

# Permitting decisions

## Bespoke permit

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We have decided to grant the permit for **Karas Plating** operated by **Karas Plating Limited**.

The permit number is **EPR/FP3636YZ**.

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

### Site location

The site is situated at the south of Leigh, Greater Manchester (approx. National Grid Reference: SJ 66394 99595). The installation occupies part of the first floor of a building with the remainder occupied by offices and general commercial use. An effluent treatment plant (ETP) forming part of the installation is located at ground level in a building next to the former boiler house, known as the garage.

The facility for the duration of its existence has operated from the first floor of the mill building. Directly beneath the installation's plating lines and storage areas, the ground floor is occupied by a bathroom equipment company and beneath that the basement is used as a solicitor's document archive.

### Activities

The main activities carried out at the installation are

- surface treating of metals using nickel, copper, silver, tin, zinc and gold.
- other surface treatment techniques include bright dipping, anodising, post-anodising sealing, etching, chromating, passivation, pickling, phosphating and metal stripping.

- the treatment of the effluent that results from the surface treatment activities.

These activities are further described in Table S1.1.

There are a number of tanks in use at the site of varying sizes and volumes to allow plating of a wide range of components, the aggregated volume of the surface treatment tanks exceeding 30 m<sup>3</sup>. The installation comprises ten lines with a total volume of 68 m<sup>3</sup> and a further stripping room. The lines are made up of 43.5 m<sup>3</sup> of treatment tanks and a further 24.5 m<sup>3</sup> of rinse tanks.

A detailed breakdown of the individual lines, with tank capacities and chemical concentrations, is contained in the application.

The nature and quantity of chemical solutions associated with industrial plating operations presents the potential for significant pollution in the event of spillages.

The operator maintains an integrated HSQE Management System which is independently certified by a UKAS approved body. The Environmental Aspects and Impacts Register acknowledges the potential impact of spillages and details relevant training to be given. A spillage procedure details actions, responsibilities and the location of containment equipment for use in the event of a spill. A maintenance register and detailed maintenance procedures are also in place.

All substances used are delivered in robust primary containment such as IBCs or drums appropriate for the type and quantity of substance, offloaded in the yard area and then transferred into a goods lift for storage on the first floor. No external storage takes place.

Each treatment line consists of series preparation, treatment and rinse tanks, most of which are double walled. Secondary containment comprises bunding to each treatment line with a capacity at least equal to 110% of the largest tank in the line.

### Emission points

There are fourteen emission points from the facility: thirteen to air (A1 to A9, A11, A12 (B), A13 (S), A14 (G)) and one to sewer (S1 (ETP1)).

### Effluent Treatment Works

#### S1 Discharge

- The current effluent treatment plant was installed in 2016.
- We have carried out a review of monitoring data to assess effluent composition.

The following is a summary of our conclusions:

- Total daily limit of 17 m<sup>3</sup>/day is complied with.
- For key parameters of silver, tin, copper, zinc and nickel, all the emission limit values in our Surface Metal Treatment TGN (EPR 2.07) are complied with.

### H1 assessment

The operator presented a H1 assessment with the application. We did not accept the assessment and asked for it to be re-run. After detailed discussions with the operator, we agreed with the final H1 assessment submitted<sup>1</sup>.

#### Basis

- S1 discharge via United Utilities Leigh Sewage Treatment Works and discharging at National Grid Reference SJ 66100 99300

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<sup>1</sup> Email from Adeptus dated 17/12/18

- Q95 river flow at this gauging station is 1.128 m<sup>3</sup>/s
- Sewage Treatment Reduction Factors (STRF) have been utilised in line with our Operational Instruction, 17\_13 "*Permitting of hazardous pollutants in discharges to surface waters*" Guidance. However, we do not have a STRF for silver and were referred to Chem-Spider database, which provided a STRF of 90.1%.

