

Natural Resources Wales permitting decisions

Bespoke permit/Variation

We have decided to issue the variation for Trostre Works operated by Tata Steel UK Limited.

The variation number is **EPR/BX9471IU/V006**.

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 other than those in our generic permit template.

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

Structure of this document

- Key issues
- Annex 1 the decision checklist

Key issues of the decision

Extent of the site of the facility

The applicant was required to submit a new site plan as part of the application. The reason for this was that the site plan in the current permit did not include the Tin Anode Plant, which is now included in the operator's permit due to the consolidation of permits EPR/BX9471IU (permit for the Tinplate Production Plant) and EPR/FP3730ZM (a previously separate permit for the Tin Anode Plant).

A Schedule 5 Notice was issued to the applicant on 15/12/2016 with regards to the updated site plan, to which they responded on 19/12/2016, providing an altered updated site plan. Consequently, the statutory deadline for determining the application was extended by four days to 24/12/2016.

The altered updated site plan is included in the operator's updated permit. However, NRW decided that a second site plan should be included in the operator's permit to more clearly demonstrate the location of the site boundary.

A second Schedule 5 Notice was issued to the applicant on 21/12/2016 which asked the operator to confirm whether the second site plan drafted by NRW was suitable, to which they responded on 09/01/2017. Consequently, the statutory deadline for determining the application was extended by 19 days to 12/01/2017.

Environmental risk

The applicant has prepared a H1 assessment of emissions to air and surface water resulting from the new coating process. This assessment shows that all emissions are below Natural Resources Wales's insignificance screening levels. The set of substances released to air remains the same as that associated with the existing coating process, with the exception of emissions of hydrogen fluoride, which will be produced in very small amounts. However, as exhaust from the new process will be extracted via the process line's existing local exhaust ventilation systems and treated in the existing chemical scrubber prior to discharge to atmosphere, levels of hydrogen fluoride in the emitted exhaust gases will be negligible and well below the threshold of insignificance. The existing emission limits set in the permit for control of discharge of treated effluent from the entire installation will remain the same and therefore there will be no change in the impact on the receiving waterbody, the Loughor Estuary. In addition, the process line is set up such that the existing and new coating processes are mutually exclusive and therefore cannot operate concurrently; the level of emissions created at any one time is therefore limited to whichever process is currently in operation. Consequently, we are satisfied that the impact on the environment and human health from the new process is insignificant.

Operating techniques

The applicant has submitted a description of the operating techniques that will be implemented to prevent the release of pollutants to air, water and land and minimise environmental risk. We are satisfied that the proposed techniques are adequate. Relevant sections (2.1.1, 3.2, 6.1 and 6.3) of the submitted document (ETL5 REACH permit variation.doc, dated 05/09/2016) have been included in Table S1.2 (Operating techniques) of the updated permit; the operator must carry out activities in the manner described in these sections.

Improvement conditions

As part of the variation, all improvement conditions have been removed from the permit as they had either been completed or were no longer required. Where relevant, documentation previously submitted in response to improvement requirements has been included in Table S1.2 (Operating techniques) of the updated permit; the operator must carry out activities in the manner described in this documentation.

Emission limits

Emission point references A7, A14, A16, A17 and A3 Tin Anode Plant have been removed from Table S3.1 (Point source emissions to air - emission limits and monitoring requirements). Emission point references A7, A14, A16 and A17 were removed following previous partial surrender/variation applications. Emission point reference A3 Tin Anode Plant was removed as part of this variation as Regenerative Thermal Oxidiser (RTO) is no longer used on site.

Phenosulphonic acid (PSA) has been removed as a parameter of emission point reference W1 in Table S3.2 (Point source emissions to water (other than sewer) and land - emission limits and monitoring requirements). It was previously agreed that PSA could be deleted for testing and reporting purposes if PSA material for production use is no longer held on site and that test results for PSA content in W1 over at least a six month period when PSA has not been in use for production allow the testing and reporting of PSA content in W1 to cease. This is now the case.

Emission point references are now as shown in the updated site plan included in Schedule 7 of the updated permit.

Reporting

PSA and Total Phenols have been removed as parameters in Table S4.1 (Reporting of monitoring data). The reason for the removal of PSA is the same as that for Emission limits. Total Phenols was removed following a variation issued in 2012. However, at this time Total Phenols was only removed from the Emission limits table, and not from the Reporting table. This was an error which has now been corrected.

Some reporting frequencies have been altered in Table S4.1 (Reporting of monitoring data) due to changes in Natural Resources Wales' reporting requirements.

Annex 1: decision checklist

This document should be read in conjunction with the Duly Making checklist, the application and supporting information and permit/ notice.

Aspect considered	Justification / Detail
Receipt of submission	
Confidential information	A claim for commercial or industrial confidentiality has been made by the operator with regards to the introduction of chrome-free passivation on Electro-Tinning line (ETL) 5. We have accepted the claim for confidentiality. We consider that the inclusion of the relevant information on the public register would prejudice the applicant's interests to an unreasonable degree. The reasons for this are given in the notice of determination for the

Aspect considered	Justification / Detail
	claim. 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 the facility after the grant of the permit. The decision was taken in accordance with EPR RGN 1 Understanding the meaning of operator.
European Directives	
Applicable directives	All applicable European directives have been considered in the determination of the application.
The site	
Extent of the site of the facility	The operator has provided a plan which we consider is satisfactory, showing the extent of the site of the facility. A plan is included in the permit and the operator is required to carry on the permitted activities within the site boundary. See Key Issues.
Biodiversity, Heritage, Landscape and Nature Conservation	The impact on a site of heritage, landscape or nature conservation, and/or protected species or habitat has not been assessed as part of this application because there are no changes to emission limits in the permit.
Environmental Risk Assessment and operating techniques	
Environmental risk	We have reviewed the operator's assessment of the environmental risk from the facility. The operator's risk assessment is satisfactory. See Key Issues.
Operating techniques	We have reviewed the techniques used by the operator and compared these with the relevant guidance notes. The proposed techniques/emission levels for priorities for control are in line with the benchmark levels contained in the TGN and we consider them to represent appropriate techniques for the facility. We consider that the emission limits included in the permit reflect the BAT for the installation. See Key Issues.
The permit conditions	
Updating permit	We have updated previous permit conditions to those in the new generic permit template as part of permit consolidation. The new

Aspect considered	Justification / Detail
conditions during consolidation	conditions have the same meaning as those in the previous permit(s). The operator has agreed that the new conditions are acceptable.
Improvement conditions	All improvement conditions have been deleted from the permit as part of the consolidation. See Key Issues.
Incorporating the application	We have specified that the applicant must operate the permit in accordance with descriptions in the application, including all additional information received as part of the determination process. These descriptions are specified in the Operating Techniques table in the permit.
Emission limits	Some emission point references have been removed as part of the variation. See Key Issues.
Reporting	The requirement to report on some parameters has been removed as part of the variation. Reporting periods have been altered. See Key Issues.
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.
Relevant convictions	Our Enforcement Database has been checked to ensure that all relevant convictions have been declared. No relevant convictions were found.