

Determination of an Agency initiated Variation to a Permit under regulation 17 of the Pollution Prevention and Control (England and Wales) Regulations 2000 (SI 2000 No1973).

Decision Document recording the decision-making process

Note: all references to the "PPC Regulations" are to the Pollution Prevention and Control (England and Wales) Regulations 2000 (SI 2000 No1973), as amended.

Administrative details

Variation Notice reference	PP3831MU
Permit number (the "Permit")	BU2357
Operator (the "Operator")	Warwick International Ltd Dock Road Mostyn Holywell Flintshire CH8 9HE

Address/location of installation (the "Installation")

**Warwick International Ltd
Dock Road
Mostyn
Holywell
Flintshire
CH8 9HE**

Purpose of this document

This Decision Document ("DD") explains how the Agency-initiated Variation has been determined and the reasoning behind this.

Summary of the decision

The Agency has varied the Operator's Permit to operate the PPC Installation. This variation is necessitated by failure of the operator to comply with improvement programme reference 1.4.1.8 by the compliance date of 28/12/06. The Agency considers that in varying the Permit, it has taken into account all relevant considerations and legal requirements. These can be found in detail below:

Background

Warwick International Limited is permitted by the Agency to operate a chemical installation at Mostyn, N Wales under the PPC Regulations. The PPC permit BU2357 (as varied), required the Operator to validate the performance of the continuous emissions monitors (CEMs) on the incineration plant and submit a report to the Agency by 28/12/06.

The improvement item requires compliance demonstration to BS EN 14181, in accordance with the Waste Incineration Directive (WID).

Background:

Nationally initiated Variation Notices were issued in 2005, incorporating an improvement condition to give effect to the above monitoring requirement under WID. The condition allowed 12 months to carry out the work and report to the Agency. Warwick International has failed to meet the requirements by the relevant date.

The Operator wrote to the Agency on 19/12/06 to confirm reasons why the requirements could not be met by the required deadline. These were given as, an underestimation of the workload, delay in contracting a suitable laboratory test house and other regulatory pressures, most notably COMAH Safety Report revision and the re-design/construction of the Granulation 3 Plant.

The Operator has now contracted a UKAS accredited laboratory and confirmed a revised date for submission of the final report to the Agency as 31 May 2007.

The Agency's determination procedure

Consultation on the draft Variation Notice

The operator was consulted on the draft Variation Notice, which included a revised completion date of 31 May 2007 for the above improvement item. The operator confirmed agreement to the content of the draft Notice including the revised completion date of 31/5/07 [e-mail P Bryant to C Jones dated 17/1/07].

Matters of commercial confidentiality or national security

There are no relevant matters involving national security or commercial confidentiality.

Further information requirements

Sufficient information has been provided by the operator in the letter of 19/12/06. This confirmed necessary measures to ensure the programme of work required by the above improvement condition will be completed to the revised deadline. No further information requirements are considered necessary.

All relevant documents have been sent to the IPPC Public Registers.

CONCLUSION

The variation notice should be issued to provide a revised compliance date for completion of the original programme of work. A warning letter has also been issued to provide the appropriate enforcement response.

Permitting Officer



J C Jones
Regulatory Officer (PIR/RSR)

Date: 22/01/07

Authorising Officer



Paul Nash
Regulatory Team Leader (PIR/RSR)

Date: 22/01/07