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 surrender notice. The introductory note summarises what the notice covers.

Key issues of the decision

The low risk partial surrender is for a plot of land, this does not affect any of the currently permitted activities on site. The site inspector has confirmed that this is a low risk surrender, the plot of land is concrete or gravel and is an unused area of the site.

The partial surrender applies to a small unused piece of land, 3830m² in size, adjacent to the ethanol plant and car park. The proposed area of land to be surrendered appears to be located within both the former Cargill permit area issued 27/9/05 and former Royal Nedalco UK Ltd permit area issued 20/11/06, now consolidated together. This area of land does not appear to have been used for any potentially polluting activities during the life of the permit and no pollution incidents have occurred that may have impacted the soil and / or groundwater.

The land is to be used by Linde BOC for the construction of a CO₂ plant. The proposed CO₂ plant at the site will have a capacity of approximately 100 tonnes per day of liquid CO₂. This product will be stored in four 300m³ capacity vertical storage tanks under a nominal pressure of 18barg.

The raw impure gas will be supplied from one of the Cargill scrubber vent stacks together with the supply of raw circulating cooling water, potable water and electricity supply. The BOC plant returns excess process condensate to the Cargill effluent system. The liquid product will be filled into dedicated road tankers on the plant weighbridge for ongoing distribution to BOC customers in a variety of industries.

Decision checklist

Aspect considered	Decision
Receipt of application	
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.
The facility	
The regulated facility	The permitted regulated facilities have not changed as a result of the partial surrender. A plot of land has been surrendered, the activities upon the site remain unchanged.
The site	
Extent of the surrender application	The operator has provided a plan showing the extent of the site of the facility that is to be surrendered. We consider this plan to be satisfactory.
Pollution risk	We are satisfied that the necessary measures have been taken to avoid a pollution risk resulting from the operation of the regulated facility.
Satisfactory state	We are satisfied that the necessary measures have been taken to return the site of the regulated facility to a satisfactory state. In coming to this decision we have had regard to the state of the site before the facility was put into operation.
Growth Duty	
Section 108 Deregulation Act 2015 – 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 surrender. 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

Aspect considered	Decision
	<p>delivery of the protections set out in the relevant legislation.”</p> <p>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.</p> <p>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.</p>