

Environment Agency permitting decisions

Surrender

We have decided to accept the surrender of the permit for Sims Group Ellesmere Port operated by Sims Group UK Limited.

The permit number is EPR/EP3393LW.

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. Reasons for surrender

Sims Group UK Limited have applied for a full surrender for environmental permit EP3393LW. The permit allowed for the sorting, separating, grading shearing, baling, compacting, crushing and cutting of ferrous alloys and non-ferrous metals for recovery. It also permitted the treatment of waste electrical and electronic equipment (WEEE). In total the permit allowed the receipt of 375,000 tonnes per year of ferrous metals, non-ferrous metals and WEEE.

Sims Group UK Limited began decommissioning the Ellesmere Port site in 2014 and officially vacated the site on the 7th August 2015.

2. Low Risk Surrender

We have agreed 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 the surrender application and supporting documentation provided by Sims Group

UK Ltd indicates that no significant environmental incidents or pollution to land have occurred since the site was permitted in October 2009 as confirmed by previous site inspections (4 breaches in water compliance occurred between 2009 and 2015 however corrective action was taken in all cases). Regular planned inspections of the site through the site protection and monitoring programme have also demonstrated no significant pollution or environmental impact.

The Environment Agency inspected the site on 10th June 2016, the majority of the installation was covered in an impermeable concrete surface, areas of exposed ground had been cleared to remove contamination from WEEE products and the material disposed of to landfill. All plant equipment and waste materials had been cleared from site. Tanks were bunded where necessary and in good condition prior to removal. There was no evidence of major staining or spills within any of the bunds, with the exception of a small chemical spillage visible within a bunded area of the former lead recovery warehouse. This spillage was cleared and the bund demolished with evidence provided to the Environment Agency. The site has its own sealed drainage system, which was cleared and the interceptor emptied before vacating the site.

The site has an Environmental Management System (EMS) and was managed by a Technically Competent Manager (TCM).

Horizontal Guidance Note H5 defines under what circumstances intrusive investigation of soil and groundwater is required at permit surrender. A ground investigation carried out to determine baseline conditions before the site was transferred to Sims Group UK Ltd indicated that:

'No significant risks to human health from the inorganic and organic contamination have been identified. Furthermore, any residual risks are mitigated by the existing concrete hard-standing, breaking any direct pathways for site users and visitors coming into contact with the shallow soil contamination identified.'

'The presence of the concrete hard-standing would also prevent potential future contaminant leakages or spillages infiltrating into the shallow soils arising from the recycling activities.'

The Surrender Site Condition report indicates that potentially polluting activities have been mitigated through the operational management of the site therefore the Environment Agency has not requested an intrusive investigation.

Annex 1: decision checklist

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

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.	✓