

Permitting decisions

Standard rules permit

We have decided to grant the permit for William Rowland Limited operated by William Rowland Limited.

The permit number is EPR/KP3238YN.

William Rowland Limited is a long-established metal merchant that deals in the purchase and sale of non-ferrous metals, alloys and powders. The company specialises in primary metals bought direct from refineries or producers, to which they add value by re-sizing (cutting) and re-packaging. The company also operates a small foundry in a purpose-built building at the rear of its premises at Cradley Heath, Birmingham.

This permit application relates to the operation of the existing foundry where melting operations have historically been restricted to the production of tin and tin-based alloys. The operator now proposes to widen the mix of alloys to include lead-based and cadmium-containing alloys, and as such they require an environmental permit. The relevant listed activity under the Environmental Permitting Regulations (EPR) 2016 is Section 2.2 Part A(1)(c), "Producing, melting or recovering (whether by chemical means or by electrolysis or by the use of heat) cadmium or mercury or any alloy containing more than 0.05 per cent by weight of either of those metals or both in aggregate." The permit implements the requirements of the Industrial Emissions Directive (IED).

The Installation comprises three areas within the wider William Rowland site, which is a long, narrow site, measuring approximately 150m x 20m. The first area is the existing foundry building located at the rear (northern end) of the site; the second area encompasses the full width of the rear of the main warehouse building; and the third area is near the front of the main warehouse building. The operator uses the majority of this warehouse building for the storage and processing of primary metals (i.e. the other aspect of their business, which is not a permitted activity and not part of the Installation) while those areas just described are used for the storage of raw materials used in the foundry (and therefore are part of the permitted Installation).

The operator has demonstrated that they meet our criteria for a Part A Low Impact Installation (LII) incorporating standard rules SR2009No2. We summarise in the key issues section how the operator meets the qualifying criteria.

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 in to 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.

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

1.0 Assessment against Low Impact Installation criteria

In their application the operator has made reference to the guidance in Appendix 1 of EPR Application Form B2, which discusses issues associated with the classification of scheduled processes as "Low Impact Installations". In considering the various criteria in Appendix 1, listed (a)-(k) below, the operator has demonstrated that their proposed Installation may be classed as 'low impact'. We are satisfied with their assessment, as summarised below.

(a) Management Techniques

The operation of the furnaces does not require significant management effort, and as shown by the results from the operator's H1 assessment, the impact of operations can be screened out as insignificant. Taking this into account in combination with the information below, we are satisfied that the Installation will have an intrinsically low environmental impact.

(b) Aqueous Waste

The operation of the furnaces does not generate process effluent, and there are no discharges to sewer or surface water apart from uncontaminated site drainage.

(c) Abatement Systems/Releases to Air

The operator assessed emissions of lead and cadmium fumes from the furnace pots. Emissions to atmosphere from the three furnaces have been shown to have an insignificant impact on local air quality as they screened out as insignificant in the operator's H1 assessment. This is achieved without any abatement plant.

(d) Groundwater Regulations

The furnace operations do not generate process effluent that could penetrate into the ground, with the resulting risk of contaminating groundwater. The Installation is not located within a groundwater Source Protection Zone (SPZ) and is not situated on land overlying a principal aquifer.

(e) Waste Production

The furnace operations generate a metallic dross due to the oxidation at the surface of the molten metal. Typically this amounts to ~2% by weight of the quantity of alloy manufactured, and is consigned for off-site recovery of the metal content by pyro-metallurgical and chemical treatment processes, undertaken by third parties. The operator has provided calculations which demonstrate that they do not exceed the thresholds in our guidance, i.e. with respect to hazardous waste, they will not produce more than 10kg per day averaged over a year, or more than a maximum of 200kg in any one day.

(f) Energy Consumption

The three furnaces are heated by liquid petroleum gas (LPG) fired gas burners mounted beneath the furnace pots. The thermal rating of the LPG burner for furnaces A and B is 120kWth (each), and 175kWth for furnace C. In addition the energy use directly associated with the building services is expected to account for less than 1% of the total energy use. The Installation comprises two buildings housing the three furnaces and the associated raw materials handling equipment. The buildings incorporates energy efficiency measures including lighting and thermal insulation where appropriate, to minimise space heating requirements in winter. We are satisfied that overall energy consumption will be below the 3MWth threshold in our guidance.

(g) Accident Prevention

All process activities are undertaken within fully enclosed buildings, upon concrete hardstanding. All raw materials are in solid form, and are not reactive with water. There is no process effluent produced by the furnace processes. Accordingly, there is no potential for fugitive emissions to surface water, sewer or land.

(h) Noise

The operation of the furnaces takes place within fully enclosed buildings, and involves the manual charging of the alloy raw materials into the furnace, which are subsequently melted by heat supplied by an LPG-fired burner mounted beneath the base of the furnace pot. The operation does not involve the use of any mechanical devices, and process operations are reported to have an inherently low noise level.

