

Permitting decisions- Surrender

We have decided to accept the Surrender of the permit for Hayhole Works operated by Akdeniz Chemson Additives Limited.

The permit number is EPR/BV4606IL

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

The permit for the Hayhole works site was issued in 2005 and permitted the manufacture of calcium zinc and organic based PVC additives. Prior to Chemson's tenure of the site there had been lead workings on the site since the 1860s. There has also been some historic landfilling on the site of contaminating materials. As such, contamination may exist in soils and groundwaters beneath the site.

The site has now been fully decommissioned with all materials and plant removed and water sampling regime complete in Line with EA requests and permitting requirements.

Although the soil contamination is widespread and significant there does not appear to be much movement in the groundwater and no relevant aquifers.

The following documents were submitted in support of the surrender;

- Surrender (Site Condition Report)
- Schedule 5 Response notice received 23/02/2022
- Above Ground Tank Investigation – Chemson, Hayhole Works – received 23/02/3022
- Atkins Report September - 2004
- Roberts Environmental Report (REL) 0September 2019 Ref:19609.R.101
- Site Closure Plan Rev 3 – 3-10 February 2021
- Comparative Land Quality Study January- 2020 Ref 190609cs001
- Remediation Strategy October 2019 Ref:190609.RRS.002

The Application Site Condition Report (Atkins 2004), with references to earlier reports like the Harness Pickel intrusive sampling investigation of 2000 is of adequate quality to stand as a baseline for the start of the EPR permit time.

The Roberts Environmental (REL) comparative land quality study of 2020 covers an adequate range of monitoring locations on site in relation to permitted and historic activities on the site. In particular it covers the southern Riverside Plant area of the site that was less well represented in earlier reports. The REL report also shows that there has been no clear evidence of degradation of the condition of the soil and groundwater during the period of the EPR permit. This is not absolutely certain as there is quite a wide variation in sample values but is sufficient for a risk based conclusion of no likely significant deterioration. There are no records of pollution events during the period of the permit.

The site drains were cleaned out and the incoming and discharged water monitoring during and after this period showing the discharge fell to less than the permitted discharge for lead giving justification for decommissioning of the effluent treatment plant.

The site inspecting officer has confirmed that all likely polluting materials have been removed from the site so further decommissioning and demolition of remaining surface structures is unlikely to lead to any further pollution (although the REL report notes that care should be taken if site remediation is attempted in the future that involves disturbing the soil).

Although there is clear historic pollution on the site, there has been no significant further contamination of the soil and groundwater during the period of the Chemson permit. The site has been decommissioned to the point where it no longer represents a continuing risk of pollution to the environment. A final inspection of the site was carried out by area on 28/06/2021 and a Compliance Assessment Report (CAR) form completed and saved to DMS.

We have taken a risk based decision to accept the permit surrender application.

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 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. See key issues.

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. See Key issues.

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.