

# Permitting decisions

## Variation

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We have decided to grant the variation for GKN Aerospace Services Limited - Filton operated by GKN Aerospace Services Limited.

The variation number is EPR/MP3132XB/V002.

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 provides a record of the decision making process. It summarises the decision making process in the decision checklist to show how all relevant factors have been taken into account.

This decision document provides a record of the decision making process. It:

- highlights key issues in the determination
- summarises the decision making process in the decision checklist to show how all relevant factors have been taken into account
- shows how we have considered the consultation responses

Unless the decision document specifies otherwise we have accepted the applicant's proposals.

Read the permitting decisions in conjunction with the environmental permit and the variation notice. The introductory note summarises what the variation covers.

### Key issues of the decision

#### Emissions to air

Air emissions of oxides of nitrogen from the water heater did not screen out when using the Environment Agency's risk assessment (H1) tool, however we concluded that no detailed air dispersion modelling was required for the following reasons:

1. Sensitive receptors and relevant habitats are more than 300m away from the flue, therefore due to the low emission rate the concentration of nitrogen dioxide would likely be dispersed to concentrations below any threshold in those locations.
2. The effect of plume rise from the hot gases is not taken into account in the H1 assessment, which is at temperature of 240°C. This would alter the dispersion of the gaseous emissions so as to have an insignificant impact upon sensitive receptors.
3. The nearest air quality management area (AQMA) is 1.6km to the south, which is upwind from the site, therefore little impact is expected upon this AQMA.

4. It is the opinion of the Environment Agency that detailed modelling is not warranted as due to the size of the boiler being <1MWth the gaseous releases will be small and of low risk to the environment.

#### Effluent treatment plant

Pipework from the tartaric acid line to the effluent treatment plant passes across areas where there are surface water drains. The risk to the environment from any spills due to damage to this pipework has been minimised through the use of double skinned pipes and an inspection regime.

#### Address

The permitted address has changed from New Filton House, Filton, Bristol, BS99 7AR to PO Box 500, Golf Course Lane, Filton, Bristol, BS34 9AU. The site location has not changed and the grid reference is ST5997079313.

## Decision checklist

Aspect considered	Decision
<b>Receipt of application</b>	
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.
<b>Consultation/Engagement</b>	
Consultation	<p>The consultation requirements were identified in accordance with the Environmental Permitting Regulations and our public participation statement.</p> <p>The application was publicised on the GOV.UK website.</p> <p>We consulted the following organisations:</p> <p>Natural England, Public Health England, Local Authority – Planning, Local Authority - Environmental Health, Sewerage Authorities and the Health and Safety Executive.</p> <p>The comments and our responses are summarised in the consultation section.</p>
<b>The facility</b>	
The regulated facility	<p>We considered the extent and nature of the facility at the site in accordance with RGN2 'Understanding the meaning of regulated facility', Appendix 2 of RGN 2 'Defining the scope of the installation', Appendix 1 of RGN 2 'Interpretation of Schedule 1', guidance on waste recovery plans and permits.</p> <p>The extent of the facility is defined in the site plan and in the permit. The activities are defined in table 1.1.1 of the permit.</p>
<b>The site</b>	
Extent of the site of the facility	The operator has provided plans which we consider are satisfactory, showing the extent of the site of the facility. The plan is included in the permit.
Biodiversity, heritage, landscape and nature conservation	<p>The application is within the relevant distance criteria of a site of heritage, landscape or nature conservation, and/or protected species or habitat.</p> <p>We have assessed the application and its potential to affect all known sites of nature conservation, landscape and heritage and/or protected species or habitats identified in the nature conservation screening report as part of the permitting process.</p> <p>We consider that the application will not affect any sites of nature conservation, landscape and heritage, and/or protected species or habitats identified.</p>

