

Environment Agency permitting decisions

Variation

We have decided to issue the variation for Lynemouth Power Station operated by Lynemouth Power Limited.

The variation number is EPR/FP3137CG/V003.

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

Introduction

An application for variation was made by Lynemouth Power Limited and duly made on 24/04/2014, requiring an amendment to the site footprint and expansion of the installation boundary within Environmental Permit EPR/FP3137CG. An amendment has also been made to the installation and postal address of the site reflecting a change in post code.

The purpose of the site expansion is to incorporate a new storage and handling area for coal that will be operated in the same manner under the same operating techniques and Environmental Management System as currently exists. The area will boast a greater amount of space and separates the coal storage area from the site of the future biomass plant and storage areas.

No new site emission points have been created as a result of this variation.

This variation notice will also incorporate the changes required by the Industrial Emissions Directive. This includes the amendment of the wording of several permit conditions relating to notifications, and also includes the addition of a condition relating to a requirement for monitoring of groundwater and soil.

Annex 1: decision checklist

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

Aspect considered	Justification / Detail	Criteria met
		Yes
Receipt of submission		
Confidential information	No claim for commercial or industrial confidentiality has been 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.	✓
European Directives		
Applicable directives	All applicable European directives have been considered in the determination of the application. The requirements of the Industrial Emissions Directive (IED) have been implemented as a part of this application for variation.	✓
The site		
Extent of the site of the facility	The operator has provided a plan which we consider satisfactory, showing the extent of the site of the facility including the location of the part of the installation to which this variation applies. A plan is included in the variation notice and the operator is required to carry on the permitted activities within the site boundary.	✓
Site condition report	The operator has provided a description of the condition of the site. We consider this description is satisfactory. The decision was taken in accordance with our guidance on site condition reports and baseline reporting under IED–guidance and templates (H5).	✓
Biodiversity, Heritage, Landscape and Nature Conservation	The application is within the relevant distance criteria of a site of heritage, landscape or nature conservation, and/or protected species or habitat . However, we have not formally consulted on the application. The decision was taken in accordance with our guidance. We, the Environment Agency, are of the opinion that the proposed changes, as a result of this application for variation, will have negligible impacts on the local/national designations and habitats.	✓
Environmental Risk Assessment and operating techniques		

Aspect considered	Justification / Detail	Criteria met
		Yes
Environmental risk	<p>We have reviewed the operator's assessment of the environmental risk from the facility.</p> <p>The operator's risk assessment is satisfactory. The coal storage yard will be operated in line with the existing management plan and operating techniques. Additionally the fugitive dust management plan will also continue to be implemented and reviewed on a regular basis.</p>	✓
Operating techniques	<p>Table S1.2 has been amended to reflect the application for variation made by the operator.</p> <p>The Operator has committed themselves to ensuring all proposed techniques for control are in line with the benchmark levels contained in the Technical Guidance Note.</p>	
The permit conditions		
Improvement Conditions	<p>Based on the information within the application, we consider that we need to impose improvement conditions. We have imposed improvement conditions to ensure that:</p> <ul style="list-style-type: none"> ➤ appropriate management systems and management structures are in place and that sufficient financial, technical and manpower resources are available to the operator to ensure compliance with all the permit conditions. ➤ appropriate measures are in place to ensure that accidents that may cause pollution are minimised. ➤ the appropriate measures are in place for the closure and decommissioning of the facility. ➤ the appropriate measures are in place to prevent fugitive emissions. <p>IC23 and IC24 have been set with table S1.3 of the variation notice ensuring that the operator reviews and updates both the Site Protection Monitoring Programme and Site Closure Plan as part of their EMS update and review.</p>	✓
Incorporating the application	<p>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.</p> <p>These descriptions are specified in the Operating Techniques table in the permit.</p>	✓
Monitoring	<p>We have decided that monitoring should be carried out for the parameters listed in the permit, using the methods</p>	✓

Aspect considered	Justification / Detail	Criteria met
		Yes
	<p>detailed and to the frequencies specified.</p> <p>As per the requirements of the IED, we have set condition 3.3.5 requiring that the operator undertake periodic monitoring for groundwater and soils.</p>	
Reporting	<p>We have specified reporting in the permit to satisfy the requirements of the IED. Conditions 4.3.1 and 4.3.2 have been set in variation notice EPR/FP3137CG/V003.</p>	✓