

Permitting Decisions - Bespoke Permit

We have decided to grant the permit for Lotus Cars Ltd Wellingborough operated by Lotus Cars Limited.

The permit number is EPR/KP3236YH.

The application is for the surface treatment of metal using an anodising process consisting of a series of 20 holding tanks which undertake a series of degreasing, etching, anodising and sealing stages. The tanks are positioned beneath a carousel transporter which manoeuvres the attached flight bars through the tank dipping process. The carousel moves in accordance with designated software which coordinates the timings to dip the parts into the designated tanks solutions.

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
- highlights [key issues](#) in the determination
- 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.

Key issues of the decision

Scheduled Activities

The Operator applied for an Environment Permit as the site removed a Section 6.4 spray paint line used to coat anodised parts from the installation. The removal of the paint line removes the supporting Section 6.4 operation to the principal Section 2.3 Part A (2) anodising activity.

This removal means the installation now requires an A1 activity permit as the anodising activity moves from a Section 2.3 Part A(2) activity to scheduled activity Section 2.3 Part A(1) activity under the regulatory definition.

Directly associated activities (DAA)

The Effluent Treatment Plant (ETP) is considered a DAA as the treatment capacity is 24 m³/day which is under the scheduled activity threshold for waste treatment.

Emissions to Water

The site has a trade effluent consent with Anglian Water.

Improvement Conditions

This is an existing, operating site which is coming into Environment Agency regulation from the Local Authority due to a change in regulatory description. There are some aspects of the site which need to be addressed. Therefore improvement conditions are required to ensure the site's infrastructure and operation are reviewed and improved where necessary in line with BAT standards.

We have therefore inserted the following improvement conditions:

IC1 – this has been included in order to bring the existing secondary and tertiary containment in line with the guidance: CIRIA C736 – Containment Systems for the Prevention of Pollution. Secondary, Tertiary and Other Measures for Industrial and Commercial Premises. This is being requested as an improvement condition as many of the existing secondary containment measures are not in line with the CIRIA C736 guidance. As they are existing, it would not be reasonable to expect the necessary changes to be undertaken during the permit determination.

IC2 – this has been included in order to ensure the primary, secondary and tertiary containment systems are maintained so that they remain in line with the CIRIA C736 guidance. This is being requested as an improvement condition as a number of the containment systems will need to be repaired/rebuilt due to their

current state of repair and the final maintenance requirements will not be known until that work has been completed.

IC3 – a number of existing, but redundant tanks are located around the site. This condition has been inserted to ensure the redundant tanks are removed to improve bund capacity and minimise risk of spills and to ensure that this is done without affecting the integrity of the secondary or tertiary containment.

IC4 – the activities undertaken onsite are mostly water based, however no baseline has been set to determine the amount of water used in each process. This audit will not only allow a baseline to be set, but requires the Operator to set water efficiency objectives in order to improve their resource efficiency. The findings of the audit will aid the review of relevant water saving techniques / technologies that could be used at the installation. A cost benefit analysis must be undertaken in order to determine which water saving measures are viable and should be implemented. It will also ensure the operator reviews options for a water recovery system in line with indicative BAT in EPR 2.07 and to either introduce a water recovery system or justify why it is not feasible for the site.

IC5 – this has been included as the Operator currently disposes of their filter cake sludge originating from their effluent treatment plant filter press to landfill. The Operator has undertaken a preliminary investigation into the options for recovery, however a full investigation into the options for managing the waste stream, following the waste hierarchy, needs to be undertaken. If suitable options for recovery are available, then permit condition 1.4 can be used to ensure the Operator uses these alternative waste management methods.

IC6 – this has been included as the surface water drainage system currently has no pollution abatement system in place. The drainage system collects the uncontaminated rainwater from across the site, including from car parks, roofs and roadways, before passing it into the surface water drainage system owned by Anglian Water Services Limited. This means that any spills from the delivery of chemicals to the site, or from vehicle leaks would not currently be contained onsite. A maintenance and inspection plan has been requested in order to ensure that the pollution abatement continues to work correctly.

