

Pollution Prevention and Control Act 1999

**The Environmental Permitting
(England and Wales)
Regulations 2010
(as amended)**

**Local Authority Pollution Prevention
and Control (LAPPC)**



INSTALLATION PERMIT

REF – PPC/PFS/10/9/1

**Permit to carry on
The unloading of petrol into
Storage at a Service Station**

**Asda Stores Limited
Belvedere Road
Lowestoft
Suffolk
NR33 0PX**

<u>Contents</u>	
Introduction	2
Permit Variation Notice	7
Activity Description and Extent of Installation	8
Permit Conditions	9
Site Plan	12
Explanatory Notes	13

Introductory note

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

The following Permit is issued under Regulation 20 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 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 (13) and other relevant guidance.

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

Provenance	Date
Application for Permit	4 August 2010
Permit Issued	29 September 2010
Permit Reviewed	17 February 2017

Brief description of the installation regulated by this permit

The unloading of petrol into stationary storage tanks at ASDA Filling Station within the process boundary marked on Map 1 attached at page 12 of this Permit.

Public Registers

Considerable information relating to Permits is available on public registers in accordance with the requirements of the Environmental Permitting Regulations.

Confidentiality

The Permit requires the Operator to provide information to Waveney 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 Waveney District Council to have such information withheld from the register as provided in "Environmental Permitting Regulations". To enable Waveney 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, which 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 Waveney District Council in accordance with Regulation 20 of "Environmental Permitting Regulations".

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 2010”.

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 for workplace health & 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 2010 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 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 2010 Regulations & 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 which shall 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

During office hours: 01502 562111

e-mail environmental@eastsuffolk.gov.uk

or by writing to:

**Waveney District Council,
Environmental Health
Riverside
4 Canning Road
Lowestoft
NR33 0EQ**

If you are reporting a malfunction or failure of your permitted activity outside normal working office hours, you should phone 01502 527133. This line is only manned out of office hours and is exclusively for genuine emergencies.

End of Introduction

Variation Notice issued under
The Environmental Permitting Regulations 2010

Permit Variation Reference No. PPC/PFS/10/9/1

Waveney District Council (the Regulator) in exercise of its powers under Pollution Prevention and Control Act 1999 and Regulation 21 of the Environmental Permitting (England & Wales) Regulations 2010 (S.I. 2010 No. 675)

Hereby permits

ASDA Stores Limited (the operator)

To operate an installation at

Asda Stores Limited
Belvedere Road
Lowestoft
Suffolk
NR33 0PX

Registered Office

Asda
Asda House
Southbank
Great Wilson Street
Leeds
Yorkshire
LS11 5AD

to the extent permitted by and subject to the following conditions, within the installation boundaries identified on the Map 1 attached at page 12 of this Permit.

Signed



Dated

17/02/2017

Clive Pink
(Environmental Health Officer)

Activity Description and Extent of Installation

The unloading of petrol into stationary storage tanks at ASDA Filling Station within the process boundary marked on Map 1 attached at page 12 of this Permit.

The EC Stage 1 Petrol Vapour Recovery Directive is implemented in part by prescribing the process for Local Authority Air Pollution Control under the Pollution Prevention Control Act 1999 and in particular under Section 1.2 Part B of Schedule 1 of the Environmental Permitting (England and Wales) Regulations 2010 SI 2010 No. 675.

Deliveries of petrol may occur outside normal operating hours and be directly supervised by a service station operator or can be controlled entirely by the road tanker driver if the site has Driver Controlled Delivery (DCD) facilities.

Petroleum is delivered to the site in bulk tankers and is transferred to the underground storage tanks as required. Transfer is through vapour tight hoses and the vapour displaced by the petrol is returned to the tanker via a dedicated vapour tight hose (Stage I Vapour Recovery).

The integrity of the system is maintained by a pressure vacuum relief valve on the vent pipes, which prevents discharges during filling. In order to maintain the integrity of the system the maximum number of tanker compartments that can be discharged simultaneously is two.

