

Environment Agency permitting decisions

Surrender

We have decided to accept the surrender of the permit for Verdant Bioproducts, 11 Whittle Road, Corby operated by Verdant Bioproducts Limited.

The permit number is EPR/UP3337WJ.

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

1. Administrative issues

The operator categorised this application as a 'Basic Surrender'. However, this type of permit does not qualify for a Basic Surrender. The operator accepts this was an error on their part and the application should have been categorised as a 'Low Risk Surrender'.

2. Low Risk Surrender

We agree with the operator that the criteria for a Low Risk Surrender, as outlined in Regulator Guidance Note (RGN) 9, has been satisfied. RGN 9 states that *'where activities could in principle pollute land or groundwater but the operator can show through...pollution control measures, that the legal test [for surrender] has been met'*. This has been demonstrated by the fact that all relevant areas within the installation are sealed and/or bunded, where appropriate, and in good condition. There is no evidence of any major spills or incidents on site and the site did not operate beyond a Research and Development facility.

Horizontal Guidance Note H5 defines under what circumstances intrusive investigation of soil and groundwater is required at permit surrender. Whilst a Site Condition Report was submitted, no intrusive sampling was needed at the original permit application stage as there was little likelihood that pollution or leaks to land would occur during the operation of the installation. In addition, the potential for contaminant migration beneath the installation from an adjacent site is considered to be low on the basis of the adjacent land use and surfacing.

Annex 1: decision checklist

This document should be read in conjunction with the application and supporting information.

Aspect considered	Justification / Detail	Criteria met
		Yes
Receipt of submission		
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 commercial confidentiality.	✓
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.	✓