IC7 – This condition has been included to ensure the Operator assesses the feasibility of low temperature biological detergents in line with indicative BAT in EPR 2.07 and to require them to either utilise them or justify why they are not feasible for the site.

IC8 – this condition has been included to ensure the operator reviews options for adjusting the control software in order to minimise drag out times in line with indicative BAT in EPR 2.07 and to either introduce the measures or justify why they are not feasible for the site.

Decision considerations

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.

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:

- Anglian Water Services Limited
- Borough Council of Wellingborough – Environmental Protection
- Director of Public Health / Public Health England
- Fire and Rescue Service
- Food Standards Agency
- Health and Safety Executive
- Local Authority – Planning

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

Operator

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 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 RGN 2

'Defining the scope of the installation' and 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 a plan which we consider to be satisfactory.

This shows the extent of the site of the facility.

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 and baseline reporting under the Industrial Emissions Directive.

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.

General operating techniques

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.

Relevant technical guidance includes [Surface treatment of metals and plastics by electrolytic and chemical processes: additional guidance EPR 2.07](#)). The operator has reviewed their anodising process against the Indicative BAT in this guidance and demonstrated that they will manage energy and material efficiency in line with BAT and will have appropriate containment and emissions abatement measures in place. The Relevant BREF is the Surface Treatment of Metals and Plastics 2006.

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

Operating techniques for emissions that screen out as insignificant

Emissions to air of nitrogen dioxide, sodium hydroxide, sulphuric acid and emissions to sewer of sulphate, chromium III (95%ile) (dissolved), copper, nickel and its compounds and zinc have been screened out as insignificant, and so we agree that the applicant's proposed techniques are Best Available Techniques (BAT) for the installation.

We consider that the emission limits included in the installation permit reflect the BAT for the sector.

National Air Pollution Control Programme

We have considered the National Air Pollution Control Programme as required by the National Emissions Ceilings Regulations 2018. By setting emission limit values in line with technical guidance we are minimising emissions to air. This will aid the delivery of national air quality targets. We do not consider that we need to include any additional conditions in this permit.

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 - please refer to the key issues section of this document.

Emission Limits

We have decided that emission limits are not required in the permit.

We have imposed descriptive limits on visible oil and grease.

Monitoring

We have decided that monitoring should be carried out for the parameters listed in the permit, using the methods detailed and to the frequencies specified.

These monitoring requirements have been included in order to:

- Monitor process parameters to ensure the wash box abatement systems are operated within their optimum range.
- Ensure there are no signs of visible oil or grease entering surface water drains.

We made these decisions in accordance with [Surface treatment of metals and plastics by electrolytic and chemical processes: additional guidance EPR 2.07](#).

Reporting

We have specified reporting in the permit.

We made these decisions in accordance with [Surface treatment of metals and plastics by electrolytic and chemical processes: additional guidance EPR 2.07](#).

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.

We only review a summary of the management system during determination. The applicant submitted their full management system. We have therefore only reviewed the summary points.

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

Previous performance

We have assessed operator competence. There is no known reason to consider the applicant will not comply with the permit conditions.

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

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.

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, 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 Anglian Water Services Limited.

Brief summary of issues raised:

1. The current state of repair of the bunds increases the risk to the surface water system and receiving environment.
2. Discharge of caustic soda and sulphuric acid would require specific approval by Anglian Water Services Limited and would need to be included on the trade effluent consent.
3. There is the potential for the caustic soda and sulphuric acid to contain small amounts of mercury.

Summary of actions taken:

1. Improvement conditions were included to ensure the Operator brings the secondary and tertiary containment up to the standards detailed in the CIRIA C736 guidance.
2. Caustic soda and sulphuric acid are not discharged to sewer untreated. Liquids from the surface treatment tanks are treated in the onsite wastewater treatment plant before being discharged to the foul sewer. This includes pH balancing.
3. The applicant has received confirmation from the raw material manufacturer that the products do not contain mercury.

Response received from Wellingborough Environmental protection department

No issues raised.