

# Environment Agency permitting decisions

## Low impact installation

We have decided to grant the permit for Ferral Plant operated by Feralco (UK) Limited.

The permit number is EPR/WP3630WV

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.

### Structure of this document

- Annex 1 the decision checklist

#### Annex 1: decision checklist

This checklist should be read in conjunction with the Duly Making checklist, the application and supporting information and the permit.

Aspect	Justification / Detail	Criteria met
		Yes
<b>Consultation</b>		
Scope of consultation	The consultation requirements were identified and implemented. The decision was taken in accordance with our Public Participation Statement.	✓
Responses to web publicising	There were no responses received at the Environment Agency following web publicising of the Application between 29 September 2014 and 27 October 2014.	✓
<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	✓

Aspect	Justification / Detail	Criteria met
		Yes
	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>		
Extent of the site of the facility	The operator has provided a plan which we consider is satisfactory, showing the extent of the site of the facility.  A plan is included in the permit and the operator is required to carry on the permitted activities within the site boundary.	✓
Site condition report	The operator has provided a description of the condition of the site.  We consider this description is satisfactory. The decision was taken in accordance with our guidance on site condition reports – guidance and templates (H5).	✓
<b>Environmental Risk Assessment and operating techniques</b>		
Environmental risk	We have reviewed the operator's assessment of the environmental risk from the facility. The operator's risk assessment is satisfactory. The assessment shows that, applying the conservative criteria in our guidance on Environmental Risk Assessment [or similar methodology supplied by the operator and reviewed by ourselves], all emissions may be categorised as environmentally insignificant.	✓
Operating techniques for a Low Impact Installation	We have reviewed the techniques used by the operator and compared these with the relevant guidance notes. The proposed techniques / emission levels for priorities for control are in line with the benchmark levels contained in the TGN and we consider them to represent appropriate techniques for the facility.	✓
Management Techniques for a Low Impact Installation	We have reviewed the management techniques used by the operator and compared these with the relevant guidance notes, which state; All criteria for a Low Impact Installation Permit, must be met without having to rely on significant management effort. The installation	✓

Aspect	Justification / Detail	Criteria met
		Yes
	<p>intrinsically must have only a low environmental impact, including under start up, shutdown or abnormal operating conditions.</p> <p>The Applicant has demonstrated that due to the relatively simple nature of the process and the appropriate controls to be implemented the process can be operated without relying on significant management effort. We consider that these proposals meet the criterion required of a Low Impact Installation.</p>	
<p>Aqueous waste for a Low Impact Installation</p>	<p>We have reviewed the process activities used by the operator and compared these with the relevant guidance notes, which state; The installation must not release more than 50m<sup>3</sup> per day of water from the process activities conducted at the installation giving rise to effluent. No account need to be taken of the volume of water exported from the installation as product.</p> <p>The Applicant has confirmed that the process does not produce any effluent.</p>	<p>✓</p>
<p>Abatement systems and releases to air for a Low Impact Installation</p>	<p>We have reviewed the process activities used by the operator and compared these with the relevant guidance notes, which state; The installation must operate without having to rely on active abatement for releases to the environment outside of any building. Releases must not be dependent on continuing or correct operation of equipment, where failure of active pollution prevention systems could result in an unacceptable external release.</p> <p>The Applicant has demonstrated that the process does not rely on active abatement to control emissions to atmosphere.</p> <p>A knit-mesh demister is employed for the abatement of acid gases, however, as this is a passive technique, there is no possibility of failure due to power failure or mechanical breakdown. Furthermore, monitoring undertaken on a pilot plant demonstrated that concentrations of acid gases in the exhaust gas stream were below the relevant benchmark emission levels without the knit-mesh demister in place. The Applicant carried out a H1 assessment using data from the pilot</p>	<p>✓</p>

Aspect	Justification / Detail	Criteria met
		Yes
	<p>plant which demonstrated that impacts on ambient pollution levels would be insignificant.</p> <p>We consider that these proposals meet the criterion required of a Low Impact Installation.</p>	
Groundwater discharges for a Low Impact Installation	<p>We have reviewed the process activities used by the operator and compared these with the relevant guidance notes, which state; There must be no planned or fugitive emissions from the permitted installation into the ground, or any soak away. This does not preclude the discharge of clean rain water run-off into a soak away.</p> <p>The entire site is bunded and served by a closed drainage system. This will collect both rain water and any emergency releases. Anything collected will be transferred back into the process.</p> <p>We consider that these proposals meet the criterion required of a Low Impact Installation.</p>	✓
Producing waste at a Low Impact Installation	<p>We have reviewed the process activities used by the operator and compared these with the relevant guidance notes, which state; The installation must not give rise to more than 1,000kg of Directive waste or 10kg of hazardous waste per day, averaged over one year, with not more than 20 tonnes of Directive waste or 200kg of hazardous waste being released in any one day.</p> <p>The only waste to be produced by the activity is associated with material packaging, that of polypropylene sacks from the Magnetite which meets the above criteria.</p>	✓
Using energy at a Low Impact Installation	<p>We have reviewed the process activities used by the operator and compared these with the relevant guidance notes, which state; The installation must not consume energy at a rate greater than 3MW or, if the installation uses a combined heat and power installation to supply any internal process heat, 10MW. These limits apply to the sum of energy imported as electricity and produced on site through the combustion of fuels.</p>	✓

