

Assessing application site condition reports and surrender site condition reports submitted under the Environmental Permitting regime (non-landfill)

Operational instruction 233_06

Issued 10/08/2011

This document is for staff at level 3 capability Issuing and Maintaining Permits in the Groundwater and Contaminated Land technical development framework, NPS and EM/PPC officers.



Document
details

What's it about?

This document provides a framework for officers to assess application site condition reports and surrender site condition reports.

It should be read in conjunction with regulatory guidance series Note 9 on site condition records, H1 Core guidance and H5: Site condition report – guidance and templates.

The site condition report (SCR) is a live document that should be updated/ reviewed at three stages;

- at application;
- during the lifetime of the permit;
- at surrender.

The Environmental Permitting regime is designed to ensure that land and water are protected from the permitted activity. Operators must ensure that there is no deterioration in the quality of land and water during the lifetime of the permit and should maintain appropriate records to demonstrate that this is the case. The SCR provides a means of recording that protection measures required by the permit are effective and enables the operator to demonstrate at surrender that the site is in a satisfactory state.



Related
documents



Feedback

**Contact for
queries**

Mike Harget

Which sites does it apply to?

This document applies to installations and non-landfill waste facilities, as specified in Regulatory Guidance Note 9.

What do we need to do?

SCR evaluation templates are provided for you to assess whether the land and waters are being protected at the application, operational and surrender stages. The templates prompt you to consider whether the information supplied is sufficient, identify what further information is needed and determine whether there is reasonable possibility that pollution of the land from the activities has been prevented.

You should review the information contained in the SCR that you are assessing, complete the appropriate template and advise NPS of your decision. The decision will be site-specific and based upon the information provided, the type of activity undertaken, the setting of the site and in some cases the proposed use of the site. Further information is provided in Regulatory Guidance Note 9, H1 and H5.

The operator's H1 environmental risk assessment should describe potential sources of pollution (activities and substances), potential pathways (e.g. drainage, groundwater) and receptors (site setting). You should consider this information alongside the application SCR to determine if pollution prevention measures at the site are likely to be appropriate and effective. Any missing information that is not contained in another part of the application should be requested from the operator by the permitting team.

The operational phase of the SCR evaluation template may be completed annually. Information submitted during the operational phase should be considered alongside our own records and information provided through our compliance checks.

The surrender SCR evaluation template must be completed and returned to the permitting team when the permitted activities have ceased and decommissioning works have been completed. We should not accept an application to surrender an environmental permit until the operator has shown that pollution risk has been removed and the site is in a satisfactory state.

We can't require baseline data to be collected through specific permit conditions but we can recommend that in certain cases it is in the operator's best interests to collect background data so they can demonstrate no deterioration at surrender.

**What is
satisfactory
state?**

Operators should aim to restore the land and waters to the state they were in prior to any operation starting. Operators must demonstrate that the land and waters are in a satisfactory state at surrender either by using records collected throughout the life of the permit or by comparison between data gathered at the application and surrender stages. They are responsible for identifying what information they will need at surrender and for collecting this information throughout the lifetime of the permit. To show that the condition of the land and waters are in a satisfactory state, these records must show that:

- measures taken to protect land have been effective, and
- pollution incidents that may have impacted on land have been investigated and remediated, and
- soil gas and/or water quality monitoring (if undertaken) shows no deterioration in the condition of the site or where deterioration has occurred this has been investigated and remediated, and
- decommissioning works and works to remove pollution risk have not caused any deterioration in the condition of the land or waters, or where this is not the case, that this has been investigated and remediated.

If operators are not able to show that the land and waters are in a satisfactory state using this information (because records are not available, are incomplete or because they do not show that no deterioration has occurred) the surrender application will not be accepted and they are likely to need surrender reference data. If the surrender data shows an impact remedial works are likely to be required.

Application SCR evaluation template

(To be completed by NPS, GWCL and EM/PPC officers).

