

**Pollution Prevention and Control Act 1999**

**Environmental Permitting  
(England and Wales) Regulations 2010**



**INSTALLATION PERMIT**

**REF – PPC/07/14/1**

**Permit to Operate a  
Printing Process**

**CPI William Clowes  
Copeland Way  
Ellough  
Beccles  
Suffolk  
NR34 7TL**

**Pollution Prevention and Control Act 1999  
Environmental Permitting (England and Wales) Regulations  
2010**

**Permit Reference No. PPC/07/14/1**

**Contents**

**Section**

- 1. Introductory Note and Description of Permitted Installation**
- 2. Permit Conditions,  
Appendix 1 Diagram  
Appendix 2 Designated Materials, Emission Limits & Conditions  
Appendix 3 Classification of hazardous materials**
- 3. Location of Permitted Installation and Site Plan (boundary)**
- 4. Explanatory Notes Memorandum including Appeals Procedure.**

# **Section One**

## **Introductory Note & Description of Permitted Installation**

**Pollution Prevention and Control Act 1999  
Environmental Permitting (England and Wales) Regulations 2010**

**Permit Reference 07/00014/B**

**Introductory Note**

<b>Permit Holder:</b>	<b>CPI William Clowes (Reg No 3369829)</b>
Installation Address:	Copland Way Ellough Beccles Suffolk NR34 7TL
Registered Address of Company:	Cox and Wyman House Cardiff Road Reading RG1 8EX

<b>Provenance</b>	<b>Date</b>
Application for Authorisation	10 <sup>th</sup> June 1992
Authorisation issued	11 <sup>th</sup> May 1993
Authorisation review	10 <sup>th</sup> November 1997
Authorisation review	14 <sup>th</sup> November 2001
Permit deemed application	1 <sup>st</sup> April 2003
Permit Issued	2 <sup>nd</sup> November 2007
Permit variation	15 <sup>th</sup> March 2013

**CPI William Clowes is hereby permitted by the Waveney District Council to carry on a Printing Process as prescribed in Section 6.4 Part B of Schedule 1, of the Environmental Permitting (England and Wales) Regulations 2010 at the above Installation and within the installation boundary marked red on the attached plan reference PPC/14/PLAN and in accordance with the conditions detailed in Section 2 of this Permit.**



**Signed..... Date 15th March 2013**

**Principal Environmental Health Officer**

## Process Description

- 1.1 The process operated is a heatset web offset printing using more than fifteen tonnes of volatile organic solvent in 12 months. As a whole the installation falls within Sections 6.4(B) of Schedule 1 of the Environmental Permitting (England and Wales) Regulations 2010.

Installations existing prior to 31<sup>st</sup> October 2007 have two compliance options and should apply the provisions of either a Reduction Scheme or Emission Limits

The reduction scheme is the preferred method of preventing and minimising emissions of VOC using non-abatement techniques such as:-

- Water borne inks(low organic solvent content)
- Higher solids content inks
- More efficient drying techniques to reduce VOC
- UV or IR drying

### 1.2 Pre- press

Printing plates are made for the printing process using aluminium plates processed through an Agfa Avalon N24 plate setter. Plates are imaged with a laser and then passed through a developing tank. The waste created from the developing stage is stored in a holding tank and disposed of by a registered waste company. A small amount of water is used to wash the plates, this is recycled through a filter and a small amount is discharged into the water system. The discharge water is measured for hazards on a monthly basis by Essex and Suffolk Water Company. The plates are then checked and sent to the printing press for use.

### 1.3 Printing and Finishing

There are 3 heatset web offset presses and two coldset presses at the installation. Paper, which is on reels, is fed via a roller system through the presses. This is called the web. Heatset web lithographic inks are paste inks that dry through evaporation of the ink oils and water contained in the ink. The ink attaches to the images/text on the plate, the fount/water keeps the plate (non-image) clear. The image is imposed on a blanket and then on to the paper via the blanket, again through a roller system. The paper then goes through an oven, which is set at 150°C to dry the ink. The printed-paper is folded and a chopped to create a 'section'. Sections are automatically stacked and palletised. From there they are stored, awaiting binding. Coldset inks are paste inks that dry through oxidation and absorption, and follow the process outlined above but do not require an oven to dry the ink.

#### **1.4 Binding and dust extraction**

Dust and paper trimmings from the bindery processes are collected via extraction systems. The trimmings and dust are extracted to the outside dust extraction plant. Here the trimmings are separated into two sealed skips. The dust is stored in a dust silo. The dust is compacted into small briquettes and automatically ejected into a skip for collection, and the compacted trimmings and waste paper are removed by contractors for re-cycling.

#### **1.5 Potential releases to atmosphere**

**The potential sources for release of pollutants to atmosphere are:-**

- **VOC's from the ovens and cleaning of the printing presses**
- **Storage and handling of organic solvents and materials containing organic solvents**
- **Dust and particulate matter from the paper extraction unit.**

# **Section Two**

## **Permit Conditions**

**Pollution Prevention and Control Act 1999**  
**Environmental Permitting (England and Wales) Regulations 2010**  
**Permit Reference No. PPC/07/14/1**

The conditions contained within this Permit are based upon Secretary of States Guidance Note PG 6/16 (11), for Printing.

The requirements of the conditions attached to this permit shall come into effect on the date indicated in the individual condition or if no date is indicated shall take effect forthwith.