The operator reports that the foundry has been in operation for more than 50 years, and in that time there have been no noise complaints from adjoining premises, or nearby residential properties. We are satisfied that the Installation has a low potential for causing offence due to noise.

(i) Emissions of Polluting Substances

The operator's H1 assessment, and an associated environmental risk assessment, show that emissions from the Installation can be considered to be insignificant in relation to relevant environmental standards. There are no discharges of process effluent to sewer or surface water.

(j) Odour

The raw materials utilised by the Installation are pure metals in solid form with no odour, and the associated emissions from the furnaces are similarly without any perceptible odour. We are satisfied that the Installation has a low potential for causing offence due to odour.

(k) Compliance History

The operator reports that their operations have not been subject to any enforcement actions from either the Environment Agency or the Local Authority, including either prosecutions, formal cautions, suspension notices, or enforcement notices relating to an actual or potential environmental incident.

2.0 Assessment against Standard Rules SR2009No2 criteria

In addition to the above we are satisfied that the operator meets the additional requirements to enable them to operate under standard rules SR2009No2, as summarised below.

- the activities are not carried out on or immediately adjacent to a Special Area of Conservation (SAC), Special Protected Area (SPA), Ramsar site, Site of Special Scientific Interest (SSSI), National Nature Reserve, Local Nature Reserve or Ancient Woodland; and
- there is no direct discharge of aqueous waste within 10km upstream of a European Site, Ramsar site or a SSSI, within 100 metres upstream of a National Nature Reserve, Local Nature Reserve or Ancient Woodland, or within a National Park. *[The Installation will not produce any process effluent.]*
- the only wastes allowed to be accepted as part of the operation of the installation are spent ion exchange resins. *[The operator does not accept wastes into the Installation.]*
- The rules do not apply to Installations with more than one operator. *[This is not a multi-operator Installation].*

3.0 Site Condition Report and baseline reporting

The operator has submitted a Site Condition report (SCR) in relation to the proposed Installation. The site is centred on National Grid Reference (NGR) SO 959 869, located on an industrial estate approximately 2km north east of Cradley Heath town centre. In terms of geology the site is underlain by the Carboniferous Etruria Marl Formation, described as marls with grits and conglomerates, with the closest superficial deposits being approximately 250 metres due east. It is thought the site is underlain by made ground

associated with historical colliery and iron works. In terms of hydrogeology the site is located upon a secondary aquifer (formerly classed as minor aquifer) and is not within a groundwater SPZ. The nearest surface water feature is the Dudley canal located approximately 120 metres north of the site. The site is not indicated on the Environment Agency website flood maps as being at risk of flooding.

The site has been in industrial use since the late 1800's with the earliest maps showing evidence of buildings, chimneys and mineral railway works associated with Oldhill Iron works. The site has been developed much as it is today since the mid 1970's. The site is currently surrounded by various other industrial users, including waste management facilities, metal recyclers and scrapyards. There have been no reported pollution incidents at the site.

The permitted activity will take place within a building, floored entirely by concrete. The furnace processes do not produce process effluent. There is only one surface drainage point in the building which is the overflow from the header tank of the ingot mould cooling circuit. The water in this circuit does not come into contact with cast metal. Rainwater collection pipes serving the roof are sealed within the building and there is no discharge into these drains from within the building. Raw materials comprising metal ingots are stored under cover in the warehouse building to the north of the foundry building. Raw materials are moved around by fork-lift truck and no raw materials are stored in the open. We therefore consider that the risk of pollution to land and water is considered to be low.

The operator has not undertaken any soil, groundwater or soil gas monitoring, nor are they aware of any such monitoring having taken place in the past. They consider it unlikely that the previous uses of the site will have given rise to significant ground contamination, although as the site lies in an industrial estate they say there is the potential for off-site sources of contamination that may have spread beneath the site. They state that although materials from the historic iron works and coal mines are likely to have been incorporated in made ground under the factory and surrounding hardstanding, it is not thought that either of these sources would give rise to significant levels of cadmium. The operator considers that invasive investigations of the ground underlying the concrete floor of the foundry or external hardstanding is not justified given the limited mobility of the potential contaminants, therefore no baseline monitoring was submitted with the application.

Decision checklist

Aspect considered	Decision
Receipt of application	
Standard rules criteria check	The application meets the criteria for the standard rules applied for.
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	The consultation requirements were identified in accordance with the Environmental Permitting Regulations and our public participation statement. The application was publicised on the GOV.UK website.
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 site	
Extent of the site of the facility	The operator has provided 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.
Operator competence	
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.
Relevant convictions	The Case Management System been checked to ensure that all relevant convictions have been declared. No relevant convictions were found. The operator satisfies the criteria in our guidance on operator competence.
Financial competence	There is no known reason to consider that the operator will not be financially able to comply with the permit conditions.

Aspect considered	Decision
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 grant this permit. The conditions imposed under the permit are reasonable and necessary to avoid a risk of an unacceptable level of pollution and are based on our risk assessment undertaken at the time the Rules were made.</p> <p>Application of the Rules to this activity promotes economic 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>