

Permitting Decisions- Variation

We have decided to grant the variation for **Robert Stuart Plating Shop** operated by **Robert Stuart Limited**

The variation number is **EPR/BP4356IN/V005**.

The variation is for addition of a new paint shop with eight atmospheric emission points with connected extension of installation boundary. The variation allows confirms removal of current paint shop and associated two atmospheric emission points

In addition, the variation confirms change of vapour degreasing solvent from trike to perchloroethylene. Usage level of 1.3 tonnes per annum above 1 tonne limit means this is a Section 14 solvent emission activity under EPR regulations.

The activities table S1.1 is updated to accurately reflect scheduled activities and directly associated activities linked to the installation. The references in the table are from the original BP4356IN application to ensure all surface treatment processes in the permit application are covered in the updated S1.1 activities table.

Sewer discharge monitoring requirements have been reduced in line with environmental risk.

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

- highlights key issues in the determination
- summarises the decision-making process in the decision considerations section to show how the main relevant factors have been taken into account

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.

Key issues of the decision

Atmospheric impact assessment

The variation includes the addition of eight atmospheric emission points A25-A31 linked to new paint shop including paint booth local exhausts and oven exhausts.

The impact of these emissions is offset and minimised as follows:

- Reduced hours of operation compared to current paint shop
- Filtration from paint booth consists of multiple filtration stage reducing emissions relative to current booth simpler single-phase filtration.

The H1 air impact screening assessment is as per submission dated 06/09/22 (originally submitted 16/08/22).

Conclusion

The conclusion for solvent-based paint using parameter **toluene** is as follows:

- Long term process contribution impacts – well below 1 % of relevant Air Quality Standard (0.000532 %)
- Short term process contribution impacts – well below 10 % of relevant Air Quality Standard (0.00328%)

The levels are extremely low ,with improvements to design of the paint shop as outlined above that it is considered the process contributions are either equivalent to or lower than current paint shop impacts.

Water/Sewer impacts

There are no new emissions to sewer from this variation. All wastes are removed from site without entering surface water or sewer drainage systems. Two new surface water discharges are linked to uncontaminated water.

Containment

There are no new bulk tanks linked to variation application. Paint shop raw materials and wastes are stored in a bunded area within the existing installation boundary. Such wastes are not stored within area of the land extension for the new paint shop.

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.

Consultation

No external consultation as this is a normal variation.

The regulated facility

We considered the extent and nature of the facilities at the site in accordance with RGN2 'Understanding the meaning of regulated facility' and Appendix 2 of RGN2 'Defining the scope of the installation'.

The variation process changes do not lead to a new scheduled activity within the installation.

However, the historic effluent treatment facility for non-cadmium process effluent has been corrected from a directly associated activity to a scheduled activity based on confirmation of effluent treatment rates.

The site

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

These show the extent of the site of the facility including the emission points.

The revised installation boundary plan is included in the permit.

Site condition report

The operator has provided a description of the condition of the site linked to variation and paint shop within land extension to the boundary, which we consider is satisfactory.

The site condition report has based on a desk top study alone reflecting fact that there was no ground water and land baseline monitoring provided with original permit application BP4356IN.

The decision was taken in accordance with our guidance on site condition reports.

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 as this introduction of paint shop has led to no increase in impacts on the European/Ramsar Site Lee Valley, which also over 7 km from the installation.

Overall, the variation leads to no increase in impacts of installation on habitat sites.

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 or similar methodology supplied by the operator and reviewed by ourselves, all emissions may be screened out as environmentally insignificant

Operating techniques for emissions that screen out as insignificant

Emissions of toluene 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.

Updating permit conditions during consolidation

We have updated permit conditions to those in the current generic permit template as part of permit consolidation. The conditions restate the requirement

Improvement programme

Based on the information on the application, we consider that we do not need to include any new improvement programmes.

We have taken opportunity to review completion of 11 improvement conditions in original permit BP4356IN issued in 2004.

The improvement conditions IC17 and 9-11 have been completed. IC10 completion date has been revised to a future date.

Emission limits

Emission Limit Values have been deleted for annual mercury mass emission and mercury S1 emission concentration.

The emission limit has been proved over many years to be complied with significantly below emission limit as mercury level in caustic soda significantly reduced.

Monitoring

We have decided that monitoring should be deleted for flow and pH for S1 sewer discharge as not providing any real value with effluent subsequently discharging to an off-site sewerage treatment works.

In addition monitoring linked to mercury emissions have been removed as we have concluded emissions are negligible and relevant emission limit values have been removed from the permit.

Reporting

We have deleted reporting in the permit for the following parameters:

- S1 discharge pH and flow reporting
- S1 discharge mass emission annual calculation for mercury and mercury emission limit concentration.

We made these decisions in accordance with overall sense of only providing monitoring/reporting that is essential.

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.

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 variation.

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.