

## Permitting Decisions - Variation

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We have decided to grant the variation for Tibshelf Plating Works operated by Wanzl Limited.

The variation number is EPR/HP3244QD/V003

The permit was issued on 20/12/2024.

This variation is for the following purposes:

1. Addition of 2 ovens as a directly associated activity
2. Addition of external chemical storage area
3. Addition of jetwash as a directly associated activity
4. Increase in site boundary

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

Wanzl Limited operates a surface metal finishing operation at Tibshelf, Derbyshire, DE55 5NH. The installation specialises in refurbishing shopping trolleys.

The main activities fall under the following Schedule 1 listed activities of the Environmental Permitting Regulations:

Section 2.3 Part A(1)(a): Surface treating metals and plastic materials using an electrolytic or chemical process where the aggregated volume of the treatment vats is more than 30m<sup>3</sup>.

The directly associated activities include ovens to remove surface contamination, cleaning by jetwash, effluent treatment plant, waste storage and chemical storage. This facility operates a batch process; this involves degreasing using hot alkaline cleaners which are heated by two internal gas fired Lanemark gas burners with a combined thermal input of 0.56MWth. In addition, there are two ovens of 0.4MWth each, which are used for removing lacquer and zinc from the originally plated shopping trolleys in preparation for re-plating.

There is a powder coating activity on site but it is not a DAA.

### Emissions to air

The operator has applied to vary the permit to include the two ovens as a directly associated activity in the permit. These ovens are fired using natural gas and have a net rated thermal input of 0.4MW each. There are in all three emission points to air (3 stacks):

A1 – Lanemark burner

A2 – Oven 1

A3 – Oven 2

The operator has submitted a H1 risk assessment for emissions to air resulting from the emission points A2 and A3. The main emissions from the ovens include Hydrogen chloride (HCl), Total Particulate Matter and Total VOCs. The applicant also provided an emission report for speciated VOCs. As the concentration of the VOCs were below detectable limits for any VOC, the applicant has used the worst-case emission of Benzene for assessment of risk.

We have carried out our own internal checks using H1 v9.2 tool and found the applicant's risk assessment to be satisfactory. The long term and short term emissions for all parameters screened out as insignificant.

Number	Substance	Long term EAL (ug/m3)	Long term PC (ug/m3)	%PC of EAL (long term)	>1% of EAL? (long term)	Short term EAL (ug/m3)	Short term PC (ug/m3)	%PC of EAL (short term)	>10% of EAL? (short term)
1	Benzene	5	0.021102557	0.42%	pass	30	0.311046934	1.04%	pass
2	Particulates (PM10)	40	0.330377378	0.83%	pass	50	4.869688113	9.74%	pass
3	Hydrogen chloride	0	0.134530756			750	3.360937333	0.45%	pass

**Applicability of Section 2.1 Part B (d) to the ovens removing contaminants activity.**

Section 2.1 Part B (d) states

“Heating iron, steel or any ferrous alloy (whether in a furnace or other appliance) to remove grease, oil or any other non-metallic contaminant (including such operations as the removal by heat of plastic or rubber covering from scrap cable), unless—

- (i) it is carried on in one or more furnaces or other appliances the primary combustion chambers of which have in aggregate a rated thermal input of less than 0.2 megawatts,
- (ii) it does not involve the removal by heat of plastic or rubber covering from scrap cable or of any asbestos contaminant, and
- (iii) it is not related to any other activity falling within this Part of this Section.”

The removal of lacquer, plastics and zinc coating in the ovens, of which there are two, each with a thermal input of 0.4MW does not fall under the Section 2.1 Part B (d) description. Although the Operator is heating steel in an oven (other appliance), which is >0.2MWth, to remove non-metallic contaminants (lacquer) it does not fall under the activity description because:

- Parts i, ii and iii of the activity description give exclusions to the application of the Scheduled activity.
- Only one of Parts i or ii need to be met, however iii must be met in order for the exclusion to apply.
- The activity does meet Part ii as it does not involve the removal of plastic or rubber from scrap cable or any asbestos contaminant.
- The activity does meet Part iii as it is not related to any other activity within this Part of this section.