In addition, at this petrol station, a Stage II vapour recovery system shall be installed to recover vapour displaced during the filling of vehicle petrol tanks, in compliance with additional permit conditions. An automatic monitoring system shall be in place to detect faults and to automatically cut out on faulty delivery. This system shall be tested at least every three years in accordance with manufacturer's specifications for integrity and effectiveness. Where no automatic monitoring system is in place, the recovery system shall be tested for integrity every 3 years and effectiveness every year.

The conditions contained within this Permit are based upon Guidance Note PG 1/14(13) Unloading of Petrol into Storage at Service Stations.

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.

You will be liable for prosecution if you fail to comply with the conditions of this permit. If found guilty the maximum penalty for each offence (if prosecuted in a Magistrates Court is £50,000 and/or 6 months

imprisonment). In a Crown Court it is an unlimited fine and/or 5 years imprisonment.

CONDITIONS

Petrol Delivery

1. Vapours displaced by the delivery of petrol into storage tanks shall be returned through a vapour-tight connection line to either the mobile container delivering the petrol or a container on the site.
2. Petrol delivery shall only be carried out using the [Stage I] petrol vapour recovery system and deliveries shall only be made when the system is fully operational.
3. The number of tanker compartments being discharged simultaneously shall not exceed 2, excluding the diesel compartments.
4. 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.
5. The fittings for delivery and vapour return pipes shall be different to prevent mis-connection.
6. 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.
7. 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.
8. 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.
9. Adjacent to each vapour return connection point for the storage tank, there shall be a clearly legible and durable notice providing instructions for connecting and disconnecting the vapour return line.

10. A trained person shall remain near the tanker and keep a constant watch on hoses and connections during unloading.

11. Petrol delivery and vapour return lines shall be tested at least every 3 years and a record of the test shall be kept in a log book referred to in condition 25.

12. 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 and a record of the test shall be kept in a log book referred to in condition 25.

Motor Vehicle Refuelling

13. Motor vehicle refuelling with petrol shall only take place when the [Stage II] petrol vapour recovery system is fully operational and operating in accordance with the requirements of Condition 14.

14. The petrol vapour capture efficiency of the [Stage II] petrol vapour recovery system shall be equal to or greater than 85% but less than 115% as certified by the manufacturer in accordance with relevant European technical standards or type approval procedures.

15. Where the recovered petrol vapour is transferred to a storage tank, the vapour/petrol ratio shall be equal to or greater than 0.95 but less than or equal to 1.05.

16. Where an automatic monitoring system has been installed, the petrol vapour capture efficiency shall be tested and the results recorded at least once every three years by checking that the vapour/petrol ratio under simulated petrol flow conditions, or by any other appropriate methodology. Any such automatic monitoring system shall automatically detect faults in the proper functioning of the [Stage II] petrol vapour recovery system and in the automatic monitoring system itself, indicate faults to the operator and automatically stop the flow of petrol from any faulty dispenser if the fault is not rectified within seven days.

17. Where automatic monitoring systems have not been installed the in-service petrol vapour capture efficiency of the [Stage II] petrol vapour recovery systems shall be tested the results recorded at least once a year by checking that the vapour/petrol ratio under simulated petrol flow conditions, or by any other appropriate methodology.

18. Where automatic monitoring systems have not been installed a weekly functionality check shall be undertaken to verify the operation of the vapour recovery system.

19. A sign, sticker or other notification shall be displayed on, or in the vicinity of, the petrol dispenser, informing consumers that a [Stage II] petrol vapour recovery system is in use.

Incident Reporting

20. In the event of any incident at the site which could have an impact beyond the site boundary, the operator shall notify the Environmental Protection Team at Waveney District Council by telephone without delay.

Management

21. A copy of this permit shall be kept at the permitted installation. All staff who should be aware of the content of this permit shall be notified where it is kept.

22. All relevant staff shall receive the necessary training and instruction to enable them to comply with the conditions of this permit.

