



**Confidentiality determination**

The Environmental Permitting (England and Wales) Regulations 2016

## Notice of determination

To: The Company Director and/or Secretary

Altilium Metals Ltd  
Phase 2 Room 205 Davy Road  
Derriford  
Plymouth  
PL6 8BX

Application number: EPR/TP3721SC/A001

The Environment Agency has considered your confidentiality notice dated 24/04/2024 and additional request on the 24/06/2024 for the exclusion of information from the public register. We give notice of our decision as follows:

All the information other than that detailed in the attached schedule is confidential. The reasons for this decision are outlined in the attached schedule.

The information determined to be confidential remains so until 30/07/2028.

Name	Date
<b>leuan Thomas</b>	<b>30/07/2024</b>

Authorised on behalf of the Environment Agency

## **What the law says**

The Environmental Permitting (England and Wales) Regulations 2016.(S.I.2016 No.1154) say -

### **Regulation 48**

The regulator must exclude information from a public register if it considers that the information may be confidential information, or receives notice that you consider the information to be confidential and you have provided reasons for that view. This is the case unless it has been determined that the information should be included on the register.

Note that the Secretary of State can give direction as to information which must be included in the public register even if it may be confidential.

### **Regulation 49**

Where the regulator receives information that it considers may be confidential, it must give notice of that view to the person the information is about. This person is known as the information subject. The information subject may within 15 working days give notice consenting or objecting to the inclusion of the information on the register. If an objection is made you must give the reasons for this view.

### **Regulations 51**

When making a confidentiality determination the regulator must comply with the conditions detailed in this regulation. In particular the regulator must determine to exclude information from the public register if it considers that the information is commercial or industrial information, confidentiality is provided by law to protect a legitimate economic interest, and the public interest in maintaining its confidentiality outweighs the public interest in including it on the register.

### **Regulation 52**

The regulator has 20 working days, or any such longer period that may be agreed with you, to give you notice of its determination. If we fail to give notice within 20 working days (or other agreed period), you can notify us in writing that we are deemed to have determined that the information must be included on the public register. You then have the right of appeal.

### **Regulation 53**

You may give notice of appeal to the Secretary of State within 15 working days after the regulator has made a determination under regulation 50.

### **Regulation 55**

Any information that is determined to be confidential remains so for a period of 4 years or any shorter period specified in the decision. You must make a further application at that time, if you believe the information remains confidential information and should be withheld from the public registers.

## **Rights of appeal**

You have a right to appeal against this decision to the Secretary of State. You must make your appeal within 15 working days of the date of this notice.

Further information about making an appeal and the forms you will need are available from the [Planning Inspectorate pages website](#).

You will need to provide the documents listed below to the Secretary of State at the Planning Inspectorate.

The documents are:

- a statement of the grounds of appeal; and
- a statement indicating whether you wish the appeal to be in the form of a hearing or dealt with by way of written representations.

At the same time, you must send us a copy of the notice and documents to

**Appeals Co-ordinator – Appeals, Environment Agency, National Permitting Service,  
Knutsford Road, Latchford, Warrington, WA4 1HT.**

**Telephone: 02 03 02 50662**

**Email : [NPSCentralisedServicesTeam@environment-agency.gov.uk](mailto:NPSCentralisedServicesTeam@environment-agency.gov.uk)**

You may withdraw an appeal by notifying the Secretary of State in writing and sending a copy of that notification to us.

## Schedule

All the information, other than that detailed below, is confidential

### 1. Environment Management System (EMS) Summary

Only specific sections of section 6.2 are considered confidential as identified in the applicants revised EMS Summary submitted by email on the 24/06/2024. The remaining section under 6.1, sections 6.2.4, 6.2.7 to 10 and sections under 6.2.1, 6.2.2 and 6.2.5 where this information relates to the genetic processes, have been retained. As these outline the Waste treatment activities and provide information relating to the treatment processes and associated risk, but in themselves do not provide information on the specific compounds or developed treatment processes that would be considered commercially sensitive.

Only specific sections in section 7 Storage of Chemicals are considered confidential where these relate to proprietary chemical that are to be used within the developed treatment processes. Where the storage and standard chemicals are being stored the information in this section is not considered confidential and is required to understand the risks associated with the onsite storage.

Within section 10 the gaseous emission generating process have not been excluded as confidential as these are specific to the consideration of the emission risks from the proposed activities at the site, the details of propriety named chemicals and the specifics of the treatment processes have been excluded as confidential.

Appendix 1, 2 and 3 drawings have been retained, but exclude detailed information on the process specifics of the use of the chemicals in the developed processes or specific detail related to the treatment processes that show the layout and equipment within the laboratories.

### 2. H1 Screening Tool Summary Note

Section 2 Process Summary contains detail of the specific process for each of the Laboratories have been redacted, in addition to a further details of the laboratory process phase and proprietary chemical used within the developed treatment processes, as submitted in the revised document by email on the 03/07/2024.