**1.0 Emission Limits, Controls and Monitoring**

- 1.1 All emissions to air other than steam & water vapour shall be colourless, free from visible mist, visible fume and droplets.
- 1.2 Emissions of particulate matter from the paper trimming and dust extraction system shall be captured where possible or minimised so as not to adversely affect adjacent land users.
- 1.3 All emissions to air shall be free from offensive odour outside the installation boundary.
- 1.4 A daily visual inspection shall be undertaken of the paper trimmings and dust extraction plant. The inspection shall note that all pipe and ductwork is satisfactory and that the skips are connected correctly. Odour emissions shall also be monitored on a daily basis downwind of the installation boundary as indicated in red on the attached plan **PPC/14/1/Plan**
- 1.5 If offensive odour emissions are detected, immediate action shall be taken to determine the cause of the emission and to resolve the malfunction responsible for the emission. Contingency arrangements shall be instigated to prevent or reduce to a minimum any further odour emissions caused by the malfunction. The regulator shall be notified of any such occurrence as soon as practicable.
- 1.6 An audible and visual alarm shall sound inside the factory to indicate when the paper trimmings skip is full.
- 1.7 The process shall use hot melt adhesives for the binding of books and publications.
- 1.8 A logbook shall be kept specifically for the purpose of recording all emission checks required by conditions 1.1, 1.2, 1.3 and 1.4. The review of solvent free products as per condition 3.6. Maintenance carried out in compliance with Conditions 5.2, 5.4 and 5.5 and Staff responsibilities as per Conditions 5.7 and 5.8.



1.9 The records contained in the log book shall be retained for at least two years and shall be made available for inspection by an Officer of the Enforcing Authority on request.

## 2.0 Solvent Emissions Directive

2.1 The operator has chosen to use a Solvent Reduction Scheme for the installation to achieve emission reductions to a “**Target Emission**”. This is the preferred method of preventing and minimising emissions of VOC using non abatement techniques.

This scheme is suitable for installations where a constant solid content of product can be assumed and used to define the reference point for emission reductions.

The operator shall forward an emission reduction plan. This plan shall where possible indicate;

- a decreases in the average solvent content of the total input; and/or
- an increased efficiency in the use of solids to achieve a reduction of the total solvent emissions from the installation.

The Target Emission from the installation shall be calculated by multiplying the total mass of solid in the quantity of coatings used each year with the relevant figure in the table below:-

Where solids are considered as all materials in the coatings that become solid as a result of curing, polymerisation, or the evaporation of the water or solvent. These will usually be provided by the supplier. All ingredients other than water and organic solvents should be assumed to form part of the ink.

Reduction Scheme	Target Emission
Total solvent consumption 5 -15 tonnes per year	Total mass of solvent x 1.6
Total solvent consumption 15 tonnes or more per year	Total mass of solvent x 1.0

The Target Emission is the threshold amount of solvent the Installation is allowed to use per year. Where the annual actual solvent emission is:

**Annual actual solvent emission = I<sub>1</sub> – O<sub>8</sub> – O<sub>7</sub> - O<sub>6</sub> (see definition below)**

2.2 At no time shall the operator introduce any substance or preparation into the installation that is labelled with the risk phrase or hazard statement of H340, H341, H350, H350i, H351, H360D, H360F, or R40, R45, R46, R49, R60, R61, R62, R63, R68 without the prior written consent of the Environment Protection Team at Waveney District Council. Substances or preparations already in use shall be replaced with non-designated substances as and when possible in accordance with the scheme. **(See Appendix 2 (Designated Materials) and Appendix 3 (Classification of Hazardous Materials)).**

### **3.0 Solvent Management**

3.1 The operator shall construct an inventory of solvent use within the installation **(see Appendix 1)**. The inventory shall be carried out by recording:

- (i) The mass of solvent contained in inks, coatings, diluents and cleaners in the initial stock **(Is)** at the start of the accounting period, plus
- (ii) The mass of solvent contained in inks, coatings, diluents and cleaners in the purchased stock **(Ps)** during the accounting period
- (iii) Minus The mass of solvent contained in inks, coatings, diluents and cleaners in the final stock **(Fs)** at the end of the accounting period

**Then Total Solvent Input (I<sub>1</sub>) = Is + Ps – Fs**

The inventory shall specifically and separately identify any VOCs carrying any of the Risk Phrase materials (also referred to as “hazard statement” materials as prescribed within the Solvent Emissions (England & Wales) Regulations 2004.

Further, having calculated total solvent Input **(I<sub>1</sub>)**, the operator shall then calculate solvent consumption by subtracting from the Input figures any solvent that is sent out for recovery.

Hence: **C (consumption) = I<sub>1</sub> – O<sub>8</sub> (see definition below)**

The inventory and consumption data shall be submitted to the regulating authority on 1<sup>st</sup> September for the preceding 12 months of solvent use, each year.

**Inputs:** How much solvent is:

- Bought, whether in pure form or contained in products
- Recycled back into the process

**Outputs:** How much solvent is:

- Emitted to air, whether directly or via abatement equipment
- Discharged to water, whether directly or via water treatment
- Sent away in waste
- Lost by spills, leaks etc
- Leaving the installation in the product

The [Business Link website](#) contains Solvent Management guidance

The definitions in Annex III of the SED are as follows and are shown diagrammatically in **Appendix 1** of this permit.

**Inputs of Organic Solvent in the time frame over which the mass balance is being calculated (I)**

**I1** The quantity of organic solvents or their quantity in mixtures purchased which are used as input into the process/activity (including organic solvents used in the cleaning of equipment, but not those used for the cleaning of the products).

