

Application SCR evaluation template

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

Name of activity, address and NGR	Brocklesby Limited, North Cave FAME Plant, Crosslands Lane, North Cave, East Yorkshire, HU15 2PG Application – EPR/JP3931SG/S005 Partial Surrender (NGR: SE8812432281)
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Document reference of application SCR	Site Condition Report (HC 1586-02). NOTE: This Partial Surrender Application relates also to Bespoke Permit Application EPR/JP3435DN/A001 (Brocklesby Biogas AD Facility). The permitted land being surrendered on Brocklesby Limited Site will form part of the installation boundary on new AD Facility Permit (currently being determined) – location of one CHP engine and underground pipeline from Brocklesby FAME Plant to Brocklesby Biogas AD Facility. The SECRET form and associated documentation for Application, EPR/JP3435DN/A001 may give information of value to this document.
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Date and version of application SCR	Nov 2017
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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?	Response (Specify what information is needed from the applicant, if any)
Site plans showing site layout, drainage, surfacing, receptors, sources of emissions/releases and monitoring points	All information in Partial Surrender – Supporting Documentation [EDRM – 9951871]. Site Plan, showing boreholes, existing and proposed permit boundary Drawing No 26552 /101 D) and Revised Permit Boundary (26552/131D).

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)
<ul style="list-style-type: none"> 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? 	<p>All information in Partial Surrender – Supporting Documentation [EDRM – 9951871] including:</p> <ul style="list-style-type: none"> - Geology/hydrogeology - Pollution incidents (none recorded) - Historic contamination - Baseline data. <p>Data also present in the historic investigation reports (Oct 2015, Sep 2011); SPMP Plan (June 2006); SPMP VC 1st Phase (Feb 2007).</p>

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	Permitted activities and non-permitted activities included in Section 3 Page 5 of Site Condition Report.

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.	No H1 Assessment done for partial surrender.

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? <i>(Information on pollution prevention measures will be in another part of the application – Part B)</i>	Underground pipeline taking liquid waste between sites could fail causing contamination of ground/groundwater. Pipe will have twin rod probe leak detection system with alarms and automatic shutoff of feedstock delivery pump. Waste being pumped will have EWC Codes of 19 02 03 & 19 02 06. Area around CHP Engine Number 5 on surrendered land will encompass CHP engine, heat exchanger and cabin. Potential of pollution may exist from maintenance activities and maintenance chemicals/reagents associated with operation and control of CHP engine. Environmental management procedures to be written to cover the overlap of operational and maintenance responsibilities between Brocklesby FAME Plant (EPR/JP3931SG/S005) and Brocklesby Biogas AD Facility (EPR/JP3435DN/A001).
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? <i>(If the answer is no, briefly explain how you arrive at your conclusion)</i>	Pollution prevention measures at CHP Engine 5 land will be as expected from BAT. Underground pipeline will have leak detection, alarm, shut off but, should a leak occur, pollution of land could be expected.
Application SCR decision summary To be completed by GWCL officer and returned to NPS	
Sufficient information has been supplied to describe the condition of the site at permit issue; or	Tick relevant decision
Information is missing- the following information must be obtained from the applicant. <i>(Advise the permitting team on what additional information is needed)</i>	
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	This information will be needed to surrender the permit and should therefore cover all of the land on which any of the activities covered by the permit may take place.
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?	Site Protection Management Plan condition was included in original PPC Permit which indicated yearly groundwater monitoring would occur. However, a change in EA policy meant that this was not required because the lifetime approach was adopted instead. EMS should have kept a log of relevant records.

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?	<p>Background: This application is for a partial surrender. The area of land to be surrendered was not used as part of the permit. Historically the area of ground to be surrendered was used as a landfill.</p> <p>There is the potential that historic activity may have impacted the ground, prior to the permit being issued.</p> <p>Information submitted indicates that no reported leaks have occurred within the area to be surrendered.</p>

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?	Information has been provided in the supporting information to demonstrate that the condition of the land has not altered since the permit was issued.

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.**

The site condition report, November 2017 contains 7 appendices. This is an exceptionally poorly presented report. The appendices contain site specific information and some reports contain chemical characterisation of the area to be surrendered. Some of the reports were written over 10 years ago and are not considered to be in line with current guidance.

Part of the area to be surrendered was a former landfill site, which opened in 1990. Easimap aerial photography taken in 2003 indicates that the site is closed. The current permit was issued in 2006. Chemical analysis has occurred in this area in 2012 confirming the presence of a landfill and that the ground had been impacted by chemicals.

The SCR indicates that the main area of the site was a melt smelting works. The Application Site Report indicates that previous site activities included a Coach and Truck building.

The review of the SCR has been carried out in line with the relevant guidelines in Regulatory Guidance Note RGN 9: Surrender, May 2013, in particular Appendix A.

It is noted that the EA cease enforcing the SPMP conditions provided that the permit holder commence the lifetime records approach.

The supporting information indicates that no leaks have been reported within the area which will be surrendered. Evidence has been requested to support this and is currently outstanding.

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?

At present we are waiting for some evidence to indicate that the EMS occurred.

Please can we strongly recommend that when a surrender application is required for the remainder of the site that the information is presented in a clearer format.

Surrender SCR decision summary To be completed by GWCL officers and returned to NPS	Tick relevant decision
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	yes
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	Jennifer Lear 12/01/2018

Supporting information

Regulatory Guidance Note, RGN 9: Surrender

The legal test for surrender is – ‘that the necessary measures have been taken –
(a) to **avoid a pollution risk** resulting from the operation of the regulated facility; and
(b) to return the site of the regulated facility to a **satisfactory state**, having regard to the state of the site before the facility was put into operation.’

2. THE LIFETIME APPROACH AND SURRENDER

Appendix A: Arrangements for Pollution Prevention and Control (PPC) and Waste Management Licences (WML) which became environmental permits Installations permitted under the PPC regime

A1 These fall into two subgroups:

- (i) Early PPC applicants, who either submitted a desk study (low risk sites) or an intrusive site report based on guidance at the time.
- (ii) Later PPC applicants, who submitted a desk study to characterise the initial state of the site and were required to support this by producing an ongoing Site Protection and Monitoring Programme (SPMP).

A2 We wrote to operators with SPMP conditions in their permits, stating that we will cease enforcing the SPMP conditions provided that they commence the lifetime records approach (as outlined in section 3). In principle, the SPMP provides similar information to that in the lifetime records approach. The operator may choose to continue to collate information through the SPMP. In these circumstances, the SPMP will be considered an essential part of the management systems and records.

A3 When a permit is varied to include the modern conditions (those in the EPR April 2008 template) this will make explicit the approach of maintaining records relating to the protection of land and groundwater as an integral part of the operator’s management system.

A4 When operators apply to surrender these permits, the Core guidance states we should not hold the operator responsible (under Environmental Permitting surrender requirements) for contamination on the site that we are convinced was caused before the PPC permit was issued for the installation – or in the case of former waste management licensed sites before it was first licensed under the Environmental Protection Act 1990 or under Part 1 of the Control of Pollution Act 1974.