

Permitting decisions- Surrender

We have decided to accept the surrender of the permit for PVC9 Plant operated by Vinnolit Hillhouse Ltd.

The permit number is EPR/TP3833GG.

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 summarises the decision-making process to show how the main relevant factors have been taken into 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 [decisions considerations](#) section to show how all relevant factors have been taken into account

Unless the decision document specifies otherwise we have accepted the applicant's proposals for surrender.

Read the permitting decisions in conjunction with the environmental permit.

Key issues of the decision

In their surrender application, Vinnolit Hillhouse have presented evidence that during the lifetime of the permit no significant releases to ground or water have occurred. Based on the desk study provided, it is expected that the ground would not be contaminated and would therefore be in a 'satisfactory state' for surrendering the permit. In support of this conclusion, the applicant has provided an intrusive sampling study which compares the current state of the soil with the one at permit application.

Six sampling points have been considered and coincide with the points sampled in 1998. The parameters analysed (sampled in May 2021) are pH, sulphite,

copper, sulphate, ethanol and vinyl chloride. We consider these sampling points and parameters to be appropriate for the scope of the application.

Copper is shown to be above the values from 1998 in two samples (pit 6 and pit 9). The results obtained are 14 and 16 mg/kg and the values in 1998 were 8.4 and 6.9 mg/kg. These two points are located at a significant distance from the copper storage area and no significant copper spillage has happened on site. Due to this, it is considered that the slightly elevated copper values are within the natural range of the samples and are not due to the activities on site.

All other parameters are below the values obtained in the 1998 study.

The site has been completely and appropriately cleared. This has been confirmed through a site inspection and documented in the Compliance Assessment Report TP3833GG/ 0371998 from 03/09/2020.

Based on the existing evidence, we have agreed with the surrender of the site and its activities.

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.

Extent of the surrender application

The operator has provided a plan showing the extent of the site of the facility that is to be surrendered.

We consider this plan to be satisfactory.

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.

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.