

Permitting decisions

Bespoke permit

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

The permit number is EPR/VP3736QQ.

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
- 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

The need for this new bespoke permit application has arisen from the fact that an existing installation (permit reference: EPR/JP3538LX) had to be relocated by approximately 0.5km from their existing location. The installation had undergone a Best Available Technique (BAT) review exercise in 2018, and as such is deemed to be operating using BAT in their current operations. Using the information that has been provided in the current permit application and the BAT review, it is clear that there are broadly 2 changes resulting from the re-location:

- Environmental setting
- New emission points

Environmental setting

Air/Soil/groundwater – Previous installation was within an Air Quality Management Area (AQMA) declared by Walsall Council for Oxides of Nitrogen (NOx) and the newly re-located installation is still within the same AQMA. However we are satisfied that there is no significant impact on the AQMA from the installation, due to the operating techniques employed. The change in the site environmental setting in relation to water and soil has been covered under the site condition report section below.

New Emission Points

While 4 new emission points have been added as a result of introducing local exhaust ventilation to collect previously un-channelled emissions, the emissions themselves are insignificant due to the operating techniques employed (see below). Therefore there is no significant environmental impact from this addition.

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> <p>Walsall Council</p> <p>Public Health England</p> <p>Health and Safety Executive</p> <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	

Aspect considered	Decision
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'.</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>
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	<p>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.</p> <p>As baseline data was not provided we have informed the operator that they would be accepting a baseline of zero contaminants in soil and/or groundwater and therefore may be responsible for the clean-up of any contaminants found at permit surrender.</p>
Biodiversity, heritage, landscape and nature conservation	<p>The application is within the relevant distance criteria of a site of heritage, landscape or nature conservation, and/or protected species or habitat.</p> <p>We have assessed the application and its potential to affect all known sites of nature conservation, landscape and heritage and/or protected species or habitats identified in the nature conservation screening report as part of the permitting process.</p> <p>We consider that the application will not affect any sites of nature conservation, landscape and heritage, and/or protected species or habitats identified.</p> <p>We have not consulted Natural England on the application. The decision was taken in accordance with our guidance.</p>
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.</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</p>

Aspect considered	Decision
	S1.2 in the environmental permit.
Operating techniques for emissions that screen out as insignificant	<p>Emissions of particulate matter from all furnaces have been screened out as insignificant during an Operator Monitoring Assessment (OMA) audit conducted by the Environment Agency in 2008 and it has been considered acceptable during the BAT review in 2018. While extraction system has been re-introduced, consequently creating new emission points, the process controls that ensured the above (including choice of raw materials and temperature control) remain unchanged. Thus we continue to agree that the applicant's proposed techniques are BAT for the installation.</p> <p>Due to the use of low NOx burners, the emissions of oxides of Nitrogen (NOx) screen out as insignificant.</p> <p>We consider that there is no need to include emission limits in the installation permit as there are no significant emissions from the melting operations due to the quality of raw materials and the process controls which reflect BAT for the sector. We also consider that there is no need to include emission limits for the paint spray booth due to the scale of operations. This is in line with the thresholds set under the Industrial Emissions Directive for solvent activities. We agree that the operating techniques and the abatement used is BAT for the sector and the installation.</p>
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.
Raw materials	We have specified limits and controls on the use of raw materials. Zinc and Aluminium used as raw material is required to be high purity (99.9%) raw material.
Emission limits	We have decided that emission limits are not required in the permit.
Reporting	<p>We have specified reporting in the permit for the following parameters:</p> <p>Annual production</p> <p>Energy usage</p> <p>Total raw material used</p> <p>These reporting requirements have been imposed in order to comply with the conditions of the permit.</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 has 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	
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

Response received from
Public Health England
Brief summary of issues raised
No significant concerns. 2 local exhaust ventilation points associated with burners exhausts and welding booth emissions mentioned as potential concerns.
Summary of actions taken or show how this has been covered
We have assessed the emissions from the above to have no significant environmental impact.