

# Natural Resources Wales permitting decisions

## Decision document for the grant of a new bespoke permit

**The application number is:** PAN-027104

**The permit number is:** EPR/DB3397ZH

**The Applicant / Operator is:** Johnsons Textile Services Limited

**The Facility is located at:** Johnsons Textile Services Limited, Wrexham, Aerial Road, Llay,  
Wrexham, LL12 0TU

We have decided to grant the permit for Johnsons Textile Services Limited, Wrexham, operated by Johnsons Textile Services 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:

- Highlights key issues in the determination
- Summarises the decision making process in the decision checklist to show how all 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. The introductory note summarises what the permit covers.

### Key issues of the decision

Our decision includes but is not limited to the following:

- Air quality

This will be discussed separately in this decision document.

## 1 Our decision

This Application is to operate a regulated facility which is subject principally to the Environmental Permitting Regulations 2016 (EPR) and the Medium Combustion Plant Directive (MCPD).

The permit contains many conditions taken from our standard Environmental Permit template including the relevant Annexes. We developed these conditions in consultation with industry, having regard to the legal requirements of EPR and other relevant legislation. This document does not therefore include an explanation for these standard conditions. Where they are included in the permit, we have considered the Application and accepted the details are sufficient and satisfactory to make the standard conditions appropriate. This document should be read in conjunction with the application and supporting information and permit.

## 2 The Legal Framework

The permit will be granted under Regulation 13 of the EPR. The Environmental Permitting regime is a legal vehicle which delivers most of the relevant legal requirements for activities falling within its scope. In particular, the regulated facility is:

- plant as described by Schedule 25A covering the Medium Combustion Plant Directive (MCPD);
- subject to aspects of the Well-Being of Future Generations (Wales) Act 2015 and the Environment (Wales) Act 2016 which also have to be addressed.

The permit will regulate two 2.1 MWth input natural gas-fired boilers operated for a maximum of 2200 hours per year. Combustion gases, comprising oxides of nitrogen (NO<sub>x</sub>) and carbon monoxide (CO) are discharged through two separate 13m high stacks. The plant are classed as new MCP. There are two Sites of Special Scientific Interest (SSSI) within the 1km screening distance of the site: Llay Bog and Chwarel Singret. The site is not located in an Air Quality Management Area.

We address the legal requirements directly where relevant in the body of this document. NRW is satisfied that this decision is consistent with its general purpose of pursuing the sustainable management of natural resources (SMNR) in relation to Wales, and applying the principles of SMNR.

### **Environment Wales Act 2016 – Biodiversity and resilience of ecosystems duty**

Section 6 of the Environment Wales Act 2016 requires that we seek to maintain and enhance biodiversity in the exercise of our functions, and in so doing promote the resilience of ecosystems, in a manner that is consistent with the proper exercise of our functions. NRW is satisfied that in this case we have taken into account and had due regard to this duty in so far as it is consistent with the function of determining an application for an EPR permit.

## 3 Air Quality

For this kind of regulated activity, the principal emissions are emissions to air. There are no permit conditions for water, land, energy efficiency, odour or noise and BAT does not apply.

The MCP is not situated within an Air Quality Management Area or within a zone outlined for action in the Clean Air Plan for Wales. It is also not classified as a Specified Generator, and therefore the requirement to assess emissions against the Air Quality Objectives for NO<sub>x</sub> are not applicable. As such, the applicant was not required to conduct a human health risk assessment.

### **3.2 Impact on Habitats sites, SSSIs, non-statutory conservation sites**

The facility is within the relevant screening distance criteria for protected conservation sites. A full assessment of the application and its potential to affect any of the sites has been carried out as part of the permit determination process.

#### **National Site Network<sup>1</sup>/Ramsar sites**

There are no National Site Network/Ramsar sites located within the relevant screening distance of the facility. A Habitats Regulations Assessment is therefore not required.

#### **SSSI Assessment**

The following Sites of Special Scientific Interest (SSSI) are located within 1 km<sup>1</sup> of the installation:

- Llay Bog; and
- Chwarel Singret.

The applicant has supplied a SCAIL combustion assessment to assess the impact of emissions of NO<sub>x</sub> from the proposed MCPs on these SSSIs. During the determination, we noticed that the applicant had used incorrect figures for Volumetric Flow Rate and NO<sub>x</sub> Emission Rate in their SCAIL assessment. We calculated the correct figures and ran our own SCAIL assessment using these figures and other parameters supplied by the applicant.

Our SCAIL assessment produced slightly different Process Contributions for Airborne Nitrogen, Nutrient Nitrogen Deposition and Acid Deposition; however, when compared to the site relevant Critical Levels and Loads, the PCs were still within either 1% (for long-term, or annual, Environmental Assessment Levels) or 10% (for short-term, or daily, Environmental Assessment Levels). We were therefore satisfied that the impact on the SSSIs remained insignificant.

An Appendix 4 Form was completed to assess the potential to effect the SSSI site, this is available to view on the public register. The assessment concluded the facility is not likely to damage any of the features of the SSSI site.

#### **Non-statutory conservation sites**

There are a number of non-statutory conservation sites located in the vicinity of the site. We do not normally consider non-stat sites for standalone mcp/sg permit applications/ variations in line with this guidance: [Specified generators: dispersion modelling assessment - GOV.UK \(www.gov.uk\)](https://www.gov.uk/guidance/specified-generators-dispersion-modelling-assessment).

