

Permitting decisions

Bespoke permit

We have decided to grant the permit for Low Moor Extrusions Facility operated by RTI Extrusions Europe Limited.

The permit number is EPR/PP3730DV/A001.

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:

- 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. The introductory note summarises what the permit covers.

Key issues of the decision

RTI Extrusions Europe Limited (the operator) run a hard alloy (titanium and stainless steel) extrusion and engineering facility that produces specialist titanium alloy components for the aerospace and power sector applications, typically used in turbine engines and associated sub-assemblies.

The site consists of various manufacturing buildings, external yard areas and car parking with an approximate site area of 16,700m². The site is located at National Grid Reference: SE1572528574.

The Chemical Pickling activities are currently regulated under a Part B Environmental permit issued in accordance with the Pollution Prevention and Control Act 1999, now superseded by the Environmental Permitting (England and Wales) Regulations 2016, issued by the Local Authority Environmental Health Department.

Notwithstanding the above permit, the Chemical Milling / Tagging activities carried out by the site are required to be permitted as a Part A(1) Installation by virtue of Section 4.2A (1) (b) therefore requires a permit from the Environment Agency.

The listed activities on site comprise the following:

- Chemical Milling: Through the immersion of approximately 300mm of one end of the titanium extrusion into a concentrated nitric acid, hydrofluoric and/or hydrochloric acid solution for the milling and removal of metal in order to facilitate cold drawing; and
- Acid Pickling: The immersion of hot extrusions into either a nitric/hydrofluoric acid solution or a sulphuric/hydrofluoric acid solution for the removal of oxides and remnant glass lubricant.

Both processes result in the potential emissions to air of nitrogen oxides, halogens and acid gas emissions. All tanks are fitted with lip extraction which provides effective control of tank emissions and subsequently extracts to an acid gas scrubber prior to the release to atmosphere via Release Point A1.

Noise

The operator undertook a detailed noise risk assessment and survey. Although no complaints have been received, the survey identified plant that may cause an impact to local receptors. We concurred with the operators conclusion.

The operator has committed to an improvement plan within the application, which we have included in the permit as an improvement condition (IC 03). The improvement plan is required to be submitted to the Environment Agency for approval and implemented in line with the agreed timescales. (Also, see [consultation responses](#))

Additionally, we have required monitoring of the noise level to ensure that the activities are not having an unacceptable impact on the nearby receptors.

Emission to air

The operator applied to transfer the current limits from the Part B permit they currently hold. These are 200 mg/m³ for oxides of nitrogen (NO_x) and 5 mg/m³ of hydrogen fluoride (HF).

We will be limiting the permit to 75 mg/m³ of oxides of nitrogen (long-term), 200mg/m³ (short term) and 2 mg/m³ of hydrogen fluoride as these were the limits used to model the impacts on the local receptors.

The operator's model shows there is one location (D1 – the adjacent industrial units) near to the site that the process environmental concentration (PEC) is above 70% for the long-term limit and above 100% for the short-term limit, i.e. 71.1% and 103.2% respectively. The model is based on a worst case scenario that the site is will be emitting to air 24 hours a day. However, the site will only process the chemical milling and acid pickling for 6 to 8 hours a day.

Additionally, as this is an existing plant we are imposing an improvement condition (IC 04) to require the operator to review the stack and extraction plant and to ensure that the best available techniques are being used.

Therefore, we are satisfied that the limits we are imposing will protect the environment and local receptors.

Underground storage and drainage

The operator has stated in the application that they are committed to removing all underground storage tanks and associated drainage as part of an improvement plan. We have therefore included two improvement conditions (IC 01 and 02) to require the operator to submit the improvement plan to the Environment Agency for approval and implement it in line with the agreed timescales.

