

Permitting decisions- Surrender

We have decided to accept the part surrender of the permit for Ironbridge Power Station operated by Harworth Estates Investments Limited.

The permit number is EPR/WP3339QJ.

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.

We have assessed the aspects that are changing as part of this part surrender, we have not revisited any other sections of this permit.

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

The part surrender relates to surrender of part of the site in accordance with the Phase 1 Remediation Strategy (Appendix M of the Surrender Report). Phase 1 (Zone 5) includes the locations of the following key infrastructure or operational activities:

- Heavy Fuel Oil store
- former heating equipment and bund
- diesel tank
- waste storage areas (non-hazardous and hazardous)
- carpark
- Carpark surface water drainage point (reference W5)
- interceptors
- depots
- stores
- areas formerly occupied by rail track

All infrastructure in the Phase 1 (Zone 5) area has been decommissioned, decontaminated and residual contamination remediated to our satisfaction.

The part surrender notice identifies the changes to the permit as a result of this part surrender.

Read the permitting decisions in conjunction with the environmental permit and the surrender 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.

The regulated facility

The permitted regulated facilities have changed as a result of the partial surrender.

The permit for the site was issued on 27/03/2007 reference EPR/HP3733LJ and allowed the following activities to be carried out at the site:

Schedule 1 EPR activities which were carried out at the site:

- Section 1.1 Part A(1)(a) - Burning any fuel in an appliance with a rated input of 50 MW or more in 2 generating units and 2 auxiliary boilers
- Section 3.5 B (f) - Pulverised Fuel Ash (PFA) handling and storage.
- Directly Associated Activities

The Schedule 1 EPR listed activities ceased some years ago:

- Ironbridge B Power Station stopped generating electricity on 20th of November 2015
- cooling towers were demolished on 6th of December 2019.
- 'Tank Bay' building was demolished on 22nd of January 2021.
- boiler house was demolished on 27th February 2021.
- chimney stack was demolished on 3rd of September 2021 and main plant has been demolished.

We acknowledge that the permitted Scheduled activities have ceased operation. The directly associated activities which supported the main activities have also ceased operation with the exception of surface water drainage.

We have decided that the permitted activities must remain in the permit as:

- The application does not seek to surrender the permitted activities. Whilst the decommissioning of major infrastructure has been undertaken some infrastructure remains on the wider installation which will be subject to further decommissioning on a phased basis.
- None of the activities are exclusive to the area of the site relating to this partial surrender. The remaining installation boundary includes areas of the site associated with these activities.

We have amended the descriptions of the activities in Table S1.1 of the permit (Activities) to reflect that that all activities excluding surface water management have ceased operation.

The operator applied to remove the emissions point W4. W4 is the main site drainage to surface water discharge point. W4 runs through the surrendered area and remains functional. In view of the potential for pollution in the event of loss of containment from this drain we have retained within the permit boundary the area housing the drain, emissions monitoring point (M5) and the release point for W4.

Remaining infrastructure on the wider installation has the potential to accumulate rainwater which continues to be managed and released to the existing and remaining surface water discharge points: W1, W2, W3, W4 and W6.

The surrender application(s) for the remaining site/site areas must include full details of decommissioning, demolition, site investigation, remediation and verification relevant to the activities associated with the various site areas. This will be required as we have not assessed these aspects in this part surrender. The operator is aware that each part surrender application must be accompanied by the fee due for surrender of activity S1.1 Part A(1)(a). This arrangement was agreed with the operator during the enhanced pre-application meeting of and is 25/03/2021 and is in keeping with our published guidance on charges available from this link: [Environmental permits and abstraction licences: tables of charges - GOV.UK \(www.gov.uk\)](https://www.gov.uk/guidance/environmental-permits-and-abstraction-licences-tables-of-charges).

The part surrender notice includes the revised site plan showing the new installation boundary.

The site

The extent of the facility has changed as a result of the partial surrender.

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

These show the extent of the site of the facility.

The plan is included in the permit.

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.

Changes to permit conditions as a consequence of the surrender

The permit conditions have changed as a result of the partial surrender.

Table S1.1 as referenced by condition 2.1.1 is amended to acknowledge that the permitted activities (aside from surface water drainage) have ceased operation.

Table S4.2 referenced by conditions 3.1.1, 3.6.1 and 3.6.4 and table S5.1 referenced by condition 4.2.2 have been amended. The tables have been amended to remove references to the surface water drainage point W5. This emission point served the area of the site which has been surrendered and has been removed from the permit as a result of the part surrender.

The part surrender notice includes the revised tables S4.2 and S5.1.

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 partial 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.