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<sup>1</sup> Information on the screening distances we use for screening SSSI sites is given on our website, [here](#).

## Decision checklist

Aspect considered	Decision
<b>Receipt of application</b>	
Duly making	The Application was accepted as duly made on 29/11/2024. This means we considered it was in the correct form and contained sufficient information for us to begin our determination, but not that it necessarily contained all the information we would need to complete that determination.
Confidential application	The Applicant made no claim for commercial confidentiality.
Identifying confidential information	We have not identified information provided as part of the application that we consider to be confidential.
Requests for information	In order for us to be able to consider the Application duly made, we needed more information. On completing the Duly Making assessment, we noticed a discrepancy between the company name and number included on the application form and that included elsewhere in the application. We asked the applicant to clarify which was correct, and to provide an updated form of authorisation to sign the application declaration, if needed. Upon receipt of this information we were able to consider the application Duly Made.
<b>Operator</b>	
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. We are satisfied that the Applicant will be able to operate the facility so as to comply with the conditions included in the permit. This decision was taken in accordance with current guidance on legal operator for environmental permits.
<b>Operator competence</b>	
Relevant convictions	NRW's COLINS Database has been checked to ensure that all relevant convictions have been declared. No relevant convictions were found/relevant convictions were found and declared in the application.  The operator satisfies the criteria in RGN 5 on Operator Competence.
Financial provision	There is no known reason to consider that the operator will not be financially able to comply with the permit. The decision was taken in accordance with RGN 5 on Operator Competence.
Management system	The Applicant has stated in the Application that they will implement an Environmental Management System (EMS) that will meet the requirements for an EMS in our " <i>How to comply with your environmental permit guidance</i> ". The

	<p>Applicant submitted a summary of the EMS with their application.</p> <p>We are satisfied that appropriate management systems and management structures will be in place for this facility, and that sufficient resources are available to the Operator to ensure compliance with all the permit conditions.</p>
<b>The facility</b>	
The regulated facility	<p>The regulated facility is subject to EPR because it carries out an activity as described in Schedule 25A of EPR:</p> <ul style="list-style-type: none"> <li>• One new Medium Combustion Plant aggregated to &lt;50 MWth at a specified location</li> </ul> <p>The Operator has provided the grid reference for the emission points from the plant and the activity is defined in Table S1.1 of the permit.</p>
Annex I of MCPD	The information contained within Annex I of MCPD has been provided by the Operator and incorporated into the permit in Schedule 7.
<b>The site</b>	
Biodiversity, heritage, landscape and nature conservation	<p>The application is within the relevant distance criteria of a site of nature conservation or habitat.</p> <p>We have assessed the application and its potential to affect all known sites of nature conservation or habitats identified in the screening as part of the permitting process.</p> <p>We have assessed the Operator's air emissions impact modelling report and consider that emissions will not affect any sites of nature conservation or habitats identified. See Key Issues section above.</p>
<b>Environmental risk assessment</b>	
Environmental risk	For this kind of regulated activity, the principal emissions are emissions to air. We have reviewed the Operator's assessment of the environmental risk from the facility. The Operator's risk assessment is satisfactory. See Key Issues section above.
<b>Operating techniques</b>	
Operating techniques	We have specified the operating techniques and the operator must use the operating techniques specified in Table S1.2.
<b>Permit conditions</b>	
Use of conditions other than those from the template	Based on the information in the application, we consider that we do not need to impose conditions other than those in our permit template.
Emission limits	<p>Emission limit value(s) (ELV) have been set for the following substances:</p> <ul style="list-style-type: none"> <li>• Oxides of Nitrogen, 100 mg/Nm<sup>3</sup></li> </ul> <p>Emission limit values are defined at a temperature of 273.15 K, a pressure of 101.3 kPa</p>

	<p>and after correction for the water vapour content of the waste gases and at a standardised O<sub>2</sub> content of 15 % for engines and gas turbines, 6 % for solid fuels and 3 % for all other MCPs.</p> <p>The ELV(s) have been set in line with the requirements specified within Schedule 25A of EPR.</p>
Monitoring	<p>We have decided that monitoring should be carried out for the parameters listed in the permit, using the methods detailed and to the frequencies specified.</p> <p>The monitoring requirements have been imposed in order to the Operator to demonstrate compliance with the emission limits specified in the permit, as per the ELV and monitoring frequency requirements specified within Schedules of EPR.</p> <p>The Operator will carry out monitoring in accordance with TGN M5.</p> <p>These decisions have been made in line with current relevant guidance including TGN M5 and <a href="http://www.gov.uk">Monitoring stack emissions: low risk MCPs and specified generators - GOV.UK (www.gov.uk)</a></p>
Reporting	<p>We have specified the reporting requirements in Schedule 4 of the permit to ensure data is reported to enable timely review by NRW to ensure compliance with permit conditions.</p>
MCPD charges and subsistence fees	<p>The type of application regarding MCPD will have an associated charge. The MCPD application type and number of plant will also form the basis for ongoing subsistence fees. More information on this can be found in our charging scheme on our website.</p>