**I2** The quantity of organic solvents or their quantity in mixtures recovered and reused as solvent input into the process/activity. (The recycled solvent is counted every time it is used to carry out the activity.)

**Outputs of Organic Solvents in the time frame over which the mass balance is being calculated (O)**

**O1** Emissions in waste gases.

**O2** Organic solvents lost in water, if appropriate taking into account waste water treatment when calculating O5.

**O3** The quantity of organic solvents which remains as contamination or residue in products output from the process/activity.

**O4** Uncaptured emissions of organic solvents to air. This includes the general ventilation of rooms, where air is released to the outside environment via windows, doors, vents and similar openings.

**O5** Organic solvents and/or organic compounds lost due to chemical or physical reactions (including for example those which are destroyed, e.g. by thermal oxidation or other waste gas or waste water treatments, or captured, e.g. by adsorption, as long as they are not counted under O6, O7 or O8).

**O6** Organic solvents contained in collected waste.

**O7** Organic solvents, or organic solvents contained in mixtures, which are sold or are intended to be sold as a commercially valuable product.

**O8** Organic solvents contained in mixtures recovered for reuse but not as input into the process/activity, as long as not counted under O7.

**O9** Organic solvents released in other ways

### **Materials Handling and Controls**

- 3.2 Mixing of inks with solvents shall be carried out in covered or enclosed mixing vessels or within areas where LEV extraction is present.
- 3.3 In order to demonstrate BAT and minimise fugitive emissions of VOC's, the emissions from the emptying of mixing vessels and from the transfer to printing machines shall be adequately contained by the use of closed transfer systems. This may be achieved by the use of enclosed mobile containers, containers with close-fitting lids, or, enclosed containers with pipeline delivery. Programmable scales shall be used during the mixing and preparation of inks to reduce solvent usage.

### **Sheet fed offset printing**

- 3.4 For sheet fed offset, the composite vapour pressure at 20°C (293K) of the cleaning solvents used should be no greater than:
- 0.8kPa for low odour processes  
(e.g. food packaging, to avoid taint of the product)
  - 1.6kPa for ultra violet curing processes
  - 0.2 kPa for all other processes.

Specialist cleaning solvent products such as blanket reviver, which have a vapour pressure of greater than 0.1kPa should not contain more than 5% of cleaning organic solvent by weight.

### **Offset printing**

- 3.5 For all offset printing, where technically feasible non-dampening printing methods or physical or inorganic dampening aids should be used instead of propan-2-ol and other organic compounds

- Where organic compounds are present in dampening:

The proportion of organic compounds in dampening solutions should not exceed

- 10% (by weight) in the case of existing presses, except where these are incapable of running at that level
- 5% (by weight) in the case of new presses

Cooling in order to reduce the evaporation of dampening solutions containing organic compounds should be installed

- 3.6 Application of cleaning solvents shall either be:
- From a contained device or automatic system when applied directly on to machine rollers.

- Dispensed by piston type dispenser or similar contained device, when used on wipes.
  - Via the use of pre-impregnated wipes which shall be held within an enclosed container prior to use.
- 3.7 Pre-impregnated (solvent) wipes and other items contaminated with solvent shall be placed in a suitably labelled metal bin fitted with a self-closing lid. Bins shall be emptied at least daily. Special bins that allow air to circulate beneath and around them to aid cooling shall be used for materials that may undergo spontaneous combustion.
- 3.8 Where cleaning solvents are decanted into other containers they shall be contained in self-closing containers.
- 3.9 The bulk storage tank containing waste organic solvent shall be fitted with a pressure vacuum relief valve to minimise breathing losses. This valve shall be examined at least once every six months for signs of contamination, incorrect seating or failure.
- 3.10 Care shall be taken to ensure all waste material containing VOC's is stored in sealed containers prior to disposal.
- 3.11 A review programme shall be undertaken every two years to determine whether organic solvent free cleaning fluids or significantly less volatile organic solvent cleaning fluids can be used (with or without the addition of mechanical, chemical or thermal enhancements) in preference to the traditional solvent based cleaners currently in use. This review shall provide details of potential substitute cleaning materials. Where materials are identified that can replace existing cleaning solvents, these shall be placed in use within 3 months of completing the review programme. A copy of the review programme shall be kept with the log book as required by condition 1.8.
- 3.12 Spillages of liquids and finely divided materials shall be cleaned up immediately. Liquid spillages shall be contained and cleaned up by the use of a suitable absorbent material. Spillages of finely divided or powdery materials shall be with an industrial grade vacuum cleaner or by wet cleaning methods; dry sweeping shall not be permitted.
- 3.13 Vehicular movement of powdery materials using uncovered containers shall be prohibited unless the material is thoroughly damped to prevent wind entrainment.

#### **4.0 Stacks, vents and process exhausts**

- 4.1 Any duct work, stacks or exhaust ventilation associated with the printing, ink drying ovens and paper trimmings/dust extraction operations shall be maintained gas tight and regularly inspected for signs of damage or wear.

4.2 Stacks and duct work shall be cleaned as necessary to prevent accumulation of materials, as part of the routine maintenance programme.

## **5.0 General Operations**

5.1 The permitted installation shall consist only of that plant and equipment stated in the process description as detailed in Section one of this Permit. No other plant or equipment shall be used without the prior written notification/consent of the Environment Protection Team at Waveney District Council.