### Conclusions

- All silver, copper, lead, nickel and zinc process contributions are < 4 % of Annual Average and Maximum Allowable Concentration Environmental Quality Standards

**On this basis, we conclude that all the emissions are screened out as having insignificant impacts.**

### Emissions to Air

The operator did undertake air emission monitoring. The data produced from the sampling exercise were found to be unsatisfactory. Therefore, we have placed the benchmark limits from the sector guidance note<sup>2</sup> as interim limits into Table S3.1 and have added an improvement condition (IC 04). This has been placed in the permit to monitor the emission points for twelve months and to use this additional data to either verify that these limits are suitable or provide new limits that can be assessed and agreed with the Environment Agency.

### BAT Assessment

The operator did submit a BAT assessment however, this was found to be unsatisfactory and an additional assessment was requested via a Schedule 5 question and additional information requests. We agree with the BAT Assessment as submitted, but believe that additional information is needed, particularly with regards to

- Whether the waste produced at the site can be recovered
- Emissions for local exhausts
- Fugitive emissions
- Use of alternative cleaners to allow lower temperatures
- Emissions and monitoring

Therefore, we have incorporated the final version submitted into Table S1.2 as an operating technique and have also added an improvement condition (IC 03) to submit a report assessing the installation operation, infrastructure and performance in relation to point source emissions to air and sewer against the indicative BAT in the sector guidance note<sup>2</sup>.

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<sup>2</sup> Surface Treatment of Metal and Plastics by Electrolytic and Chemical Processes (EPR 2.07) (March 2009)

## 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</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> <ul style="list-style-type: none"> <li>• Wigan Council – Director of Public Health,</li> <li>• Wigan Council – Planning and Environmental Health Departments,</li> <li>• Health and Safety Executive</li> <li>• Food Standards Agency,</li> <li>• Public Health England, and</li> <li>• United Utilities plc.</li> </ul> <p>The comments and our responses are summarised in the <a href="#">consultation section</a>.</p>
<b>Operator</b>	
Control of the facility	We are satisfied that the applicant (now the operator) is the person who will have control over the operation of part of the facility after the grant of the permit. The decision was taken in accordance with our guidance on legal operator for environmental permits.
<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 S1.1 of the permit.</p>

Aspect considered	Decision
<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 plans are 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.
<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 for fugitive emissions and emissions to sewer, but the operator's risk assessment for emissions to air is unsatisfactory and required additional Environment Agency assessment. Please see <a href="#">key issues</a> section.</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>However, we have required the operator to monitor the emissions to air and provide emission limits to the Environment Agency for approval as discussed in the <a href="#">key issues</a> section.</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 S1.2 in the environmental permit.</p>
Operating techniques for emissions that screen out as insignificant	<p>We have reviewed the techniques used by the operator and compared these with the relevant guidance notes:</p> <p>How To Comply With Your Environmental Permit - The Surface Treatment of Metals and Plastics by Electrolytic and Chemical Processes (EPR 2.07).</p> <p>The following emissions have been screened out as insignificant and so we agree that the applicant has proposed techniques that are BAT for the installation.</p> <ul style="list-style-type: none"> <li>• Fugitive Emissions</li> <li>• Odour</li> </ul>

Aspect considered	Decision
	<ul style="list-style-type: none"> <li>• Noise</li> <li>• Emissions to sewer – Effluent treatment plant prior to discharge</li> <li>• Emissions to air – use of scrubbers where appropriate</li> </ul> <p>We consider that the emission limits included in the installation permit reflect BAT for the sector.</p>
<b>Permit conditions</b>	
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, except for condition 4.2.5, we have added “unless otherwise agreed in writing with the Environment Agency.” This is to allow flexibility for both the Environment Agency and the operator as products are treated in large and small batches, so the quantity of waste is extremely variable.
Raw materials	We have specified limits and controls on the use of raw materials.
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:</p> <ul style="list-style-type: none"> <li>• An updated environmental management system (EMS) is available for the site (IC 01).</li> <li>• If there is, a spillage or firewater is required to be contained, that sufficient capacity is available (IC 02).</li> <li>• A new BAT assessment is undertaken and a report produced detailing the improvement necessary and the timescales to deliver the improvements (IC 03).</li> <li>• Additional air emissions monitoring is undertaken, assessed and if necessary new limits proposed to the Environment Agency (IC 04).</li> <li>• The conclusion of the environmental risk assessment that noise will not cause a significant impact outside the site is verified (IC 05).</li> <li>• An updated energy efficiently report is produced including any improvements necessary and the timescales to deliver the improvements (IC 06).</li> </ul> <p>Please also see the <a href="#">key issues</a> section.</p>

