



SUFFOLK COASTAL DISTRICT COUNCIL

PART B PERMIT

The Environmental Permitting Regulations 2007, Regulation 20

Permit Reference: SCDC/VR/1.2/42

Variation Notice Number: WK/200918743

Installation Address

Wm Morrison Supermarket Plc
Grange Farm Avenue
Cavendish Park Estate
FELIXSTOWE
Suffolk.
IP11 8XD

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Introductory note *[This introductory does not form a part of the Permit]*

The following Permit is issued under Regulation 13 of the Environmental Permitting (England and Wales) Regulations 2007 (S.I.2007 No. 3538), to operate an installation carrying out activities covered by the description in Section 1.2 of the Environmental Permitting Regulations, to the extent authorised by the Permit:

Aspects of the operation of the installation which are not regulated by conditions of the Permit are subject to the Operator using the best available techniques for preventing or, where that is not practicable, reducing emissions from the installation.

Techniques include both the technology used and the way in which the installation is designed, built, maintained, operated and decommissioned.

The Permit Conditions require the Operator to use Best Available Techniques (BAT), in each of the aspects of the management of the installation, to prevent and where that is not practicable to reduce emissions. The Conditions do not explain what 'BAT' is. In determining 'BAT', the Operator should pay particular attention to relevant sections of the Process Guidance Note 1.14 (06) and other relevant guidance.

A non-technical description of the installation is given in the Application, but the main features of the installation are as follows;

Brief description of the installation regulated by this permit

Vapour Recovery Process:

The unloading of petrol into stationary storage tanks and the filling of vehicle petrol tanks at a service station within the process boundary marked on the attached site plan reference SCDC/VR/1.2/42.

The table below provides information relating to previous Permits at this site.

Superseded Licences/Consents/Authorisations relating to this installation		
<u>Holder</u>	<u>Reference Number</u>	<u>Date of Issue</u>
<i>Safeway Stores Plc</i>	<i>EPA/42</i>	<i>06/09/1999</i>
<i>Wm Morrison Plc</i>	<i>EPA/42</i>	<i>28/07/2005</i>

Public Registers

Considerable information relating to Permits is available on public registers in accordance with the requirements of the Environmental Permitting Regulations. Certain information may be withheld from public registers where it is commercially confidential or contrary to national security.

Confidentiality

The Permit requires the Operator to provide information to Suffolk Coastal District Council. The Council will place the information onto the public registers in accordance with the requirements of "Environmental Permitting Regulations". If the Operator considers that any information provided is commercially confidential, it may apply to the Suffolk Coastal District Council to have such information withheld from the register as provided in "Environmental Permitting Regulations". To enable Suffolk Coastal District Council to determine whether the information is commercially confidential, the Operator should provide clear justification for each item wishing to be kept from the register. The onus is on the operator to provide a clear justification for each item to be kept from the register. It will not simply be sufficient to say that the process is a trade secret.

Information may be excluded from the public register on the grounds of National Security. If it is considered that the inclusion of information on a public register is contrary to the interests of national security, the operator may apply to the Secretary of State/Welsh Ministers, specifying the information and indicating the apparent nature of risk to national security. The operator must inform the local authority of such an application, this will not include the information on the public register until the Secretary of State/Welsh Ministers has decided the matter.

Variations to the permit

This Permit may be varied in the future. If at any time the activity or any aspect of the activity regulated by the following conditions changes such that the conditions no longer reflect the activity and require alteration. You must submit a formal Application to Suffolk Coastal District Council.

Surrender of the permit

Where an Operator intends to cease the operation of an installation (in whole or in part) this Council should be informed in writing, such notification must include the information specified in Regulation 24 or 25 of the “Environmental Permitting Regulations 2007”.

Transfer of the permit or part of the permit

Before the Permit can be wholly or partially transferred to another person, a joint application to transfer the Permit has to be made by both the existing and proposed holders, in accordance with Regulation 21 of “Environmental Permitting Regulations”. A transfer will be allowed unless the Authority considers that the proposed holder will not be the person who will have control over the operation of the installation or will not ensure compliance with the conditions of the transferred Permit.

Responsibility under the workplace health and safety legislation

This Permit is given in relation to the requirements of “Environmental Permitting Regulations”. It must not be taken to replace any responsibilities you may have under Workplace Health and Safety legislation.

Appeals against permit conditions

Under regulation 31 and Schedule 6 of the 2007 Regulations anyone served with a Variation Notice can appeal to the Secretary of State for the Environment. The right to appeal does not apply in circumstances where a notice implements a Direction of the Secretary of State given under regulations 61 or 62 or a direction or when determining an appeal.

