

# Permitting decisions

## Part surrender

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We have decided to accept the surrender of part of the permit for Grain Power Station operated by Uniper UK Limited.

The permit number is EPR/EP3533RY

The part surrender number is EPR/EP3533RY/S004

We are satisfied that the necessary measures have been taken to avoid any pollution risk and to return the site to a satisfactory state. We consider in reaching that decision we have taken into account all relevant considerations and legal requirements.

## Purpose of this document

This decision document provides a record of the decision making process. It summarises the decision making process in the decision checklist to show how all relevant factors have been taken into account.

This decision document provides a record of the decision making process. It:

- 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 and the surrender notice. The introductory note summarises what the notice covers.

## Key issues of the decision

### Changes introduced by this part surrender

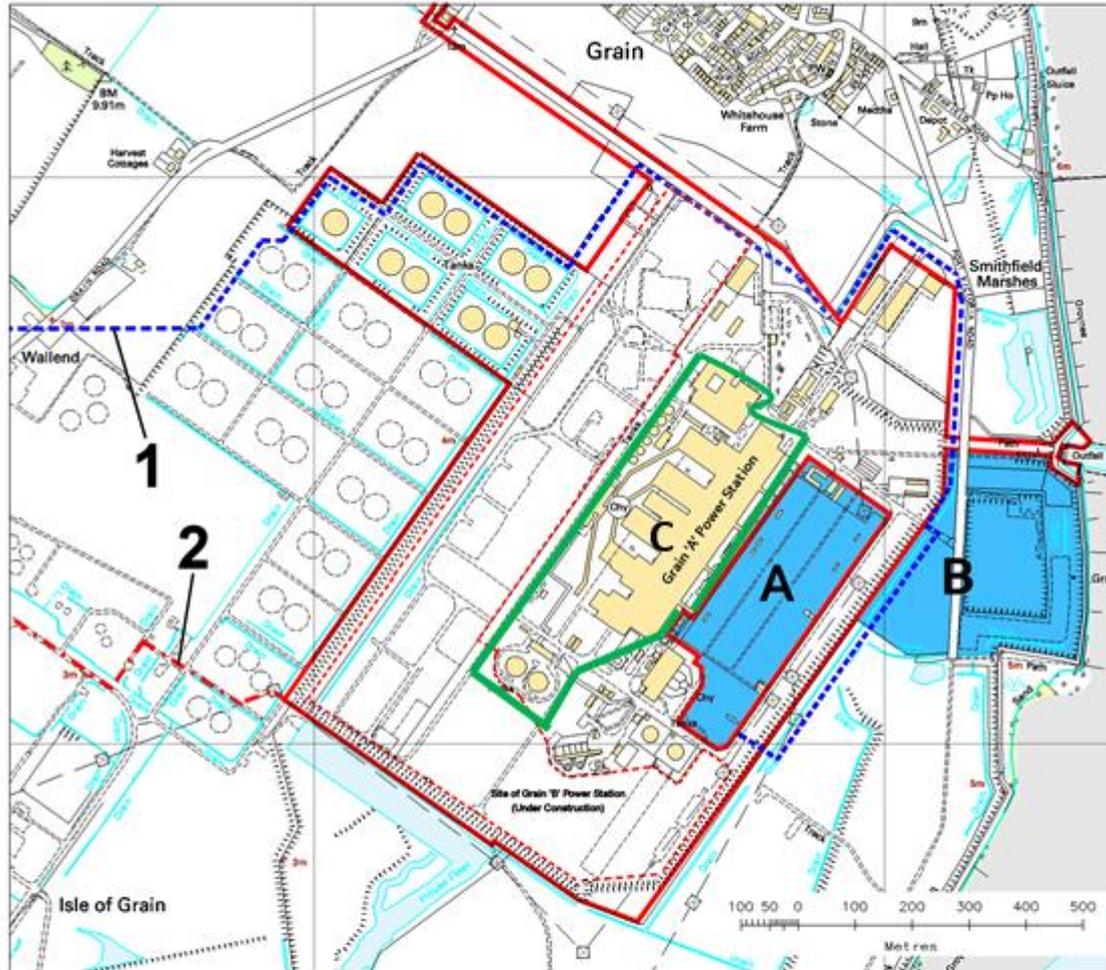
This part surrender relates to the listed activity for the oil fired power station and associated land in the 'Grain A Power Station' area of the site. The listed activity being surrendered is specified in permit EPR/RP3432SG:

Section 1.1 Part A(1)(a) - The burning of heavy fuel oil and propane in the main boilers 1 & 4 and auxiliary boilers.

