

Permitting decisions

Surrender

We have decided to accept the surrender of the permit for Shoeburyness Cadmium Plating Facility operated by General Engineering (Treatments) Limited.

The permit number is EPR/BT8643IB

We are satisfied that the necessary measures have been taken to avoid any pollution risk and to return the site to a satisfactory state. We consider in reaching that decision we have taken into account all relevant considerations and legal requirements.

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 into 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 and the surrender notice. The introductory note summarises what the notice covers.

Key issues of the decision

The bespoke permit was issued in 2004 as a low impact installation. The applicant has consistently demonstrated that they met the low impact criteria, hence no intrusive sampling has been carried out.

The submitted Site Condition Report is evidence based only, as allowed by the low impact criteria. Because of this, we have not consulted with Groundwater and Contaminated Land team in taking this decision.

The floor area containing the Cadmium Plating processing tanks was fully bunded. During the operation of the site, the operator confirmed that the bunding was not compromised and that there were no unplanned emissions to ground or air. Upon removal of the bunding, the operator confirmed that the floor area was clean and unpolluted, indicating no leaks and that the bunding was secure.

The operator confirmed that:

- All process solutions were disposed of via specialist waste disposal contractor.
- All process tanks neutralised, cleaned down. Reusable parts were placed into storage.
- Bunding was neutralised and cleaned down.

The site was inspected on 13/02/19 and confirmed to have been cleared and no cadmium plating activities are carried on site.

Based on the information provided, we are satisfied that the site has been restored to the initial condition and is fit for surrender.

Decision checklist

Aspect considered	Decision
Receipt of application	
Confidential information	A claim for commercial or industrial confidentiality has not been made. The decision was taken in accordance with our guidance on confidentiality.
Identifying confidential information	We have not identified information provided as part of the application that we consider to be confidential. The decision was taken in accordance with our guidance on confidentiality.
The site	
Pollution risk	We are satisfied that the necessary measures have been taken to avoid a pollution risk resulting from the operation of the regulated facility.
Satisfactory state	We are satisfied that the necessary measures have been taken to return the site of the regulated facility to a satisfactory state. In coming to this decision we have had regard to the state of the site before the facility was put into operation.
Growth Duty	
Section 108 Deregulation Act 2015 – Growth duty	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 surrender. Paragraph 1.3 of the guidance says: “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.” 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. 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.