Appeals must be received by the Appeal Body, at the following address, no later than 2 months from the date of the Notice being appealed against.

The Planning Inspectorate
Environmental Team, Major and Specialist Casework
Room 4/04 Kite Wing
Temple Quay House
2 The Square
Temple Quay
BRISTOL
BS1 6PN

Tel: 0117 372 8812

Fax: 0117 372 6093

If an appeal is made, the main parties will be kept informed about the next steps, and will also normally be provided with additional copies of each other's representations. To withdraw an appeal- which may be done at any time- the appellant must notify the Planning Inspectorate in writing and copy the notification to the local authority who must in turn notify anyone with an interest in the appeal.

The appeal must be in the form of a written notice or letter stating that the person wishes to appeal against the conditions of the Permit. The following items must be included:-

- a written notice;
- a statement of the grounds of appeal;
- a statement indicating whether the appellant wishes the appeal to be dealt with by written representations procedure or hearing;
- a copy of the relevant permit;
- a copy of any relevant correspondence between the appellant and the regulator; and
- a copy of any decision or notice, which is the subject matter of the appeal.
- a statement indicating whether the appellant wishes the appeal to be in the form of hearing or dealt with by way of written representations.

Appellants should state whether any of the information enclosed with the appeal has been the subject of a successful application for commercial confidentiality under regulation 48 of the 2007 Regulations, and provide relevant details- see below. Unless such information is provided, all documents submitted will be open to inspection.

An appeal will not suspend the effect of the Permit; the Permit must still be complied with.

The operator and local authority will normally be expected to pay their own expenses during an appeal. Where a hearing or inquiry is held as part of the appeal process, by virtue of paragraph 5(6) of Schedule 6, either the appellant or the authority can apply for costs. Applications for costs are normally heard towards the end of the proceedings and will only be allowed if the party claiming them can show that the other side behaved unreasonably and put them to unnecessary expense. There is no provision for costs to be awarded where appeals are dealt with by written representatives.

Talking to us

The Local Authority can be contacted by telephone on 01394 383789, Fax 01394 444359 or e-mail environmental.protection@suffolkcoast.gov.uk or by writing to Environmental Protection, Suffolk Coastal District Council, Melton Hill, Woodbridge, Suffolk, IP12 1AU.

If you are reporting a malfunction or failure of your permitted activity outside normal working office hours, you should phone 07771816535. This line is only manned out of office hours and is exclusively for genuine emergencies.

End of Introduction

Variation Schedule

Variation to the conditions of the permit	Date(s) on which the variation is to take place
<u>Altered/Consolidated Conditions</u> <i>All previous Conditions</i>	21/08/2009
<u>New Conditions</u> 1 – 35	21/08/2009

Variation Notice issued under
The Environmental Permitting Regulations 2007,
Regulation 20

Permit Reference Number SCDC/VR/1.2/42

Suffolk Coastal District Council (the Regulator) in exercise of its powers under Regulation 20 of the Environmental Permitting Regulations 2007 hereby gives notice of a variation to the Permit conditions at the following installation:-

Wm Morrison Supermarkets Plc (“the operator”),

Whose registered office is

Wm Morrison Supermarkets Plc

Hillmore House

Gain Lane

BRADFORD

BD3 7DL

Company Registration Number: 358949

To operate an installation at

Wm Morrison Supermarkets Plc

Grange Farm Avenue

Cavendish Park Estate

FELIXSTOWE

Suffolk

IP11 8XD

To the extent permitted by and subject to the following conditions within the installation boundary identified on the plan attached at page 12 of this Permit.

Signed

Phil Gore

Head of Health

Authorised to sign on behalf of Suffolk Coastal District Council

Dated

CONDITIONS

1. Unloading operations may not take place unless arrangements are in place and properly functioning (subject to conditions 3, 4 and 5) to ensure that all vapours displaced by the delivery of petrol into storage installations at the service station are returned through a vapour tight connection line to the road tanker delivering the petrol.
2. The operator shall provide and implement the schedule of preventative maintenance to ensure the vapour recovery system remains in good working order.
3. All reasonably practicable steps shall be taken to prevent uncontrolled leaks of vapour from vents, pipes and connectors from occurring. The regulator shall be advised without delay of the circumstances of such a vapour leak if there is likely to be an effect on the local community, and in all cases such a vapour leak should be recorded in the log book required under condition 24. In this condition and in condition 4 a vapour leak means any leak of vapour excepting those which occur through the vent mentioned in condition 11 during potentially hazardous pressurisation.
4. The operator shall advise the regulator of the corrective measures to be taken and the timescales over which they will be implemented in the event of a vapour leak described in condition 3.
5. Instances of vapour lock shall be recorded in the log book and, under the circumstances detailed in condition 3, be advised to the regulator.
6. The procedures in conditions 2 to 5 inclusive and conditions 24 to 27 inclusive shall be reviewed in light of any modifications which occur to the facilities. The regulator shall be advised of any proposed alteration in operating procedures.
7. The vapour collection systems shall be of a size and design, as approved by the regulator, to minimise vapour emission during the maximum petrol and vapour flow in accordance with conditions 1 and 8 (i.e. when most tank compartments are being simultaneously discharged).
8. The number of tanker compartments being discharged simultaneously shall not exceed 2 (excluding the diesel compartments).
9. The connection points on the tank filling pipes and vapour return pipe shall be fitted with secure seals to reduce vapour leaks when not in active use. If apertures are provided on storage tanks for the use of a dipstick, these shall be securely sealed when not in active use.
10. The fittings for delivery and vapour return pipes shall be different to prevent misconnection.

