

# Environment Agency permitting decisions

## Surrender

We have decided to accept the full surrender of the permit for Mars Petcare - Shrewsbury Avenue, Peterborough operated by Mars Petcare UK.

The permit number is EPR/FP3739GL.

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

### 1) Pollution Risk

Entec UK Limited, on behalf of the Applicant Masterfoods Limited, provided a Site Closure Plan in February 2006. This report included site baseline data from an investigation targeted around the areas of the operational site which were most at risk from potential contamination. This evidenced that detectable levels of certain determinands were present, in particular hydrocarbons, and ground contamination (potentially historical) to be present at the site.

As part of the surrender application, the Environment Agency requested that the operator undertake additional intrusive investigation and environmental sampling at the location of WS3/WS103. This was required because no testing was scheduled for WS3/WS103 in 2013 to replicate the 2006 baseline report. Hydrocarbon testing undertaken in 2006 was speciated hydrocarbons, gasoline range organics (GRO), methyl tert-butyl ether (MTBE) and benzene, toluene, ethyl-benzene and xylenes (BTEX).

Within the report 'Mars Petcare UK Ltd – Peterborough Site Surrender: Site Investigation Report – Total Petroleum Hydrocarbons (TPH), March 2014' submitted as part of the surrender application speciated hydrocarbons test results were presented for the location of WS3/WS103. Also within this report, reference was made to a hydrocarbon leak at the site in 2002. Soil strata log descriptions, a Conceptual Site Model, soil test results, a human health generic assessment, conclusions and recommendations were all included within this report. The recommendations were:

- after demolition an additional investigation is undertaken in the vicinity of TP2 and TP3 to establish potential hydrocarbon contamination as the initial intrusive investigation hit obstructions at shallow depths within the trial pits
- further information is obtained including the details of the backfill material at the location of the hydrocarbon leak in 2002. It was stated that 600 tonnes of material was used to backfill the void after over excavation of the ground affected by the leak.

A remediation contractor (Bowman (Cambs) Ltd) was commissioned in September 2002 to remediate the hydrocarbon leak. Reports written by Bowmans (November 2002) and reviewed by others indicated that the hydrocarbon test results on soil samples taken from three trial pits in the area of the site affected by the leak were below the laboratory detection limits. Trial pits excavated on 07 October 2013 by AMEC in the same area encountered ground heavily impacted by hydrocarbons.

The Surrender Site Condition Report documents that all substances on site used in the installation production processes were removed from site prior to the demolition works. This included wastes as well as re-useable materials such as chemicals and fuels. Pipework and tanks were washed and cleaned prior to removal and details of the substances removed have been provided.

Demolition was completed on 11 March 2014 with no spills and removal of all hazardous materials. Anglian Water were notified of the cessation of trade effluent discharges from site and consented to the change on 01 November 2013.

Site inspections by the Environment Agency Area officer were undertaken on 17 January 2014 and 04 March 2014, and confirmed that the site had been decommissioned including:

- demolition and removal of all buildings
- demolition and removal of the biofilter bed
- demolition and removal of boiler house, stack and associated infrastructure
- cleaning out of fuel tanks, chemical storage and IBCs
- jetting of drains and interceptors by Dial-a-rod
- cleaning, decommissioning and removal of the on-site effluent treatment plant and associated infrastructure
- decommissioning and removal of transformer station
- removal of general wastes, chemicals, fuels and oils

## 2) Satisfactory State

A site investigation was undertaken by AMEC (Mars Petcare UK – Peterborough Site Surrender, Post Closure Reference Data Report, 11 November 2013) to validate the baseline data reported in the Entec Site Closure Plan in 2006. It was agreed with Mars and the Environment Agency to replicate the sampling methodology from 2006. The intrusive investigation works were undertaken on 01 August 2013 and 07 October 2013.

An additional investigation reported in ‘Mars Petcare UK Ltd – Peterborough Site Surrender: Site Investigation Report – Total Petroleum Hydrocarbons (TPH), March 2014’ was undertaken to investigate and substantiate evidence of hydrocarbon impacts on the ground. The investigation was undertaken on 07 October 2013 comprising trial pitting using a JCB 3CX in areas identified as potentially affected by hydrocarbon contamination from the baseline report data as well as operational land use.

After reviewing the report ‘Mars Petcare UK Ltd – Peterborough Site Surrender: Site Investigation Report – Total Petroleum Hydrocarbons (TPH), March 2014’, the Environment Agency issued a Schedule 5 Notice to the operator. This Notice was required in order to obtain further information to satisfy the Environment Agency’s requirements on the surrendering of environmental permits and protecting the environment. The Notice requested a copy of the chemical testing report from the remediation contractor (Bowman (Cambs) Ltd) who were commissioned to remediate a hydrocarbon leak in 2002. Also the Environment Agency asked that the operator confirm the basic level age estimation for the hydrocarbon contamination in the form of laboratory chromatographs. This was required in order to confirm whether the hydrocarbon contamination identified at the site was likely to have been pre or post the operation of the installation under past and current Environmental Permitting Regulations.

To satisfy the Schedule 5 Notice the operator provided the following additional reports:

- Contamination Analysis Report for soils removed from Pedigree Masterfoods Woodston, Peterborough. Bowman (Cambs) Ltd, BC313-036, November 2002.
- Peterborough EPR Surrender MARS Petcare UK Ltd. AMEC, July 2014.

After reviewing both of these reports, the Environment Agency accepts the operators application for a full permit surrender for this installation. This conclusion has been based

on all the reports and information provided by the operator in particular the two reports listed above.

The reports submitted have demonstrated that the hydrocarbon contamination is not recent and more than likely is sourced from the 2002 spill. Also, records maintained during the permit demonstrated that no further spills have occurred at the installation since the permit was issued.

In conclusion, there is identified historical hydrocarbon contamination at this installation pre-operation of the installation under the environmental permitting regime. This contamination will need to be addressed under the Planning Regime when the site is redeveloped.

## Annex 1: decision checklist

This document should be read in conjunction with the Duly Making checklist, the application and supporting information, Site Condition Report Evaluation Template and the surrender notice/letter.

Aspect considered	Justification / Detail	Criteria met
		Yes
<b>Receipt of submission</b>		
Confidential information	<b>No</b> claim for commercial or industrial confidentiality has been made.	✓
Identifying confidential information	We have <b>not</b> identified information provided as part of the application that we consider to be confidential. The decision was taken in accordance with our guidance on commercial confidentiality.	✓
<b>The site</b>		
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. Please refer to further details in the key issues section.	✓
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. Please refer to further details in the key issues section.	✓