Aspect considered	Decision
	We have not consulted Natural England on the application. The decision was taken in accordance with our guidance.
<b>Environmental risk assessment</b>	
Environmental risk	<p>We have reviewed the operator's assessment of the environmental risk from the facility.</p> <p>The operator's risk assessment is satisfactory.</p> <p>The assessment shows that, applying the conservative criteria in our guidance on environmental risk assessment, all emissions may be categorised as environmentally insignificant.</p> <p>Air emissions were assessed using the web based guidance on the Environment Agency website "Air Emissions Risk Assessment for your Environmental Permit", H1 Annex F and AQTAG 14 as the dispersion from NO<sub>x</sub> emissions was not quantitatively assessed using air dispersion modelling.</p> <p>Chemical storage was assessed using the HSE guidance "Chemical Warehousing – The Storage of Packaged and Dangerous Substances" and also "OCM8- Storing Chemicals".</p>
<b>Operating techniques</b>	
General operating techniques	<p>We have reviewed the techniques used by the operator and compared these with the relevant guidance notes and we consider them to represent appropriate techniques for the facility.</p> <p>The operating techniques that the applicant must use are specified in table 2.1.1 in the environmental permit.</p> <p>How to Comply: The Surface Treatment of Metals and Plastics by Electrolytic and Chemical Processes (EPR 2.07) was used to assess the addition of the tartaric acid anodising line against BAT.</p>
Operating techniques for emissions that screen out as insignificant	<p>Emissions of sulphuric acid have been screened out as insignificant, and so we agree that the applicant's proposed technique is BAT for the installation.</p> <p>We consider that the emission limits included in the installation permit reflect the BAT for the sector.</p> <p>Emissions of NO<sub>x</sub> did not screen out using the H1 tool, however they were considered to be insignificant. See key issues for more information.</p>
<b>Permit conditions</b>	
Improvement programme	<p>Based on the information on the application, we consider that we need to impose an improvement programme.</p> <p>We have imposed an improvement programme to ensure that the maintenance of assets, including pipework, bunds, vents, valves and extraction systems is detailed within the operating techniques, as covered in improvement conditions 13 and 14. These are included as an improvement conditions as they will be developed during the first six months of operation.</p> <p>The environmental risk from not having these procedures in place prior to</p>

Aspect considered	Decision
	running the line is minimal due to the age of the equipment and therefore minimal likelihood of failure due to lack of maintenance.
Emission limits	No emission limits have been added, amended or deleted as a result of this variation.
<b>Operator competence</b>	
Management system	There is no known reason to consider that the operator will not have the management system to enable it to comply with the permit conditions.
<b>Growth Duty</b>	
Section 108 Deregulation Act 2015 – Growth duty	<p>We have considered our duty to have regard to the desirability of promoting economic growth set out in section 108(1) of the Deregulation Act 2015 and the guidance issued under section 110 of that Act in deciding whether to vary this permit.</p> <p>Paragraph 1.3 of the guidance says:</p> <p>“The primary role of regulators, in delivering regulation, is to achieve the regulatory outcomes for which they are responsible. For a number of regulators, these regulatory outcomes include an explicit reference to development or growth. The growth duty establishes economic growth as a factor that all specified regulators should have regard to, alongside the delivery of the protections set out in the relevant legislation.”</p> <p>We have addressed the legislative requirements and environmental standards to be set for this operation in the body of the decision document above. The guidance is clear at paragraph 1.5 that the growth duty does not legitimise non-compliance and its purpose is not to achieve or pursue economic growth at the expense of necessary protections.</p> <p>We consider the requirements and standards we have set in this permit are reasonable and necessary to avoid a risk of an unacceptable level of pollution. This also promotes growth amongst legitimate operators because the standards applied to the operator are consistent across businesses in this sector and have been set to achieve the required legislative standards.</p>

# Consultation

The following summarises the responses to consultation with other organisations, our notice on GOV.UK for the public and the way in which we have considered these in the determination process.

## Responses from organisations listed in the consultation section

<b>Response received from</b>
Wessex Water
<b>Brief summary of issues raised</b>
No issues raised by Wessex Water
<b>Summary of actions taken or show how this has been covered</b>
None

<b>Response received from</b>
Public Health England
<b>Brief summary of issues raised</b>
No issues raised by Public Health England
<b>Summary of actions taken or show how this has been covered</b>
None