

Permitting decisions

Part surrender

We have decided to accept the surrender of part of the permit for Carrington Oil Recovery Installation operated by Grosvenor Power Services Limited.

The permit number is EPR/LP3537MG.

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 in to 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.

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.
The facility	
The regulated facility	The permitted regulated facilities have changed as a result of the partial surrender.
The site	
Extent of the surrender application	<p>The operator has provided a plan showing the extent of the site of the facility that is to be surrendered.</p> <p>We consider this plan to be satisfactory.</p>
Pollution risk	<p>We are satisfied that the necessary measures have been taken to avoid a pollution risk resulting from the operation of the regulated facility.</p> <p>A site inspection on 30th November 2018 confirmed that the area of land being surrendered (what was previously the external drum store area) has been cleared.</p> <p>The operator confirmed in the Site Condition Report dated 25th June 2019 that the concrete surfacing in this storage area is in good condition, clean and free of any spillages/stains. It also confirmed that the drums stored there historically were in good condition and that no leaking drums were ever stored in this area.</p>
Satisfactory state	<p>We are satisfied that the necessary measures have been taken to return the site of the regulated facility to a satisfactory state.</p> <p>In coming to this decision we have had regard to the state of the site before the facility was put into operation.</p> <p>On 18th September 2019 we confirmed that we consider the surrender application for this activity and its land as low risk.</p> <p>The operator confirmed in the Site Condition Report dated 25th June 2019 that there has been no pollution incidents during the lifetime of the permit.</p>
Permit conditions	
Changes to permit conditions as a consequence of the surrender	<p>The permit conditions have changed as a result of the partial surrender.</p> <p>This is a partial surrender to remove the temporary storage of drums on-site. This activity was listed in table S1.1 of the permit as 'S5.6 A(1)(a) – Temporary storage of hazardous waste in a facility with a total capacity exceeding 50 tonnes', as it is listed in Schedule 1 of the Environmental Permitting Regulations.</p>

Aspect considered	Decision
	The partial surrender also removes the area of land within the existing permit boundary in which this activity was carried out by the operator. The site plan in Schedule 2 of the permit has been amended to reflect this.
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 surrender.</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>