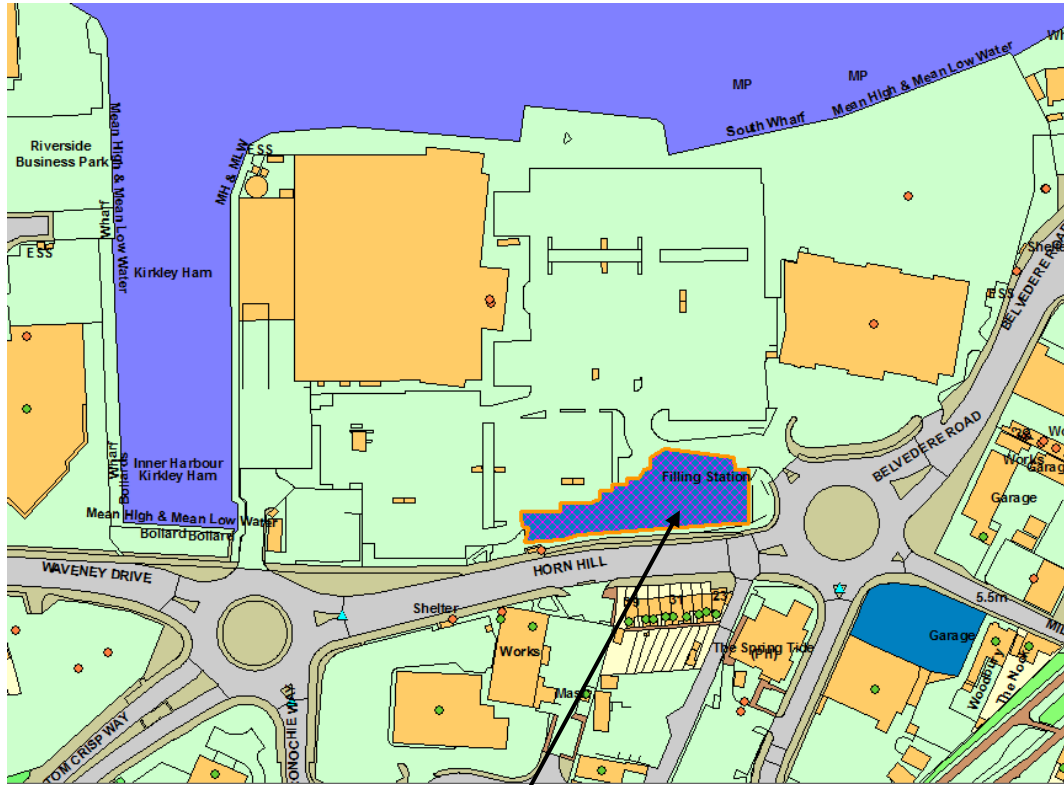
23. The operator shall notify the Council of any changes to the primary point of contact or deputy at the service station.

24. The operator shall implement a schedule of preventative maintenance. All maintenance and testing of the vapour recovery systems shall be recorded in a log book referred to in condition 25.

25. All records made in compliance with this permit shall be kept in a written or computer log book or by using some other systematic method, and shall be clear and legible. If any entry is amended; a clear statement of the reason for doing so shall be included. Unless otherwise stated in this permit, all records required to be taken shall be kept available for inspection for at least 4 years from the date of its being made. A copy of the manufacturer's instructions referred to in this permit shall be available for inspection on request.

End of Conditions

Location of Permitted Installation



**Asda Stores Limited
Belvedere Road
Lowestoft
Suffolk
NR33 0PX**

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 Waveney District Council to ensure this Permit remains in force. An invoice will be sent for the appropriate subsistence charge each year.
- (b) The general BATNEEC condition is regarded as covering, among any other matters, the provision of sufficient training and practical instruction for service station operation staff; in order to enable them to carry 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.
- (c) 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.
- (d) All references to points marked with a number or letter in this permit refer to the points so numbered or lettered on the plans attached to this Permit.
- (e) This permit shall not be taken to permit any other activity, including any other activity falling within the definitions in Schedule 1, Part 2 Chapter 3, Section 1.2 of the “Environmental Permitting (England and Wales) Regulations 2010 (S.I.2010 No. 675)”.
- (f) All pollutant concentrations are expressed as reference Conditions, 273k, 101.3kPa, without correction for water vapour content, and apply to all references for emissions limits or concentrations in this authorisation.
- (g) 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 2020. 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 the process is not in operation, when there are employees present at the site or, when the site is open for business.

End of Explanatory Notes