

Natural Resources Wales Permitting Decisions

Partial Transfer

We have decided to grant the partial transfer of an installation from Caparo Steel Products Limited (in administration) to Wrexham Wire Limited.

Permit number **EPR/BX6774IN** will continue to be operated by Caparo Steel Products Limited (in administration).

Permit number **EPR/AB3190FW** will now be operated by Wrexham Wire Limited.

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:

- explains how the application has been determined
- provides a record of the decision-making process
- shows how all relevant factors have been taken into account
- justifies the specific conditions in the permit as a result of the partial transfer

Structure of this document

- Key issues
- Annex 1 the decision checklist

Key issues of the decision

1) Background

Caparo Steel Products Limited (trading as Caparo Wire) (in administration) currently holds an Installations permit (reference EPR/BX6774IN). This permit covers two operating facilities on Wrexham Industrial Estate, one on Ash Road North (Factory 1), and one on Ash Road South (Factory 2). Following the Caparo Group going into Administration, the Factory 1 business has been successfully bought by another company - Wrexham Wire Limited. Wrexham Wire Limited now operate the Factory 1 site. There is a requirement therefore for permit EPR/BX6774IN to be partially transferred to Wrexham Wire Limited to reflect the split of the Factory 1 and Factory 2 sites.

The application was received at Natural Resources Wales on 10th February 2016. It consisted of a covering letter, application form A, application form D2, application form F1, two site plans, a BACS transfer note, OPRA, and an operations list. The next step was to assess whether the application could be

duly made or not. An application is duly made once we have determined that it is complete and contains all the information we need to begin determination. The duly making assessment was completed on 2nd March 2016 and it was determined that the application could not be duly made at that point. The reasons for this were:

1) The application did not include a summary of the operator's management plan

2) The submitted site plan did not include all relevant emission points

A letter was sent to the operator via email on 3rd March 2016, explaining that their application had not been duly made and the reasons for this. Wrexham Wire Limited submitted the additional documents on 9th March 2016, enabling the application to be duly made on 9th March 2016. This meant that the statutory deadline for determining the application would be 9th May 2016.

During the determination process, two informal requests for further information were made, both relating to site plans, to which the operator responded on the same day as the requests were made.

In their application, Wrexham Wire Limited propose to transfer parts of permit EPR/BX6774IN relating to Factory 1 on Ash Road North to themselves.

2) Control of the facility

Following a request for further information at the duly making stage, Wrexham Wire Limited submitted a summary of their environmental management system, which specifies that Wrexham Wire Limited operate to ISO 14001:2004 certification. Under this certification, the operator's environmental management system must take account of legal and other requirements that the operator must comply with. In their submitted summary, Wrexham Wire Limited explain that management of the company's regulated permitted and directly associated activities will be maintained through documented evidence and best available techniques using the former Caparo Wire business environmental management system manual (which will be revised to Wrexham Wire Limited). The manual includes policy, accident management plan, legal register, aspects and impacts register, and operational control, reporting and maintenance procedures.

We are satisfied that Wrexham Wire Limited is the company that will have control over the operation of part of the facility after the grant of the permit.

3) The regulated facility

The part transfer will extract all permitted activities and limits relating to Factory 1 on Ash Road North from permit EPR/BX6774IN, held by Caparo Steel Products Limited (in administration), and insert them into the new permit for Wrexham Wire Limited.

Activities, limits and requirements that will be specified in the new permit for Wrexham Wire Limited are therefore:

- Activities A1 (Surface treatment of metals or plastic materials using an electrolytic or chemical process where the aggregated volume of the treatment vats is more than 30m³) and A2 (Disposal of non-hazardous waste in a facility with a capacity of more than 50 tonnes per day by physico-chemical treatment)
- Directly Associated Activities A3-A10 (raw material storage and handling, machining, annealing and heat treatment, galvanising, product storage and handling, gaseous abatement, waste storage and handling, operation of utility systems)
- Limits on point source emissions to air from emission point reference A101
- Limits on point source emissions to water from emission point references W1, W2, W3, W4 and W5
- Limits on point source emissions to sewer from emission point reference S1
- Annual limits on Zinc and Copper emissions to sewer
- Process monitoring requirements for emission point references E107 and E108
- Monitoring data reporting requirements for Ash Road North site emission references
- Reporting requirements for annual production/treatment and performance parameters

The original permit will then only contain activities, limits and requirements that previously related to Factory 2 on Ash Road South.

These are:

- Activities: Surface treatment of metals or plastic materials using an electrolytic or chemical process where the aggregated volume of the treatment vats is more than 30m³, and Disposal of non-hazardous waste in a facility with a capacity of more than 50 tonnes per day by physico-chemical treatment
- Directly Associated Activities: raw material storage and handling, machining, oiling, product storage and handling, gaseous abatement, waste storage and handling, operation of utility systems
- Limits on point source emissions to air from emission point reference A201
- Limits on point source emissions to water from emission point reference W6
- Limits on point source emissions to sewer from emission point reference S2

- Annual limits on Zinc and Copper emissions to sewer
- Process monitoring requirements for emission point reference E205
- Monitoring data reporting requirements for Ash Road South site emission references
- Reporting requirements for annual production/treatment and performance parameters

4) Changes to permit conditions

Following the part transfer, Wrexham Wire Limited will be issued with a new permit under the Environmental Permitting Regulations. The conditions specified in the Environmental Permitting Regulations permit will be different to those the operator would have been given under the Pollution Prevention and Control Regulations.

No other changes have been made to Wrexham Wire Limited's permit conditions. No changes have been made to the conditions specified in the original permit (reference EPR/BX6774IN) - held by Caparo Steel Products Limited (in administration).

5) Extent of the site of the facility

Following the part transfer, the previously two-factory installation will be split into two one-factory installations. The installation on Ash Road North will be operated by Wrexham Wire Limited while the installation on Ash Road South will be operated by Caparo Steel Products Limited (in administration).

The operator has submitted maps which clearly identify the new site boundaries, and these are attached to the new permit for Wrexham Wire Limited, and the transfer notice for Caparo Steel Products Limited (in administration).

Annex 1: decision checklist

Aspect considered	Justification / Detail	Criteria met
		Yes
Receipt of submission		
Confidential information	A claim for commercial or industrial confidentiality was not 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 commercial confidentiality.	✓
Operator		
Control of the facility	We are satisfied that the applicant (now the operator) is the person who will have control over the operation of part of the facility after the grant of the permit. The decision was taken in accordance with EPR RGN 1 Understanding the meaning of operator. See Key Issues Section 2	✓
The facility		
The regulated facility	The permitted regulated facilities have changed as a result of the partial transfer. See Key Issues Section 3	✓
The permit conditions		
Changes to permit conditions	The permit conditions have changed as a result of the partial transfer. See Key Issues Section 4	✓
The site		
Extent of the site of the facility	The extent of the facility has changed as a result of the partial transfer. See Key Issues Section 5	✓
Operator competence		
Environment Management System	There is no known reason to consider that the operator will not have the management systems to enable it to comply with the permit conditions. The decision was taken in accordance with RGN 5 on Operator Competence.	✓

Aspect considered	Justification / Detail	Criteria met
		Yes
Relevant convictions	The National Enforcement Database has been checked to ensure that all relevant convictions have been declared. No relevant convictions were found. The operator satisfies the criteria in RGN 5 on Operator Competence.	✓