

Permitting decisions - Surrender

We have decided to accept the surrender of the permit for Bow Biodiesel Plant operated by City Oils Limited.

The permit number is EPR/SP3330NY

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 this decision that 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:

- highlights key issues in the determination
- summarises the decision-making process in the decisions considerations section to show how all relevant factors have been taken into account

Read the permitting decisions in conjunction with the environmental permit.

Key issues of the decision

Pollution Risk

The initial operator application was for a low risk surrender, however on assessment of the site compliance it was agreed that a standard surrender was applicable.

The operator provided baseline reference data in the original site condition report completed in June 2009, and an updated site condition report dated June 2020.

On assessment of the application, it was deemed that a site visit was necessary. This was undertaken on 3 December 2020. The site visit identified areas of concern in relation to:

- Intermediate bulk containers still being present from the site operation
- Drainage system including the interceptor, pits, gullies, grease traps still required cleaning.
- Distillate containers, equipment, tanks and pipework was still present.
- Ground surface had not been cleaned and was not free of contamination

A compliance assessment report (CAR) form identifying actions to be taken was provided, with a Schedule 5 Notice (dated 24 December 2020), to address the issues identified. A response to the Schedule 5 Notice was received on the 12 March 2021, and a further site visit was conducted on the 25 March 2021.

On assessment of the response to the Schedule 5 Notice, submitted site condition report, and as a result of the site visit, it is our conclusion that the site has been returned to a satisfactory state with the above issues addressed. We therefore deem the site to be in an acceptable state to grant the surrender application made by the operator. Our final site inspection confirms that the decommissioning has now been completed and all potential sources of pollution have been removed from the site, therefore the permit can be successfully surrendered.

Decision considerations

Confidential information

A claim for commercial or industrial confidentiality has not been made.

We consider that the inclusion of the relevant information on the public register would not prejudice the applicant's interests to an unreasonable degree.

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.

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, having regard to the state of the site before the facility was put into operation.

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 accept this permit surrender.