11. Petrol storage tank vent pipes shall be fitted with a pressure vacuum relief valve to minimise vapour loss during unloading and storage of petrol. The pressure vacuum relief valve shall be sized and weighted to prevent vapour loss, except when the storage tanks are subject to potentially hazardous pressurisation.
12. When connecting hoses prior to delivery, the vapour return hose shall be connected before any delivery hose. The vapour return hose shall be connected by the road tanker end first, and then at the storage tank end.
13. Adjacent to each vapour return connection point for the storage tank, there shall be a clearly legible and durable notice instructing "Connect vapour return line before off-loading" or similar wording. The sign shall also refer to the maximum number of tanker compartments which may be unloaded simultaneously in accordance with condition 8.
14. If dip testing of storage tanks or road tanker compartments is performed before delivery, the dip openings shall be securely sealed prior to the delivery taking place.
15. Road tanker compartment dip testing shall not be performed whilst the vapour hose is connected.
16. A competent person shall remain near the tanker and keep a constant watch on hoses and connections during unloading. A competent person is one who has received training in accordance with Section 5 of PG1/14(06).
17. All road tanker compartment vent and discharge valves shall be closed on completion of the delivery.
18. On completion of unloading the vapour hose shall not be disconnected until the delivery hose has been discharged and disconnected. The delivery hose shall be disconnected at the road tanker end first. The vapour return hose shall be disconnected at the storage tank end first.
19. All connection points shall be securely sealed after delivery.
20. If the storage tanks or road tanker compartments are dipped after delivery, the dip openings shall be securely sealed after dip testing.
21. Manhole entry points to storage tanks shall be kept securely sealed except when maintenance and testing are being carried out which require entry to the tank.
22. Petrol delivery and vapour return lines shall be tested at three yearly intervals in accordance with the schedule provided as part of the application for permit dated 20 July 2009.
23. Pressure vacuum relief valves on petrol storage tank vents shall be checked for correct functioning, including extraneous matter, seating and corrosion at least once every three years.

24. Vapours displaced by the filling of petrol into vehicle petrol tanks at service stations shall be recovered through the use of Dresser Wayne Vapour Gate vapour recovery system to the storage tanks on site. Filling of vehicle petrol tanks shall not take place unless such a system is in place and fully functioning.
25. The vapour recovery system referred to in condition 24 shall be certified by the manufacturer to have a hydrocarbon capture efficiency of not less than 85%. Equipment used shall be approved for use under the regulatory regimes of at least one European Union or European Free Trade Association country.
26. The vapour recovery equipment referred to in Condition 24 shall be designed, installed and tested in accordance with the relevant British, European and international standards or national methods in place at the time that the equipment was installed.
27. The installation has in place an automatic monitoring system in accordance with condition 29.
28. Petrol delivery and vapour recovery systems for vehicle petrol tanks shall be tested in accordance with the manufacturer's specifications prior to commissioning and for:
 - Vapour containment integrity at least once every three years, and always following substantial changes or significant events that lead to the removal or replacement of any of the components required to ensure the integrity of the containment system.
 - Effectiveness of the vapour recovery system at least once every three years where an automatic monitoring system is in place.

This shall be undertaken by measuring the ratio of the volume of vapour recovered to liquid petrol dispensed i.e. vapour/petrol (V/P) ratio. The V/P ratio shall be at least 95% and, where the vapours are recovered into the fuel storage tank, not greater than 105% to avoid excessive pressure build up and consequent release through the pressure relief valves. The V/P ratio shall be determined by simulating the dispensing of petrol using measuring equipment approved for use in any European Union or European Free Trade Association country. The method to be used shall involve measuring the volume of air recovered with fuel flow simulated at the dispenser and read electronically using the approved measuring equipment. This provides the ratio of air recovered to liquid dispensed (air/liquid ratio) which should then be corrected to provide the V/P ratio using an appropriate factor to account for the difference in viscosity between petrol vapour and air ('k-factor').