The heavy fuel oil boilers were not included in variation EPR/EP3533RY/V002, which implemented Chapter III of the Industrial Emissions Directive (IED).

Area (C) of the site plan below shows the proposed area for surrender:

Proposed area (C) to be removed from current EPR permit as part of the partial surrender:



A&B previously surrendered 2008

C Grain A proposed surrender area 

**Other features:**

1. Route of 132kV cable link from NG substation to Grain LNG 

2. Proposed route of gas and hot water pipelines to Grain LNG 

New operational boundary for EPR permit purposes: 

Sufficient information was supplied to show that pollution risk has been removed and that the site is in a satisfactory state. On this basis we accepted the application for the part surrender (Area C) of the permit.

**Other changes to update permit/Environment Agency initiated**

Condition/Table	Justification
Condition 2.3.6 is amended.	To refer to Table S1.3, following deletion of improvement conditions, see below.
Conditions 2.4.1 and 2.4.2 are deleted together with Table S1.3 to which they refer.	Improvement conditions completed.
Table S1.2 is amended.	To correct the received date for application EPR/RP3432SG/A001.
Table S1.4 is renumbered to table S1.3.	Following deletion of Improvement conditions Table S1.3.
Table S3.1 is amended.  Footnote 2 is amended. Footnote 3 is added.	To reference the emission points to the amended site plan.  To reference Table S1.3.
Table S3.2 is amended.	To remove the free chlorine limit of 0.2 mg/l at W1. Shock dosing is no longer undertaken.

## Decision checklist

Aspect considered	Decision
<b>Receipt of application</b>	
Confidential information	A claim for commercial or industrial confidentiality has not been made.
Identifying confidential information	We have not identified information provided as part of the application that we consider to be confidential.
<b>The facility</b>	
The regulated facility	<p>The permitted regulated facilities have changed as a result of the partial surrender.</p> <p>This part surrender relates to the listed activity for the previous oil fired power station and associated land in the 'Grain A Power Station' area of the site, identified as proposed area (C) on the site plan above in Key issues.</p> <p>The listed activity being surrendered is specified in permit EPR/RP3432SG: Section 1.1 Part A(1)(a) - The burning of heavy fuel oil and propane in the main boilers 1 &amp; 4 and auxiliary boilers.</p>
<b>The site</b>	
Extent of the surrender application	<p>The operator has provided a plan showing the extent of the site of the facility that is to be surrendered. The updated plan is included in Schedule 7 of the permit.</p> <p>We consider this plan to be satisfactory.</p>
Pollution risk	We are satisfied that the necessary measures have been taken to avoid a pollution risk resulting from the operation of the regulated facility.
Satisfactory state	<p>We are satisfied that the necessary measures have been taken to return the site of the regulated facility to a satisfactory state.</p> <p>In coming to this decision we have had regard to the state of the site before the facility was put into operation.</p>
<b>Permit conditions</b>	
Changes to permit conditions as a consequence of the part surrender	Permit condition 2.2.1 and the site plan in Schedule 7 of the permit have changed as a result of the partial surrender.

Aspect considered	Decision
Changes to permit conditions as a consequence of an Environment Agency initiated variation	Refer to Key issues section above.
<b>Growth Duty</b>	
Section 108 Deregulation Act 2015 – Growth duty	<p>We have considered our duty to have regard to the desirability of promoting economic growth set out in section 108(1) of the Deregulation Act 2015 and the guidance issued under section 110 of that Act in deciding whether to grant this permit surrender.</p> <p>Paragraph 1.3 of the guidance says:</p> <p>“The primary role of regulators, in delivering regulation, is to achieve the regulatory outcomes for which they are responsible. For a number of regulators, these regulatory outcomes include an explicit reference to development or growth. The growth duty establishes economic growth as a factor that all specified regulators should have regard to, alongside the delivery of the protections set out in the relevant legislation.”</p> <p>We have addressed the legislative requirements and environmental standards to be set for this operation in the body of the decision document above. The guidance is clear at paragraph 1.5 that the growth duty does not legitimise non-compliance and its purpose is not to achieve or pursue economic growth at the expense of necessary protections.</p>