Therefore, although the activity is a DAA to the Section 2.3 Part A(1)(a) activity, it does not fall under the Section 2.1 Part B (d) description.

## **Containment**

The installation has added an additional chemical storage area. The applicant has provided a risk assessment following the methodology in CIRIA C736. The site is situated on an impermeable ground and all chemical storage tanks have been provided with secondary containment (bunds). In source-pathway-receptor study provided by the operator, the only potential pathway identified is the surface drainage system in event of significant water being used in the event of fire. It is expected that the process risks are covered as part of the site's management system. As the site is operated to ISO 14001:2015 EMS standard, we are satisfied with the containment assessment provided by the applicant.

## **Best Available Techniques (BAT)**

The applicant has provided a BAT assessment against Process Guidance Note PG 2/09(13) Statutory guidance for metal decontamination processes and installations and The Surface Treatment of Metals and Plastics by Electrolytic and Chemical Processes (EPR 2.07).

The applicant has specifically addressed the changes resulting from this variation application. We are satisfied that the applicant's techniques are BAT.

## **Increase in site boundary**

The applicant has submitted a site condition report with baseline reference data in the form of soil and groundwater sample analysis detailed in their document *Combined Desk Study Review, Ground Investigation and Site Condition Report, September 2024*.

We have identified elevated concentrations of soluble sulphates and heavy metals (zinc) in soils and heavy metals (zinc, copper, nickel, cadmium) and PAHs in perched groundwater, and in leachable concentrations (copper and PAHs) above the limit of detection. As an initial baseline was not established at the time the site was originally permitted for comparing the current SCR analytical results, these elevated concentrations may be attributed to the historical industrialised uses of the site.

However, as there are no groundwater abstractions, and as the site lies outside of a source protection zone, also the site is overlain with an impervious concrete layer, we are happy with the increase in site boundary. The applicant has informed that the surface water runoff and down spouts are collected in the surface water drain which ultimately discharges to Westwood Brook. The surface water remains uncontaminated by ensuring that the chemical storage is provided with sufficient bunding.

In the event of an accidental spillage, Blackwell Brook has been identified as a surface water run-off receptor. However, adequate containment reduces the risk of such contaminated surface run-off from reaching the receptor.

We have not increased the standard monitoring period in Condition 3.1.3 of the permit for soil and groundwater. Please read this section in conjunction with the section on containment.

## **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.

### **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', Appendix 1 of RGN 2 'Interpretation of Schedule 1', guidance on waste recovery plans and permits.

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.

The plan is included in the permit.

### **Site condition report**

The operator has provided a description of the condition of the site, which we consider is satisfactory. The decision was taken in accordance with our guidance on site condition reports and baseline reporting under the Industrial Emissions Directive.

Please refer to containment and increase in site boundary under key issues section more for information.

## **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 not within our screening distances for these designations.

## **Environmental risk**

We have reviewed the operator's assessment of the environmental risk from the facility.

The operator's risk assessment is satisfactory.

## **General operating techniques**

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.

## **Operating techniques for emissions that screen out as insignificant**

Emissions of the following substances have been screened out as insignificant, and so we agree that the applicant's proposed techniques are Best Available Techniques (BAT) for the installation.

Hydrogen Chloride (HCl)

Particulate Matter (PM)

Total VOC

We consider that the emission limits included in the installation permit reflect the BAT for the sector.

## **National Air Pollution Control Programme**

We have considered the National Air Pollution Control Programme as required by the National Emissions Ceilings Regulations 2018. By setting emission limit values in line with technical guidance we are minimising emissions to air. This will

aid the delivery of national air quality targets. We do not consider that we need to include any additional conditions in this permit.

## **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 will provide the same level of protection as those in the previous permits.

## **Emission limits**

No emission limits have been added, amended or deleted as a result of this variation.

## **Monitoring**

Monitoring has not changed as a result of this variation.

## **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.