29. The automatic monitoring system referred to in condition 27 shall:
 - Automatically detect faults in the proper functioning of the petrol vapour recovery system including the automatic monitoring system itself and indicate faults to the operator. A fault shall be deemed to be present where continuous monitoring during filling of vehicle petrol tanks indicates that the

V/P ratio specified in condition 28, averaged over the duration of filling, has fallen below 85% or exceeded 115% for ten consecutive filling operations. This only applies to filling operations of at least 20 seconds duration and where the rate of petrol dispensed reaches at least 25 litres per minute.

- Automatically cut off the flow of fuel on the faulty delivery system if the fault is not rectified within 1 week.
 - Be approved for use under the regulatory regime of at least one European Union or European Free Trade Association country.
30. The operator shall also undertake a weekly check to verify functionality of the system for recovery of vapours during filling of vehicle petrol tanks, including an inspection for torn, flattened or kinked hoses and damaged seals on vapour return lines.
31. Operators shall be notified without delay if the results from any monitoring or tests mentioned in Conditions 28, 29 or 30 identify adverse results, vapour recovery equipment failure or leaks if there is likely to be an effect on the local community. The operator should advise the regulator of the corrective measures to be taken and the timescales over which they will be implemented.
32. Effective preventative maintenance shall be employed on all aspects of the installation including all plant, buildings and the equipment concerned with the control of emissions to air. Preventative maintenance for all vapour recovery systems shall be carried out in accordance with the manufacturer's instructions.
33. Spares and consumables needed shall be held on site, or should be available at short notice from guaranteed suppliers, so that plant breakdowns can be rectified rapidly.
34. The operator shall maintain a log book at the authorised premises incorporating details of all maintenance, examination and testing, inventory checking, installation and repair work carried out, along with details of training given to operating staff at the service station.
- The log book shall also detail any suspected vapour leak together with action taken to deal with any leak, in accordance with Conditions 3, 4 and 5.
 - The operator shall record in the log book details of all maintenance; examination and testing; installation and repair work carried out on equipment for recovery of vapours during filling of vehicle petrol tanks. The operator shall also hold at the premises the certificate referred to in Condition 25 and the results of testing undertaken in accordance with Condition 28.
35. Venting of the petrol vapour shall be through the vent pipes marked on the attached site drawings at page 13 and 14 of this permit.

End of Conditions

Explanatory Notes

[These notes do not comprise part of the permit.]

- (a) An application fee has been paid for this permit. An annual subsistence charge, which is subject to variation by Central Government, is payable to this Authority to ensure this Permit remains in force. An invoice will be sent for the appropriate subsistence charge each year.
- (b) This permit does not alter in any way the responsibilities you have under legislation for health and safety and welfare. If there are any situations where different standards are required under these two types of legislation, the more stringent standard will apply.
- (c) You should note in relation to any aspect of the process not regulated by this permit, the Best Available Techniques BAT shall be used for preventing the release of petrol vapour into the air or, where that is not practicable by such means, for reducing and for rendering harmless any other substances which might cause harm if released into the air. The Conditions do not explain what 'BAT' is. In determining 'BAT', the Operator should pay particular attention to relevant sections of the Process Guidance Note 1.14 (06) and other relevant guidance.
- (d) Staff at all levels should receive the necessary formal training and instruction in their duties relating to control of the process and emissions to air. Particular emphasis should be given to carrying out their duties in respect of using (or supervising the use of) and maintaining vapour collection controls, and the actions to be taken in the event of leak of vapour.
- (e) All references to points marked with a number or letter in this permit refer to the points so numbered or lettered on the site drawings attached to this Permit.
- (f) All pollutant concentrations in this permit are expressed at reference Conditions, 273k, 101.3kPa, without correction for water vapour content.
- (g) The "Conditions" contained in this Permit will be reviewed by the local authority at 6 year intervals, in accordance with Regulation 34 of "The Environmental Permitting (England and Wales) Regulations 2007 (S.I.2007 No. 3538)". The next such programme of review is scheduled to take place in 2015. Where a justifiable complaint is attributable to the operation of this process or where new knowledge develops on any harmful effects from any emissions from this type of installation. An immediate review of the process will be undertaken and the local authority will specify any new requirements together with an appropriate time-scale.
- (h) All references to "reasonable times" in this Permit include; all times when the process is operational or when there are employees present at the site or when the site is open for business.

End of Explanatory Notes