

# Environment Agency permitting decisions

## Surrender

We have decided to accept the surrender of the permit for Kidde Fire Fighting Protection Services, Ashcroft Road, Kirkby operated by Kidde Products Limited.

The permit number is EPR/BU5518IU

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:

- explains how the operator's application has been determined
- provides a record of the decision-making process
- shows how all relevant factors have been taken into account

## Structure of this document

- Key issues
- Annex 1 the decision checklist

Key issues of the decision

After some pre-application discussion the application was for a low risk surrender of the whole site permit. This was accepted. The fee included was for a full surrender so a refund of £382 was given.

For a low risk surrender a site condition report must be submitted but intrusive sampling is not required if satisfactory evidence can be provided that the necessary measures have been taken –

- (a) to avoid a pollution risk resulting from the operation of the regulated facility; and
- (b) to return the site of the regulated facility to a satisfactory state, having regard to the state of the site before the facility was put into operation.

(Regulatory Guidance Note 9 – Surrender).

To address a) the application included selected examples of

- Inspection records for the bunds and tanks.  
*These show that safety inspections were completed and actions identified but also that inspection training was variable and bunds often contained water and debris. Although there was no evidence provided of closing of actions there were no serious deficiencies.*
- Maintenance records for pollution prevention measures  
*These is evidence of an operating Preventative Maintenance System for key equipment. Although again there was no evidence provided of completion of actions arising there was no evidence either of faults recurring.*
- A bund water analysis test log for August 2012 to February 2013.  
*Ammonia and Sulphide were undetected in all samples. Although sulphate ranged from 200 to >1200 mg/l the neutral pH implies this was not due to persistent spills or leaks of concentrated sulphuric acid.*

Section 6 of the Site Condition Report states that “no incidences/damage to land identified have occurred within the area that would have caused pollution.”

The permit was issued on 4<sup>th</sup> February 2005. On 24<sup>th</sup> November 2009 an incident occurred when 1000 litres of 77% sulphuric acid spilt from an Intermediate Bulk Container during unloading from a vehicle. Approximately 250 litres was lost to the public surface water sewer.

The Environment Agency were notified although the spill occurred in an area outside the installation boundary. The sewage works owner were informed but were not adversely concerned for this volume. Remedial clean up measures were used to recover the majority of the acid. Dilution was used to ameliorate the effect of the remainder. Pumps were installed to remove the need to store IBCs of acid as back up for the ammonia scrubber so they would no longer be unloaded in this area.

The Environment Agency conducted an outline risk assessment that concluded there was little likelihood of significant ground pollution having occurred.

In accordance with RGN 9 Section 3.2.1 regarding operational measures, which states that any contamination that did occur must be promptly and effectively dealt with, we are satisfied that necessary measures were taken to avoid a pollution risk resulting from the operation of the regulated facility.

To address b) all the equipment has been cleaned, dismantled and removed except for the abatement units which have been cleaned and inspected to allow them to be used by a future site owner.

The Environment Agency Area Officer has inspected the site and confirmed it that has been returned a satisfactory state.

## Annex 1: decision checklist

This document should be read in conjunction with the application and 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 not has been made.  | ✓            |
| <b>The site</b>              |  |              |
| 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.<br><br>In coming to this decision we have had regard to the state of the site before the facility was put into operation. | ✓            |