Aspect	Justification / Detail	Criteria met Yes
	<p>The Applicant states that the maximum power consumption for the process will be approximately 70kW and that normal power consumption will be approximately 20kW.</p> <p>We consider that these proposals meet the criterion required of a Low Impact Installation.</p>	
Preventing accidents for a Low Impact Installation	<p>We have reviewed the process activities used by the operator and compared these with the relevant guidance notes, which state; The Operator must have in place satisfactory containment measures to prevent fugitive emissions to surface water, sewer or land and ensure that these are adequately maintained at all times. This requirement applies to all substances present on site and in any quantity.</p> <p>The Applicant states that significant impacts upon the environment could only occur as a result of unplanned releases of liquid from the reaction vessel. However, all relevant areas of the site will be hard surfaced and bunded, with all liquids being contained by the closed loop drainage system with any spillages recycled back into the process. Periodic checking and maintenance schedules and procedures will be in place to ensure these containment measures are not compromised at any time.</p> <p>We consider that these proposals meet the criterion required of a Low Impact Installation.</p>	✓
Noise impact for a Low Impact Installation	<p>We have reviewed the process activities used by the operator and compared these with the relevant guidance notes, which state; There must be only a low potential for causing offence due to noise. An installation will not be considered a low impact installation if it may give rise to noise noticeable outside the installation boundary. This requires the exercise of judgement, taking account of any history of noise complaint arising from the installation and consideration of the likely offsite noise levels and proximity of sensitive receptors.</p> <p>The Applicant states that there is only a very low potential for causing offence due to noise. The</p>	✓

Aspect	Justification / Detail	Criteria met
		Yes
	<p>production process itself is not considered a significant noise source as there is limited amount of associated plant and moving parts and any emissions of noise are likely to be similar to those of existing facilities at the site. This process will not significantly increase movements of vehicles such as forklifts and HGV's above those already produced at the already permitted facilities at the site.</p> <p>The site is located in a predominately light industrial area and has been operational for many years without issue.</p> <p>The Applicant carried out an Environmental Risk Assessment which considered all sensitive receptors in the vicinity of the site and determined no significant impact potential.</p> <p>We consider that these proposals meet the criterion required of a Low Impact Installation.</p>	
Emissions of polluting substances for a Low Impact Installation	<p>We have reviewed the process activities used by the operator and compared these with the relevant guidance notes, which state; The Operator must justify that there will be no likelihood of a release to the environment of any particular substance from the whole installation at a rate greater than that determined as insignificant as set out in our guidance note "How to comply with your permit" and the "H1 Environmental Assessment".</p> <p>The only emissions are from the two reaction vessels which have natural vents on the top which are each equipped with a knit-mesh demister for the removal of acid gases prior to release to atmosphere. This is a passive abatement technology, therefore, there is no chance of failure due to power disruption or mechanical breakdown. The Applicant carried out a H1 Assessment of the proposed emissions which indicated that the impacts associated with these emissions (with or without the knit-mesh demisters employed) are insignificant.</p> <p>We consider that these proposals meet the criterion required of a Low Impact Installation.</p>	✓

Aspect	Justification / Detail	Criteria met
		Yes
<p>Odour impacts for a Low Impact Installation</p>	<p>We have reviewed the process activities used by the operator and compared these with the relevant guidance notes, which state; There must only be a low potential for giving offence due to odour. An installation will not be considered as a low impact installation if it may give rise to an offensive smell noticeable outside the installation boundary. This requires the exercise of judgement, taking account of any history of odour complaint from the installation and whether this class of activity is known by experience to give rise to smells. A significant possibility or actual history of excursions or fugitive emissions, for example from stored materials, would suggest that the installation could not be treated as having a low impact.</p> <p>The Applicant states that the processes do not result in any odorous emissions. All materials are stored in sealed containers and therefore do not represent fugitive odour sources.</p> <p>The Applicant carried out an Environmental Risk Assessment which considered all sensitive receptors in the vicinity of the site and determined no significant impact potential.</p> <p>We consider that these proposals meet the criterion required of a Low Impact Installation.</p>	<p>✓</p>
<p>History of keeping to the regulations.</p>	<p>We have reviewed the process activities used by the operator and compared these with the relevant guidance notes, which state; If any of the following enforcement actions have taken place at the same installation under the same management (and where appropriate, have not been overturned on appeal) then it will not normally be considered further as a low impact installation.</p> <ul style="list-style-type: none"> <li>• Prosecution*</li> <li>• Formal caution*</li> <li>• Suspension notice*</li> <li>• Enforcement notice relating to an actual or potential environmental incident</li> </ul> <p>*(all under EPR or equivalent)</p> <p>We can confirm that the Operator and this installation</p>	<p>✓</p>

Aspect	Justification / Detail	Criteria met
		Yes
	has not been the subject to any of the enforcement actions listed above.	
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>	✓
Reporting	<p>We have specified reporting in the permit.</p> <p>Annual reporting of performance criteria to demonstrate compliance with the requirements of a Low Impact Installation have been set in the Permit.</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.</p> <p>The operator satisfies the criteria in RGN 5 on Operator Competence.</p>	✓