5.2 A high standard of housekeeping shall be maintained. Regular cleaning and effective preventative maintenance in accordance with the manufacturer's instructions shall be employed on all plant and equipment concerned with the emission, capture, transport and control of any emissions to atmosphere. Cleaning and maintenance schedules for such plant and equipment shall be in place and records kept in the log book of compliance to the maintenance and cleaning schedule.

5.3 Spares and consumables, in particular, those subject to continual wear, shall be held on site, or shall be available at short notice so that plant breakdowns can be rectified rapidly.

5.4 Any malfunction or breakdown leading to abnormal emissions shall be dealt with promptly and process operations adjusted until normal operations can be restored. All such malfunctions shall be recorded in the log book and shall be retained for a period of two years.

5.5 In the event of any malfunction or accident which leads to the escape of volatile organic compounds in such quantities as to have an effect upon the occupiers of other premises in the neighbourhood, the process operator shall immediately notify the Environment Protection Team at Waveney District Council by telephone or facsimile message within one hour, with details of the nature of the problem, the action taken so far, and the proposed action to deal with the situation. Details shall also be recorded within the log book and retained for a period of two years.

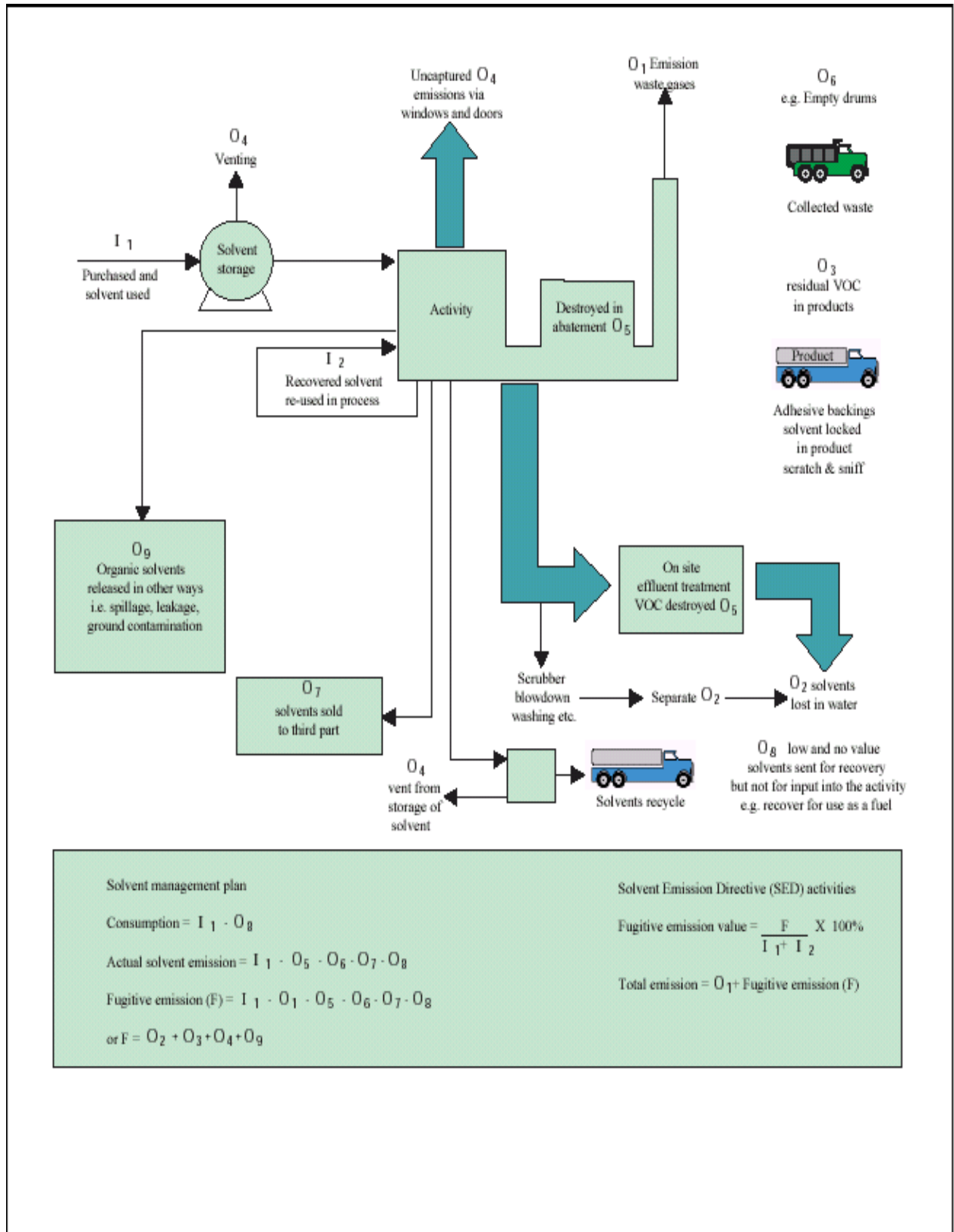
5.6 Staff at all levels shall receive the necessary formal training and instruction in their duties relating to control of the process and emissions to air. A record of each person's training and instruction shall be kept for the duration of their employment connected with the equipment described within this Permit.

5.7 A responsible person shall be nominated to act of behalf of the company, who will be responsible for ensuring that test, emission monitoring and maintenance measures that are required under this

Permit are carried out. The responsible person shall be named in the log book.