Name of activity, address and NGR	Celanese Production UK Limited
	PO Box 5 Spondon Derby DE21 7BP
	SK 39563 34935

Document reference of surrender application SCR	EPR/MP3033UJ/S005
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Date and version of application SCR	<p>SCR template June 2017 – final version on EDRM as document dated 30/06/17 referenced SCR 1 and SCR 2. Appendix L has its own separate entry on EDRM.</p> <p>With all relevant appendices to this report as follows:</p> <p>Appendices</p> <ul style="list-style-type: none"> • Appendix A – Report Conditions • Appendix B – Drainage Report WYG July 2006 • Appendix C – Bund Inspection Records 2011 • Appendix D – Photographic Record of Bund Inspection (CD Copy) • Appendix E – Collated Baseline Data • Appendix F – Groundwater Flow Direction • Appendix G – Potentially Contaminative Substances (Extracted from Conestoga-Rovers ASR 2006) • Appendix H – Bund and Tank Inspection Reports • Appendix I – Pollution Incident Flow Chart • Appendix J – Summary of Significant Pollution Incidents • Appendix K – Tank Register • Appendix L – Residual Risk Register • Appendix M – Site Investigation Reference Data • Appendix N – ProUCL Statistical Assessments • Appendix O – Oil on Water Drain Monitoring Results • Appendix P – Dissolved Methane Data by Permit Zone, WYG MCA MNA Monitoring Round 34, April 2014 • Appendix Q – Benzene Groundwater Concentration from MCA MNA Monitoring in Relation to Environmental Incidents • Appendix R – Laboratory Correspondence • Appendix S – Remediation Strategy • Appendix T - QDS Remediation Validation Report <p>Supporting information all on EDRM includes</p> <p>Other supporting documents presented include:</p> <ul style="list-style-type: none"> • Remediation Verification Report dated May 2017 – remedial work completion report
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1.0 Site details	
To be completed by NPS (Source)	
Has the applicant provided the following information as required by the application SCR template?	Yes
Site plans showing site layout, drainage, surfacing, receptors, sources of emissions/releases and monitoring points	Yes plan supplied in EDRM application forms and supporting document subject line dated 30/06/17. The Appendix A provides a sit boundary plan and plans of various zones linked to

1.0 Site details To be completed by NPS (Source)	
Has the applicant provided the following information as required by the application SCR template?	Yes
	elevated ground water/soil monitoring levels.

2.0 Condition of the land at permit issue To be completed by GWCL officers (Receptor)	
Has the applicant provided the following information as required by the application SCR template?	Response (Specify what information is needed from the applicant, if any)
a) Environmental setting including geology, hydrogeology and surface waters b) Pollution history including: <ul style="list-style-type: none"> • pollution incidents that may have affected land • historical land-uses and associated contaminants • visual/olfactory evidence of existing contamination • evidence of damage to existing pollution prevention measures c) Evidence of historic contamination (i.e. historical site investigation, assessment, remediation and verification reports (where available)) d) Has the applicant chosen to collect baseline reference data?	Main final SCR report dated June 2017 provides this data

3.0 Permitted activities To be completed by NPS officers (Source)	
Has the applicant provided the following information as required by the application SCR template?	Response (Specify what information is needed from the applicant, if any)
a) Permitted activities b) Non-permitted activities undertaken at the site	Main final SCR provided this data The application forms and supporting information entry included all relevant permits and variations There have been no installation boundary changes since original permit.

3.0(a) Environmental Risk Assessment To be completed by NPS officers (Source)	
The H1 environmental risk assessment should identify elements that could impact on land and waters, cross-referenced back to documents and plans provided as part of the wider permit application.	Risk assessment completed through original cited WYG baseline reporting in 2014 and October 2015 version of SCR.

3.0(b) Will the pollution prevention measures protect land and groundwater? To be completed by EM/PPC officers (Conceptual model)	
Are the activities likely to result in pollution of land?	Remedial work completed May 2014
For dangerous and/or hazardous substances only, are the pollution prevention measures for the relevant activities to a standard that is likely to prevent pollution of land?	Land stated as returned to a satisfactory standard.

Application SCR decision summary To be completed by GWCL officer and returned to NPS	Tick relevant decision
Sufficient information has been supplied to describe the condition of the site at permit issue; or	
Information is missing- the following information must be obtained from the applicant. (Advise the permitting team on what additional information is needed)	
Pollution of land and water is unlikely; or (Pollution prevention measures just need to be reviewed during operation of the site)	
Pollution of land and water is likely (Advise the permitting team on what additional controls/checks may be necessary)	
Historical contamination is present- advise operator that collection of background data may be appropriate	
Date and name of reviewer	

Operational phase SCR evaluation template

(To be completed by EM/PPC and GWCL officers).