Aspect considered	Decision
Emission limits	<p>ELVs and equivalent parameters or technical measures based on BAT have been set for the following substances:-</p> <ul style="list-style-type: none"> <li>• Hydrogen Chloride</li> <li>• Nickel and its compounds (as nickel)</li> <li>• Oxides of nitrogen (total acid forming as NO<sub>2</sub>)</li> <li>• Oxides of sulphur (as SO<sub>2</sub>)</li> <li>• Particulate Matter</li> <li>• VOCs</li> </ul>
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 compliance with the benchmark limits within the technical guidance note.</p> <p>We made these decisions in accordance with <i>EPR 2.07: Surface Treatment of Metal and Plastics by Electrolytic and Chemical Processes</i>.</p> <p>Based on the information in the application, we are not fully satisfied that the operator's techniques, personnel and equipment have either MCERTS certification or MCERTS accreditation as appropriate.</p> <p>The monitoring data submitted was not gathered by personnel that were MCERTS accredited. Therefore, we have required that this be monitored again over a 12 month period, the H1 be revised using the results and the results used to establish if the interim limits in Table S3.1 are required to be modified.</p> <p>Please also see the <a href="#">key issues</a> section.</p>
Reporting	<p>We have specified reporting in the permit.</p> <p>We made these decisions in accordance with <i>EPR 2.07: Surface Treatment of Metal and Plastics by Electrolytic and Chemical Processes</i>.</p>
<b>Operator competence</b>	
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	<p>The Case Management System has been checked to ensure that all relevant convictions have been declared.</p> <p>No relevant convictions were found. The operator satisfies the criteria in our guidance on operator competence.</p>

Aspect considered	Decision
Financial competence	There is no known reason to consider that the operator will not be financially able 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 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

<b>Response received from</b>
Wigan Council – Environmental Health
<b>Brief summary of issues raised</b>
<p>That best practice in operation and any relevant guidance be followed, particularly for</p> <ul style="list-style-type: none"> <li>• Air borne vapours/particulates</li> <li>• Fugitive emissions</li> <li>• Treated effluent</li> <li>• Spillages.</li> </ul>
<b>Summary of actions taken or show how this has been covered</b>
<p>The operator is committed to operating to the indicative best available techniques (BAT) in the sector guidance note<sup>2</sup>. This has been incorporated into the permit. In addition, we have required the operator to submit a report to further assess BAT and improvements that may be made (IC 03) and to look specifically at containment of spillages and firewater (IC 02).</p> <p>Further details can be found under <a href="#">key issues</a>.</p>

<b>Response received from</b>
Public Health England
<b>Brief summary of issues raised</b>
<ul style="list-style-type: none"> <li>• COMAH status</li> <li>• H1 outcome</li> <li>• Fire risk management plan.</li> </ul>
<b>Summary of actions taken or show how this has been covered</b>
<p>We have checked the operator's COMAH status, which shows that they <b>do not</b> require to be registered at the lower-tier.</p> <p>The H1 has demonstrated that the emissions to sewer are insignificant. We have imposed interim limits on the operator with regards to the emissions to air (please see <a href="#">key issues</a> section)</p> <p>We requested that a fire management plan be incorporated into the accident management plan in the Schedule 5 response. The accident management plan has been incorporated into Table S1.2 of the permit.</p> <p>Further details can be found under <a href="#">key issues</a>.</p>