- 5.8 Complete and immediate access to the premises shall be granted to a duly authorised officer of the Environment Protection Team at Waveney District Council upon request.
- 5.9 Where possible the process shall operate and adhere to the provisions of an appropriate Environmental Management System (i.e. ISO 14001).
- 5.10 The installation operator shall notify the Council at least 28 days in advance of any intention to cease the operation of all or part of the installation.
- 5.11 Should the installation operator wish to transfer this permit or part of this permit to another person, (proposed transferee) the operator and the proposed transferee shall jointly make an application to the Council to effect the transfer.
- 5.12 A copy of this permit shall be located on site such that all operatives involved in the process have unrestricted access to it.

## Appendix 1      Solvent Management Plan Inputs and Outputs





## **Appendix 2 Designated Materials, Emission Limits & Conditions**

<b>Designated Materials (articles 5,7,8,9)</b> <b>All Activities using Designated Materials</b> Designated Materials used in SED installations must be either replaced, controlled and or limited, as set out below.		
<b>All SED Installations. i.e. existing, new and substantially changed</b>		
<b>Row</b>	<b>Materials Designated because of their VOC content :</b> <b>Until 1 Jun 2015: risk phrase R45, R46, R49, R60, or R61</b> <b>From 1 Dec 2010: hazard statement H340, H350, H350i, H360D, or H360F</b>	
1	Requirements • <b>Replace</b> as far as possible (taking into account guidance under article 7(1) of the SED. See <b>Appendix 4</b> ) by less harmful substances or mixtures	Timescale  • installations must comply within the shortest possible time
	• <b>Control</b> under contained conditions as far as technically and economically feasible to safeguard public health and the environment. Normally, in accordance with the guidance provided within <b>Section 5</b> of the note	Timescale  Immediately (and see note below)
	• <b>Limit</b> -where the sum of the mass flows of all the discharges of all the compounds causing the designated labelling is greater or equal to 10 g/h, a limit value of 2 mg/Nm <sup>3</sup> for the mass sum of the individual compounds must apply	Monitoring  Annual manual extractive testing
<b>Materials Designated: because of their Halogenated VOC content:</b> <b>Until 1 Jun 2015 : risk phrase R40, or from 1 Dec 2010 until 1 Jun 2015, risk phrase R68</b> <b>From 1 Dec 2010: hazard statements H341 or H351</b>		
2	Requirements • <b>Control</b> under contained conditions as far as technically and economically feasible to safeguard public health and the environment. Normally, in accordance with the guidance provided within <b>Section 5</b> of the note	Timescale  Immediately (and see note below)
	• <b>Limit</b> -where the sum of the mass flows of all the discharges of all the compounds causing the designated labelling is greater or equal to 100 g/ h, a limit value of 20 mg/Nm <sup>3</sup> for the mass sum of the individual compounds must apply	Monitoring  Annual manual extractive testing
Note 1. Substances or mixtures which are classified after the date of publication of this note as designated materials because of their VOC content, must apply the replace, control and limit requirements above within the shortest possible time from the date at which substances or mixtures became/become designated materials.  In determining the Shortest Possible Time, the operator will need to justify their timetables taking account of the guidance in the relevant chapter of the appropriate Guidance Manual.  Note 2 – As from 1 <sup>st</sup> December 2010 “risk phrase” materials will, broadly, also be known as “hazard statement” materials. Either term will apply until 1 <sup>st</sup> June 2015, when only the term “hazard statement” materials will apply. (See section 7 for further details).		

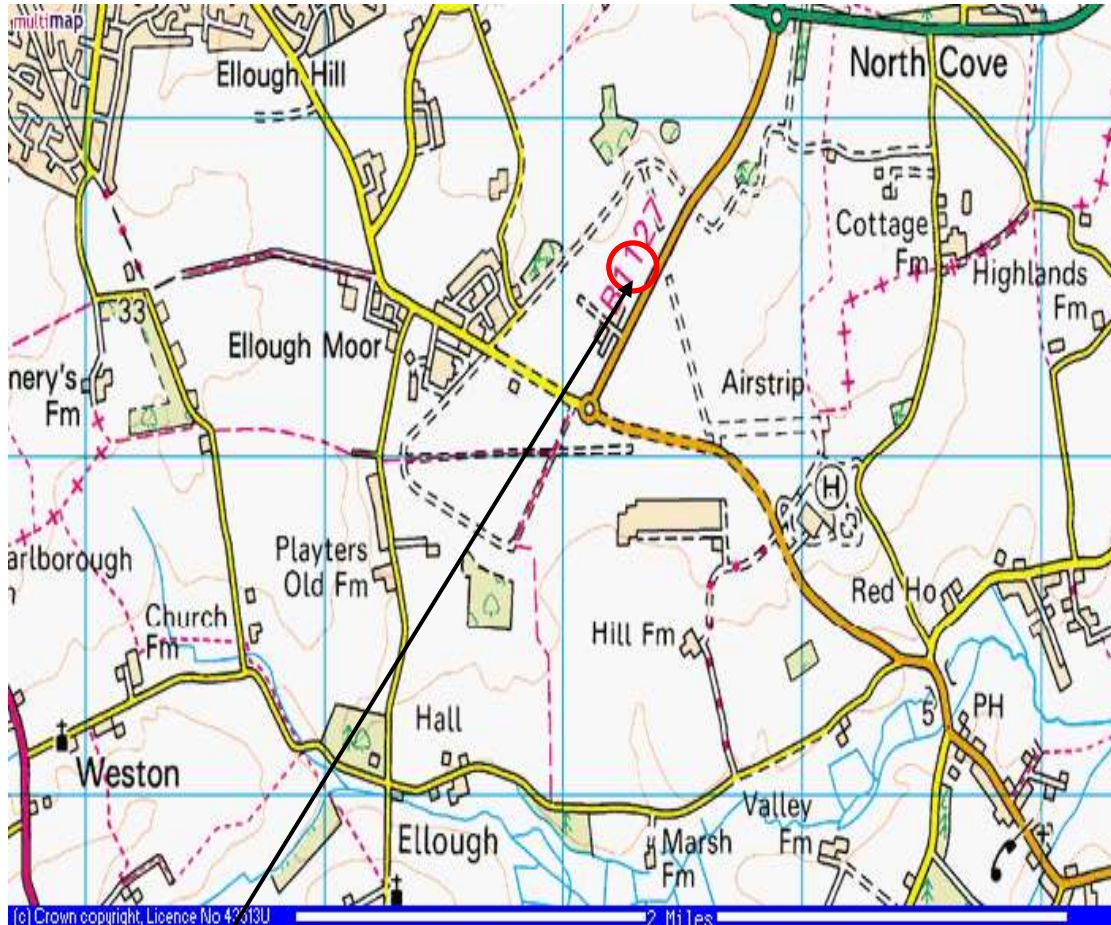
### **Appendix 3    Classification of hazardous materials**