Sections 4.0. to 7.0 may be completed annually in line with normal record checks.

4.0 Changes to the activities To be completed by EM/PPC officers (Source)	
Have there been any changes to the following during the operation of the site?	Response (Specify what information is needed from the applicant, if any)
a) Activity boundaries b) Permitted activities c) "Dangerous substances" used or produced	Not applicable as a new installation application/

5.0 Measures taken to protect land To be completed by EM/PPC officers (Pathway)	
Has the applicant provided evidence from records collated during the lifetime of the permit, to show that the pollution prevention measures have worked?	If no, specify why

6.0 Pollution incidents that may have impacted on land and their remediation To be completed by EM/PPC officers (Sources)	
Has the applicant provided evidence to show that any pollution incidents which have taken place during the life of the permit and which may have impacted on land or water have been investigated and remediated (where necessary)?	Have all pollution sources associated with the incident been investigated and remediated such that they will not lead to pollution after permit surrender e.g. pipe work containing raw materials?

7.0 Soil gas and water quality monitoring (where relevant) To be completed by GWCL officers	
Where soil gas and/or water quality monitoring has been undertaken, does this demonstrate that there has been no change in the condition of the land? Has any change that has occurred been investigated and remediated?	If no, specify why

Surrender SCR Evaluation Template

If you haven't already completed previous sections 4.0 to 7.0, do so now before assessing the surrender.

8.0 Decommissioning and removal of pollution risk	
To be completed by EM/PPC officers	
Has the applicant demonstrated that decommissioning works have been undertaken and that all pollution risks associated with the site have been removed? Has any contamination of land that has occurred during these activities been investigated and remediated?	All permitted activities should have ceased and all sources of pollution risk should be removed before the Surrender SCR is produced.
10.0 Statement of site condition	
To be completed by EM/PPC officers	
Has the applicant provided a statement, backed up with evidence, confirming that the permitted activities have ceased, decommissioning works are complete and that pollution risk has been removed and that the land and waters at the site are in a satisfactory state?	This section should be used if the operator is relying solely on records obtained during the operational phase of the activity. If no, specify why
9.0 Reference data and remediation (where relevant)	
To be completed by GWCL officers	
Has the applicant provided details of any surrender reference data that they have collected and any remediation that they have undertaken? (Reference data for soils must meet the requirements of policy 307_03 Chemical test data on contaminated soils – quantification requirements). If the surrender reference data shows that the condition of the land has changed as a result of the permitted activities, the applicant will need to undertake remediation to return the condition of the land back to that at permit issue. You should not require remediation of historic contamination or contamination arising from non-permitted activities as part of the permit surrender.	Where surrender reference data is needed, applicants will only need to collect this for the measures/areas where they can't show that there has been no change in the condition of the land using the information collected during the life of the permit. Refer to Sections 3 & 4 above. When assessing whether any baseline reference data is relevant, you must consider whether it relates to the appropriate media (e.g. soil, groundwater, gas) substances and area of the site.
10.0 Statement of site condition	
To be completed by GWCL officers	
Has the applicant provided a statement, backed up with evidence, confirming that the permitted activities have ceased, decommissioning works are complete and that pollution risk has been removed and that the land and waters at the site are in a satisfactory state?	If no, specify why
Surrender SCR decision summary	
To be completed by GWCL officers and returned to NPS	
Sufficient information has been supplied to show that pollution risk has been removed and that the site is in a satisfactory state – accept the application to surrender the permit; or	X
Insufficient information has been supplied to show that pollution risk has been removed or that the site is in a satisfactory state – do not accept the application to surrender the permit. The following information must to be obtained from the applicant before the permit is determined:	
Date and name of reviewer	<i>Ad Arifjan Robinson</i> 18/09/2017

Related documents

Links

- [676_06 Environmental Permitting Regulations: Site condition reports](#)
 - [H1 Environmental risk assessment for permits](#)
 - [H5 Guidance](#)
 - [H5 Site condition report template](#)
 - [Regulatory guidance note 9 : Demonstrating land and groundwater are protected to assist the surrender of an environmental permit](#)
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