

Natural Resources Wales permitting decisions

Bespoke permit

We have decided to grant the permit for Unit 101 operated by Vertase F.L.I Limited

The application number is PAN-007572

The permit number is EPR/BB3597HA

The permit is for the discharge of 150m³/day of treated contaminated groundwater. The contaminated groundwater will be abstracted and subsequently remediated prior to being discharged to ground via an infiltration system. The treatment system comprises of an oil/water separator, sand filter and primary and secondary activated carbon filters. There are monitoring and reporting requirements within the permit. 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

- Annex 1 the decision checklist

Annex 1: decision checklist

This checklist should be read in conjunction with the Duly Making checklist.

Aspect	Justification / Detail	Criteria met
		Yes
Consultation		
Scope of consultation	The consultation requirements were identified and implemented. The decision was taken in accordance with RGN 6 High Profile Sites, our Public Participation Statement and our Working Together Agreements.	✓
Responses to Web publication	No responses to the web publication on our external website were received.	✓
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 emission limits set within the permit ensure that there is no deterioration to groundwater in line with the Water Framework Directive	✓
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 including discharge points. A plan is included in the permit and the operator is required to carry on the permitted activities within the site boundary.	✓
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. The assessment shows that, applying the conservative criteria in our guidance on Environmental Risk Assessment, all emissions may be categorised as environmentally insignificant.	✓

Aspect	Justification / Detail	Criteria met
		Yes
Operating techniques	<p>We have reviewed the techniques used by the operator and compared these with the relevant guidance notes.</p> <p>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. This is in line with EPR 7.01.</p>	✓
The permit conditions		
Emission limits	<p>We have decided that emission limits should be set for the parameters listed in the permit.</p> <p>It is considered that the numeric limits described below will prevent significant deterioration of receiving waters. We have imposed numeric limits because either a relevant environmental quality or operational standard requires this.</p> <p>The below limits for Benzene, Toluene and Xylenes are set at the 'Minimum Reporting Values' to ensure that there are no discernible concentrations of hazardous substances. The limit for 1,2,4 Trimethylbenzene has been set at the Limit of Detection for most laboratories. A limit of Total Petroleum Hydrocarbons has also been included as a 'capture all' performance indicator, the limit has been set at 10µg/L based on what the treatment system is expected to achieve:</p> <ul style="list-style-type: none"> - Benzene (1 µg/L) - Toluene (4 µg/L) - Xylenes (3 µg/L) - 1,2,4 Trimethylbenzene (1 µg/L) - TPH (10µg/L) 	✓
Monitoring	<p>We have decided that monitoring should be carried out for the parameters listed in the permit, using the methods and to the frequencies specified.</p> <p>These monitoring requirements have been imposed in order to ensure the 'prevent' requirements of the Environmental Permitting Regulations are met. We made these decisions in accordance with the Environmental Permitting Regulations.</p> <p>Based on the information in the application we are satisfied that the operator's techniques, personnel and equipment have either MCERTS certification or</p>	✓

Aspect	Justification / Detail	Criteria met
		Yes
	<p>MCERTS accreditation as appropriate as the monitoring will be undertaken by an MCERTS accredited laboratory.</p> <p>Sampling and reporting will take place monthly to ensure continued compliance with the numeric limits set within the permit.</p>	
Reporting	<p>We have specified reporting in the permit.</p> <p>We made these decisions in accordance with the 'Prevent' requirements of EPR. Ongoing monitoring and reporting will ensure the operating techniques are valid in order to maintain levels of Benzene, Toluene, Xylenes and 1,2,4 Trimethylbenzene under the Minimum Reporting Values.</p>	✓
Considerations of foul sewer	We agree with the operators justification for not connecting to foul sewer.	✓
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.	✓
Sustainable Management of Natural Resources (SMNR)		
Considerations of SMNR - Compliance with our General Purpose	We are satisfied that this decision is compatible with our general purpose of pursuing the sustainable management of natural resources in relation to Wales and applying the principles of sustainable management of natural resources"	✓