			<b>SED only catches halogenated VOC with the phrases/statements in this column</b>
<b>Risk Phrases</b>	<b>class 1 'known to'</b>	<b>class 2 'treat as'</b>	<b>class 3 'cause concern'</b>
<b>Hazard statements categories</b> <b>They are NOT exact equivalents to risk phrase classes</b>	category 1a <b>known</b> from human evidence	category 1b <b>presumed</b> from animal evidence	category 2 <b>suspected</b> human carcinogens
<b>Carcinogens</b>	H340, H350, H350i, H360D or H360F  R45 May cause cancer  H350 May cause cancer	R45 May cause cancer  H350 May cause cancer	H341 H351  R40 Limited evidence of a carcinogenic effect  H351 Suspected of causing cancer
<b>Mutagens</b>	R46 May cause heritable genetic damage  H340 May cause genetic defects	R46 May cause heritable genetic damage  H340 May cause genetic defects	<b>new to SED</b> R68 possible risk of irreversible effects  H341 Suspected of causing genetic defects
<b>Carcinogen by inhalation</b>	R49 May cause cancer by inhalation  H350i May cause cancer by inhalation	R49 May cause cancer by inhalation  H350i May cause cancer by inhalation	(Covered by R40 and H351 above)
<b>Toxic to reproduction,</b>	R60 May impair fertility - and R61  May cause harm to the unborn child  H360D or H360F May damage fertility or the unborn child	R60 May impair fertility - and R61  May cause harm to the unborn child  H360D or H360F May damage fertility or the unborn child	<b>Outside SED</b> - R62 and R63 for the suspected  R phrases say possible risk to.

