

Permitting Decisions- Variation

We have decided to grant the variation for Wilton Olefins Installation operated by Sabic UK Petrochemicals Limited.

The variation number is EPR/BS3590IE/V014.

The variation is for the addition of a waste treatment activity and associated boilers and to add a small area of land to the permit boundary. The treatment will be of waste arising from the cleaning of the plant. The cleaning process will be carried out as follows:

During the six yearly major maintenance plant shutdown and the three yearly small scale shutdowns the plant will be chemically cleaned. The water used for the cleaning will be heated using steam generated by the temporary boilers and will generate an emulsion and an aqueous effluent which will each be treated prior to removal from the site. The treatment at site comprises:

- the separation of the emulsion into aqueous and hydrocarbon layers with the addition of calcium chloride (an emulsion breaker) so that the water content of the waste is reduced; and
- oil/water separation and filtration to remove particles and filtration through activated carbon to treat the aqueous effluent.

Hydrocarbon wastes generated through the cleaning process will be stored in tanks, in the additional area of land, and the treated aqueous effluent will be discharged via the site's existing drainage system. The hydrocarbon wastes will be removed from site in tankers for off-site treatment, disposal or recovery.

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 considerations section to show how the main 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 and the variation notice.

Decision considerations

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 decision was taken in accordance with our guidance on confidentiality.

Consultation

The consultation requirements were identified in accordance with the Environmental Permitting (England and Wales) Regulations (2016) and our public participation statement.

The application was publicised on the GOV.UK website.

We consulted the following organisations:

Food Standards Agency

Local Authority Environmental Protection

Health and Safety Executive

Public Health England

Local Authority Director of Public Health

The comments and our responses are summarised in the [consultation responses](#) section.

The regulated facility

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 RGN2 'Defining the scope of the installation', Appendix 1 of RGN 2 'Interpretation of Schedule 1.

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.

The site

The operator has provided plans which we consider to be satisfactory.

These show the extent of the site of the facility including the discharge points.

The plan is 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.

Only a small area of new land has been included in the site boundary to accommodate the storage of waste arising from the cleaning process. The existing site condition is considered to be satisfactory for this area of land.

Nature conservation, landscape, heritage and protected species and habitat designations

We have checked the location of the application to assess if it is within the screening distances we consider relevant for impacts on nature conservation, landscape, heritage and protected species and habitat designations. The application is within our screening distances for these designations.

We have assessed the application and its potential to affect sites of nature conservation, landscape, heritage and protected species and habitat designations identified in the nature conservation screening report as part of the permitting process.

We consider that the application will not affect any site of nature conservation, landscape and heritage, and/or protected species or habitats identified.

We have not consulted Natural England. The decision was taken in accordance with our guidance.

Environmental risk

We have reviewed the operator's assessment of the environmental risk from the facility.

The operator's risk assessment is satisfactory.

The operator has carried out an assessment of emissions to air using air dispersion modelling. We have reviewed the modelling and agree with the operator's conclusions that emissions from the boilers are insignificant.

The assessment shows that, applying the conservative criteria in our guidance on environmental risk assessment, all emissions may be screened out as environmentally insignificant.

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.

The operating techniques that the applicant must use are specified in table S1.2 in the environmental permit.

Waste types

We have specified the permitted waste types which can be treated at the regulated facility.

We are satisfied that the operator can accept these wastes for the following reasons:

- they are suitable for the proposed activities;
- the proposed infrastructure is appropriate; and
- the environmental risk assessment is acceptable.

No waste is proposed to be accepted at the site as the waste to be treated is generated during the cleaning of the site which takes place during the six yearly maintenance shutdown of the site.

Improvement programme

Based on the information on the application, we consider that we need to include an improvement programme.

We have included an improvement programme, IC33, to ensure that the information regarding the new activity provided by the operator in the application and in the response to the schedule 5 notice stating that procedures will be in accordance with existing procedures and management plans for the site is incorporated into the environmental management system.

Emission limits

No emission limits have been added, amended or deleted as a result of this variation. As emissions from the boilers are insignificant and they operate for no

more than 4 weeks at a time during the six yearly cleaning of the site, no emission limits are considered necessary.

Monitoring

Monitoring has not changed as a result of this variation.

Management system

We are not aware of any reason to consider that the operator will not have the management system to enable it to comply with the permit conditions.

The decision was taken in accordance with the guidance on operator competence and how to develop a management system for environmental permits.

A full review of the management system is undertaken during compliance checks.

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 variation.

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.

Consultation Responses

The following summarises the responses to consultation with other organisations and 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: Health and Safety Executive.

Brief summary of issues raised: No comments made.

Summary of actions taken: None required.

Response received from: Public Health England.

Brief summary of issues raised: The main emissions of concern are from the boilers and accidental releases from the temporary storage of waste. The air risk assessment is based on assumptions and the EA may wish to ensure the inputs to the model are valid. It is not detailed if the accident management plan will be updated with the additional hazards and risks.

Summary of actions taken: As part of our review of the air emissions risk assessment we have verified the emission rates for the pollutants used in the modelling and we have been able to replicate them. In response to our request for information the operator confirmed that the additional process is covered by the existing operating procedures and management system for the site. We have included an improvement condition for the operator to confirm that the treatment process is included in the management system.