Decision checklist

Aspect considered	Decision
Receipt of application	
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.
Consultation	
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> <ul style="list-style-type: none"> Health and Safety Executive (HSE) Director of Public Health (DPH) Public Health England (PHE) Bradford Council – Environmental Health and Planning Department Food Standards Agency Yorkshire Water <p>The comments and our responses are summarised in the consultation section.</p>
Operator	
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 was taken in accordance with our guidance on legal operator for environmental permits.
The facility	
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'.</p> <p>The extent of the facility is defined in the site plan and in the permit. The activities are defined in table S1.1 of the permit.</p>

Aspect considered	Decision
The site	
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. The plan is included in the permit.
Site condition report	The operator has provided a description of the condition of the site, which we consider is satisfactory. The decision was taken in accordance with our guidance on site condition reports and baseline reporting under the Industrial Emissions Directive.
Biodiversity, heritage, landscape and nature conservation	The application is not within the relevant distance criteria of a site of heritage, landscape or nature conservation, and/or protected species or habitat.
Environmental risk assessment	
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 with the exception of oxides of nitrogen. (See key issues).</p>
Operating techniques	
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 S1.2 in the environmental permit.</p>
Operating techniques for emissions that do not screen out as insignificant	Conditions are being imposed for which the appropriate emission limits are more stringent than those associated with the best available techniques as described in BAT conclusions. (See also emission limits and key issues)
Permit conditions	
Use of conditions other than those from the template	Based on the information in the application, we consider that we do not need to impose conditions other than those in our permit template.

Aspect considered	Decision
Raw materials	We have specified limits and controls on the use of raw materials and fuels.
Improvement programme	Based on the information on the application, we consider that we need to impose an improvement programme. (See key issues)
Emission limits	<p>ELVs have been set for the following substances.</p> <ul style="list-style-type: none"> • Oxides of nitrogen (NO_x) – daily mean and hourly mean • Hydrogen Fluoride (HF) <p>We have imposed a stricter ELV than that required by BAT in respect of oxides of nitrogen. (See key issues).</p>
Monitoring	<p>We have decided that monitoring should be carried out for the parameters listed in the permit, using the methods detailed and to the frequencies specified.</p> <p>These monitoring requirements have been imposed in order to ensure that the activities undertaken at the site will not have an unacceptable impact on the environment, as this is an existing plant. (See key issues).</p> <p>We made these decisions in accordance with :-</p> <ul style="list-style-type: none"> • M2 monitoring of stack emissions to air • Surface treatment of metals and plastics by electrolytic and chemical processes: additional guidance (EPR 2.07) • Horizontal Guidance for Noise Part 2 – Noise Assessment and Control <p>Based on the information in the application we are satisfied that the operator's techniques, personnel and equipment have either MCERTS certification or MCERTS accreditation as appropriate.</p>
Reporting	<p>We have specified reporting in the permit.</p> <p>We have required annually reporting from the operator to ensure that the activities undertaken at the site will not have an unacceptable impact on the environment.</p> <p>We made these decisions in accordance with Surface Treatment of Metals and Plastics by Electrolytic and Chemical Processes: Additional Guidance (EPR 2.07).</p>
Operator competence	
Management system	<p>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.</p> <p>The decision was taken in accordance with the guidance on operator competence and how to develop a management system for environmental permits.</p>
Relevant convictions	The Case Management System been checked to ensure that all relevant

Aspect considered	Decision
	<p>convictions have been declared.</p> <p>No relevant convictions were found. The operator satisfies the criteria in our guidance on operator competence.</p>
Financial competence	There is no known reason to consider that the operator will not be financially able to comply with the permit conditions.
Growth Duty	
<p>Section 108 Deregulation Act 2015 – Growth duty</p>	<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 grant 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

Response received from
Public Health England
Brief summary of issues raised
The consultee requested that the Environment Agency considers the potential impact of noise from this site to the nearby residences. The regulator should ensure that this will not cause an issue to the local population.
Summary of actions taken or show how this has been covered
<p>The standard condition has been placed in the permit that requires the operator to use appropriate measures to control potential noise form emanating from the site and if noise is perceived to be causing pollution, that the Environment Agency can request a noise management plan.</p> <p>Additionally, we have requested that an appropriate noise impact assessment be undertaken and an improvement plan submitted to the Environment Agency, particularly with regard to the parts of the plant identified in the noise report contained in the application.</p>