# **Section Three**

## **Location of Permitted Installation and Site Plan**

## Location of Permitted Installation

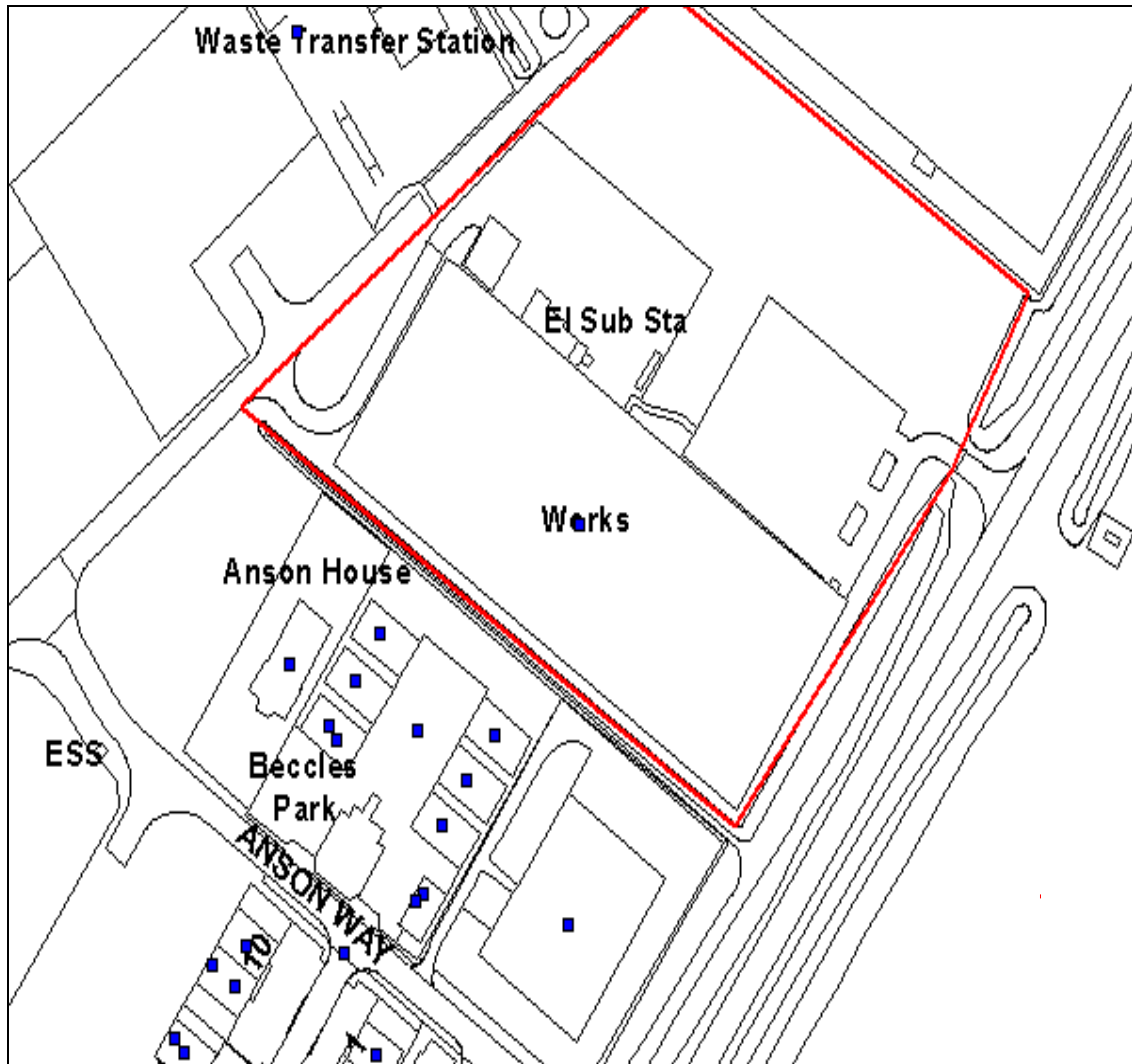


**CPI William  
Clowes  
Copeland Way  
Ellough  
Beccles  
Suffolk  
NR34 7TL**

**PPC/07/14/1 PLAN**



**Installation Boundary**



# **Section Four**

## **Explanatory Notes And Appeals Procedure**

Waveney District Council  
The Pollution Prevention Control Act 1999  
Environmental Permitting (England & Wales) Regulations 2010 (SI675) as amended

## **EXPLANATORY NOTE**

*These notes are provided for the operator of an installation or mobile plant to assist in the interpretation of their duties under the provisions of the above-mentioned legislation, with particular reference to the permit issued by Waveney District Council. These notes do not form part of the Permit or conditions attached to it.*

### **1. BEST AVAILABLE TECHNIQUE (BAT)**

The following Permit is issued under Regulation 13 of the Environmental Permitting (England and Wales) Regulations 2010 (S.I.2010 No. 675), to operate an installation carrying out activities covered by the description in Schedule 1 Part 2 Chapter 5 Section 6.4 Part B (a) of the Regulations, to the extent authorised by the Permit, namely '**Coating Activities, Printing and Textile Treatments**'.

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 the relevant sections of the Secretary of State's **Process Guidance Note 6/16 (11)** and other relevant guidance.

<b>PG 6/16 (11), Secretary of State's Guidance "Printworks"</b>	<a href="http://archive.defra.gov.uk/environment/quality/pollution/ppc/localauth/pubs/guidance/notes/pgnotes/documents/pg6-16.pdf">http://archive.defra.gov.uk/environment/quality/pollution/ppc/localauth/pubs/guidance/notes/pgnotes/documents/pg6-16.pdf</a>
<b>Pollution Prevention &amp; Control Act 1999</b>	<a href="http://www.legislation.gov.uk/ukpga/1999/24/contents">http://www.legislation.gov.uk/ukpga/1999/24/contents</a>
<b>Environmental Permitting (England &amp; Wales) Regulations 2010</b>	<a href="http://www.legislation.gov.uk/uksi/2010/675/pdfs/uksi_20100675_en.pdf">http://www.legislation.gov.uk/uksi/2010/675/pdfs/uksi_20100675_en.pdf</a>
<b>General Guidance Manual on Policy and Procedures for A2 and B Installations</b>	<a href="http://www.defra.gov.uk/publications/files/env-permitting-general-guidance-a.pdf">http://www.defra.gov.uk/publications/files/env-permitting-general-guidance-a.pdf</a>
<b>General Guidance Manual on Policy and Procedures for A2 and B Installations Annexes</b>	<a href="http://www.defra.gov.uk/publications/files/env-permitting-general-guidance-b.pdf">http://www.defra.gov.uk/publications/files/env-permitting-general-guidance-b.pdf</a>

## **2. STATUTORY REQUIREMENTS**

This Permit is issued under regulation 13 of the Environmental Permitting (England & Wales) Regulations 2010 and does not detract from any of the following statutory requirements where applicable:-

- (a) The requirement to obtain Planning Permission for the installation and any new construction.
- (b) The requirement to obtain discharge consent from the Environment agency.
- (c) The requirement to obtain Building Regulation approval for any construction work.
- (d) The requirement of a Waste Disposal Licence.
- (e) The requirement to comply with the Health and Safety at Work etc Act 1974.

## **3. PUBLIC REGISTER**

The Council is required by regulation 45 - 56 to maintain a Public Register containing information on all permitted installations and mobile plant. The register is available for inspection by the public free of charge during office hours (Monday to Friday 9.00am to 5.00pm) at

**Waveney District Council,  
Environmental Health  
Town Hall  
High Street  
Lowestoft  
Suffolk  
NR32 1HS**

Subject to exclusions of commercially confidential information and information affecting national security, registers will contain the following:

