

Permitting decisions - Variation

We have decided to grant the variation for **Servosteel** operated by **Steelstrip Services Limited**

The variation number is **EPR/KP3732PL/V004**

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 checklist to show how all relevant factors have been taken in to 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
- 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. The introductory note summarises what the variation covers.

Key issues of the decision

Intro

The variation application involves the addition of a new chemical scheduled activity 4.2 A (1) (a) (iv) for ferrous chloride production

The changes are listed in more detail in introduction to the permit variation notice. The effluent treatment plant capacity is unchanged with this variation application. The variation notice corrects a historic error to confirm the installation effluent treatment facility is a scheduled activity (S5.3 Part A (1) (a) (ii) hazardous waste treatment for disposal) as it is above the relevant threshold not a directly associated activity as previously designated.

The permit scheduled activity table S1.1 has been updated to reflect these changes.

In brief the variation had the potential for significant impact with introduction of new chemical scheduled activity, hence the variation being assessed as a substantial variation.

However in reality the permit determination conclusion as summarised below was that the variation does not have significant environmental impact.

In addition as a baseline for future variations the main surface treatment scheduled activity vat volume was confirmed as 66 m³. This has not changed due to this variation application.

Air

The only atmospheric emission linked to new ferrous chloride production process is hydrogen chloride discharge via installation existing A1 vent. The chemical process will alternate with current surface treatment activity. Even if the very rare event occurs of two processes operating together emission, as discussed below, the emissions are still lower than original permit baseline levels.

The Operator has confirmed that this emission is considerably lower than the 3 mg/m³ estimated emission level utilised in original KP3732PL 2004 permit application. The surface treatment current emission is also consistently below 0.5 mg/m³, substantially lower than 3 mg/m³ original permit estimate. In addition the original permit application assumed constant operation all year round.

The new process hydrogen chloride emission is estimated at approximately 0.47 mg/m³, utilising current monitored emission data for A1 as a start point and then extrapolation for new chemical process. The Operator has carried out an impact assessment using conservative H1 tool (document dated 18/08/21).

Risk assessment conclusion:

- Overall impact is lower than baseline assessment linked to original 2004 permit application
- In addition the Operator risk assessment dated 18/08/21 concludes installation short term process contribution impact for hydrogen chloride is < 10 % of Environmental Assessment Level (EAL) of 750 mg/m³. Hence installation short term impact is insignificant.

Effluent

There are no new effluent emissions linked to new chemical process introduced with this variation

The effluent treatment plant capacity is unchanged with this variation application at 7.2 m³/hour

Containment

The three additional process tanks linked to the new chemical process are to be located within an existing bund. The volume of this bund meets the following criteria:

- > 110 % of largest individual tank
- > 25 % of total of combined tank volume

Based on a recent site inspection concern has been raised linked to suitability of the lining of this bund to have suitable chemical resistance for material stored in the bund This is being addressed via site officer audits and follow on actions if required.

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.

We consulted with the following organisation:

- HSE
- Local Council Environmental Health Department and Planning Departments

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

The application was publicised on the GOV.UK website.

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 RGN2 'Defining the scope of the installation' and Appendix 1 of RGN2 '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.

These show the extent of the site of the facility.

The plans show the location of the part of the installation to which this permit applies on that site.

The plan is included in the permit.

There is no change to the installation boundary linked to this variation and hence no site condition report update is required.

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

The variation will not lead to any increase in environmental impacts on local habitat sites relative to the baseline 2004 permit application assessment.

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 distance for these designations.

We have assessed the application and its potential to affect 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 sites of nature conservation, landscape and heritage, and/or protected species or habitats identified.

There is one European Site within relevant screening distance. However based on this variation application impact being substantially lower than that in baseline 2004 permit application assessment 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 assessment shows that, applying the conservative criteria in our guidance on environmental risk assessment all emissions may be screened out as environmentally insignificant.

General Operating techniques

The Operator has provided both Operating techniques for specific chemical process and a BAT assessment of measures taken to show compliance with our TGN EPR 4.02 for Inorganic Chemicals

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.

Improvement programme

All the existing improvement programs IC1-17 have been confirmed as complete

Emission limits

We have decided that no new emission limits are required linked to the permit variation. The emission limits linked to annual emission limits linked to cadmium and mercury are removed because the actual operating emission levels have been shown consistently over many years to be lower than annual emission limits order by more than an order of magnitude.

We made these decisions in accordance with our guidance.

Monitoring

We have decided that no additional monitoring should be carried linked to the new chemical process within variation application.

However the monitoring requirements have been updated to reflect latest monitoring techniques in place for the current installation.

The S1 discharge effluent flow monitoring already in the permit has now started after successful completion of IC13 to confirm usage of a Mcerts certified flow meter.

In addition the S1 effluent monitoring requirements for Cadmium and Mercury have been removed based on consistent operation over many years, significantly lower than the relevant emission limits

Based on the information in the application we are satisfied that the operator's techniques, personnel and equipment have either MCERTS certification or MCERTS accreditation as appropriate

Reporting

We have specified reporting in the permit.

We made these decisions in accordance with standard installation reporting requirements. The reporting of A1 Hydrogen Chloride atmospheric emission monitoring has been changed from every four months to every six months.

Environment Management System

We are not aware of any reason to consider that the operator will not have the management systems to enable it to comply with the permit condition. The decision was taken in accordance with guidance on Operator Competence and how to develop a management system for environmental permits.

Previous performance

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

The consultation and public advertisement deadline closed 15/10/21.

Responses from organisations listed in the consultation section

There were no concerns raised from following consultation responses

- Local Council Planning Department response dated 17/9/20
- Local Council Environmental Health response dated 20/9/20