- a. Applications for a permit;
- b. Notices asking for information and responses to such;
- c. Advertisements and representations in response to such (unless requested not to by the person responding)
- d. In the case of c) above, a statement to the effect that representations were made but have been omitted – must not identify the person making the representation;
- e. Statutory consultee responses to applications or applications for variations;
- f. Permits;
- g. Notifications of changes in the operation of installations;
- h. Applications for variations, transfers or surrenders of permits;
- i. Variations, transfers and surrenders granted;
- j. Revocations;
- k. Enforcement or suspension notices;
- l. Notices withdrawing enforcement and suspension notices;
- m. notice of an appeal including the grounds of the appeal, relevant correspondence between the appellant and the regulator, and the decision/notice which is the subject of the appeal;
- n. Representations in response to appeal (unless requested not to by the person responding);
- o. In the case of n) above, a statement to the effect that representation were made but have been omitted – must not identify the person making the representations;



- p. The appeal decision and any accompanying report;
- q. Convictions, formal cautions; to include the name of the person, date of conviction/caution, and (where appropriate) penalty and name of court. This requirement does not override the Rehabilitation of Offenders Act 1974 regarding spent conditions, and authorities must take care to remove relevant entries at the appropriate time;
- r. Monitoring data obtained by the authority from its own monitoring, or sent to the authority on accordance with any relevant permit condition;
- s. If any monitoring information is omitted because it is commercially confidential, the authority must put a statement on the register indicating whether relevant permit conditions are being complied with, based on the withheld information;

### **Commercial Confidentiality**

An operator may request certain information to remain confidential i.e. not be placed on the public register. The operator must request the exclusion from the public register of commercially confidential information at the time of supply of the information requested by this notice or any other notice. The operator should provide clear justification for each item wishing to be kept from the register. The amount of information excluded from the register should be kept to the minimum necessary to safeguard the operator's commercial advantage

The general principle is that information should be freely available to the public. Information that maybe considered commercially confidential is that which if it "were being contained within the register would prejudice to an unreasonable degree the commercial interests of an individual or any other person" (regulation 48 of the Environmental Permitting (England & Wales) Regulations 2010).

Local authorities will also take into account whether the information at issue could be obtained or inferred from other publicly accessible sources.

The local authority will determine this request within 28 days of the date of such an application and will issue a Determination Notice detailing their decision. The notice may specify a time period over which the information is to remain commercially confidential (if not specified, it will be four years beginning with the date of the determination). The operator may appeal to the Secretary of State within 21 days of the notification of the decision.

If the application is granted the local authority will place a statement on the public register stating that certain information has been withheld and stating the reasons why, plus whether this information is relevant to a permit condition, and whether the permit condition has been complied with.

Further guidance on commercial confidentiality can be found in Chapter 8 of the LA-General Guidance Manual.

### **National Security**

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, specifying the information and indicating the apparent nature of risk to national security. The operator must inform the local authority of such an application, who will not include the information on the public register until the Secretary of State has decided the matter.

#### **4. VARIATION 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 Waveney District Council.

#### **5. SURRENDER OF PERMITS**

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 2010".

#### **6. TRANSFER OF PERMITS**

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

#### **7. ENFORCEMENT AND OFFENCES**

If Waveney District Council are of the opinion that you have contravened or are likely to contravene a condition of this Permit it may serve an Enforcement Notice; in accordance with Regulation 36 of the Environmental Permitting (England and Wales) Regulations 2010. If Waveney District Council is of the opinion that the continued operation of the installation involves a risk of serious pollution it will serve a Suspension Notice under Regulation 37 of the Environmental Permitting (England and Wales) Regulations 2010.

Offences detailed in Regulation 38 of the Environmental Permitting (England and Wales) Regulations 2010 include failing to comply with or contravening a condition in this Permit, failing to comply with an enforcement notice or suspension notice, intentionally making a false entry in any records kept under a condition of this Permit. A person found guilty of an offense, upon summary conviction could be liable (i) to the maximum penalty of a £50,000 fine and/or twelve months imprisonment, or (ii) upon conviction to an unlimited fine and/or five years imprisonment.

#### **8. PROCESS CHANGES**

If you propose to undertake any substantial changes to the process you are required to notify the Environment Protection Team at Waveney District Council of this at least 14 days before making the change. This must be in writing and must contain a full description of the proposed change in operation and the likely consequences.

## 9. REVIEWS

The “Conditions” contained in this Permit will be reviewed by the local authority at intervals, in accordance with Regulation 34 of “The Environmental Permitting (England and Wales) Regulations 2010 (S.I.2010 No. 675)”. The next such programme of review is scheduled to take place in 2019. 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.

## 10. APPEALS

Anyone who is aggrieved by the conditions attached to a Permit can appeal to the Secretary of State for the Environment. Appeals must be made in accordance with the requirements of Regulation 31 and Schedule 6 of the Environmental Permitting (England and Wales) Regulations 2010. 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 Environmental Permitting (England and Wales) Regulations 2010, 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 Waveney District Council 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 of the Environmental Permitting (England and Wales) Regulations 2010, 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.

## **11. FEES**

An application fee has been paid for this permit. An annual subsistence charge, which is subject to variation by Central Government, is payable to Waveney District Council to ensure this Permit remains in force. An invoice will be sent for the appropriate subsistence charge each year.

## **12. REPORTING REQUIREMENTS AND CONTACT DETAILS**

Where a Permit condition imposes a requirement to forward documents to the Local Authority or to report a specified occurrence the following address and telephone number shall be used:

### **By Post**

**Waveney District Council,  
Environmental Health  
Town Hall  
High Street  
Lowestoft  
Suffolk  
NR32 1HS**

**By Telephone**            **01502 523620 (During office hours)**  
**Facsimile No.:**        **01502 589327 (During office hours)**  
**Email :-**                **[environment@waveney.gov.uk](mailto:environment@waveney.gov.uk)**