



**Pollution Prevention and Control Act 1999
Local Authority Pollution Prevention and Control
The Environmental Permitting (England and Wales) Regulations 2016**

**Nelson Potter Ltd
The Sawmill
Hatchley Barn
Eyke
Suffolk
IP12 2PS**

Permit Reference Number 15/00003/A2/V2

Section One

Contents, Introductory Note & Description of Permitted Installation

Permit Reference Number 15/00003/A2/V2

Permit Holder:	Nelson Potter Limited
Installation Address:	The Sawmill Hatchley Barn Eyke Suffolk IP12 2PS
Registered Address of Company:	Larkin Gowen 1 Claydon Business Park Great Blakenham Ipswich Suffolk IP6 0NL Company Number 02025961

Provenance	Date	Reference Number
Application for Permit	12 March 2015	SCDC/A2/11/001
Permit Issued	7 July 2015	SCDC/A2/11/001
Permit Reviewed	1 May 2021	SCDC/A2/11/001
Permit Updated Draft	28 May 2021	15/00003/A2
Permit Varied	9 June 2021	15/00003/A1/V1
Permit Varied	14 July 2022	15/00003/A1/V2

To the extent permitted by and subject to the conditions in section 2 of this permit within the installation boundary identified on page 19.



Louise Burns
Environmental Health Officer
14 July 2022

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Introductory Note

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

Nelson Potter Limited is hereby permitted by East Suffolk Council under Regulation 13 of The Environmental Permitting Regulations 2016 to operate an installation carrying out activities covered by the description in Schedule 1 Part 2 Chapter 6 Section 6.6 Part A1 of the Regulations, to the extent authorised by the Permit, namely ‘the preservation of wood and wood products with chemicals with the production capacity exceeding 75m³ per day’. The installation is indicated on the attached map at reference 631405E,249436N and in accordance with the conditions detailed in Section 2 of this Permit.

Aspects of the operation of the installation which are not regulated by conditions of this Permit are subject to the Operator using 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 Sector Guidance Note SG 11 (Sept 2013 still in Draft) and other relevant guidance by the Environment Agency and other relevant authorities.

The following Permit is issued under the Environmental Permitting (England and Wales) Regulations 2016 to operate an installation carrying out activities covered by the descriptions.

Process Description

The permitted installation to which this permit applies ("the installation") is Nelson Potter Limited, The Sawmill, Hatchley Barn, Bromswell, Woodbridge, Suffolk. IP12 2SL. The general location of the site is delineated in red on the Location Plan shown in section 3 of this permit. The installation is in a rural setting well away from any receptors. The boundary of the installation is delineated in red on the Site Plan.

Nelson Potter manufactures a range of general building, decking, fencing, landscaping and agricultural machined softwood timbers. The timbers are sourced from a variety of countries worldwide. To help ensure the long-term performance of some of the timbers manufactured at the site they may be subject to a pressurised preservative treatment process to prevent rot and/or insect attack when the wood is in storage or in use. The preservative products are based on copper and organic biocides and are diluted with water to form a solution of between 1.5-3% concentrated. A colourant is used during the pressure treatment. Some timbers such as fence posts are kiln dried prior to receiving the preservative treatment. This enables the preservative to penetrate the pores of the wood where moisture was contained. This prolongs the life of the timber even longer.

The site uses two treatment pressure vessels. One vessel is for brown colourant and the other green. The mixing tank is located below ground level underneath each treatment vessel. The tank is made from steel and is contained inside a concrete wall pit/sump.

Raw Wood

Raw wood is transported to site via road. Processed timber not requiring treatment is transferred directly to stock and a packing area for collection/delivery to customers. Processed timber to be treated is transferred to the treatment building via forklift.

Treatment Chemicals

The treatment chemicals used at the installation are listed in the table below:

Chemical Name	Key Component	Property
Impralit ACQ 1900	2-aminoethanol copper(II) carbonate-copper(II) hydroxide (1:1)	Wood Preservative
impralit- ACQ colourant brown	Azo pigment in solution (water and organic) acetic acid	Colourant

The chemicals used in the treatment process are delivered to the on-site 15,000litre storage tank by direct transfer from a road tanker. The storage tank is located next to the treatment building next to the treatment vessel on a concrete plinth surrounded by a small bunded wall

which falls to the main concrete tank sump. The tank and all pipe connections are located within the bund.

The treatment agent is mixed with water to a maximum 1.5-3% solution prior to use in the treatment vessel. The water is from a bore hole supply. All preservatives and treatment products are water based. The site does not use any solvent-based treatment products.

A colourant can be added to the preservative treatment. Brown and green colourants are used with one pressure vessel for green and the other for brown. The colourant is delivered to site in 1000litre IBC's. The IBC is stood next to the pressure vessel over the main sump. A 1000 litre IBC will last up to 4-6 months.

Treatment Process

The raw wood is loaded onto bogeys. The wood is secured to the bogeys with strapping to prevent 'wood lift' when the vessels are flooded. The bogeys are stacked to the optimum capacity allowable to fill as much of the space inside the vessels as possible. This is to make the process more economical and reduce the amount of treatment agent required. The bogeys are then pushed into the treatment vessel. The door is then closed and sealed.

The key stages of the treatment process are described below:-

Key Stages of the Treatment Process	Description
1. Initial vacuum	Once locked in, air is drawn out of the vessel to enable the required uptake and penetration of the preservative.
2. Flooding.	The preservative solution is allowed to flow into the vessel under vacuum.
3. Pressure Period.	Upon complete filling of the vessel, the vacuum is released, and positive hydraulic pressure is applied to ensure maximum penetration of the preservative into the timber.
4. Initial Drain	The pressure is released to atmospheric levels in a controlled manner and the liquid allowed to drain to the mixing tanks.
5. Final Vacuum	A final vacuum is then applied which draws out the remaining preservative and reduces the amount of free product running from the wood after the process.
6. Final Drain.	The liquid that collected after the final vacuum, is drained back to the mixing tank. The air pressure is returned to atmospheric levels and the wood removed.

The automated system manages the entire process of mixing the correct concentration of solution, with human interaction limited essentially to its initiation, emergency intervention or general maintenance. This system reports to the operator when liquid is in the vessels, how much and whether it is being pumped in or out. A visual and audible alarm sounds if there is a fault, or a high-level sensor picks up a potential overfill situation occurring. The system will automatically stop pumps and close valves if mix tank high levels are picked up by sensors.

After Removal

After its removal from the vessel the bogeys remain on the external track which is undercover with all drips being captured underneath by the concrete surface. The surface drains back to the vessel sump and is washed down regularly of any treatment residue, again with the wash down running back to the vessel sump. Spacers will be used to prevent capillary retention of liquids between the pieces of wood and shaped profiles in the wood or other traps will be avoided to prevent accumulation of solution. The packs are stacked slightly inclined to assist with any excess treatment solution to drip from the timber. Packs of wood are defined as dry if after being lifted by a forklift, no free product is observed to drip from the wood after 5 minutes. By the very nature of the type of timber used the treatment solution is absorbed well by the timber and there is minimal excess to drip off. The treated packs of wood are left on the bogeys until the next treatment cycle is needed after which the packs are either placed on the concrete hard surface drip area just next to the rail tracks or if left overnight to drip directly to the main stock yard.

Timber Drying Kilns

The sawmill operates two kilns for the drying of timber. The kilns are fired on biomass wood chips which are produced from timber offcuts produced at the sawmill.

Emission Controls

The draft SG11 and BAT conclusions specified in Annex I to Directive 2010/75/EU is concerned with fugitive emissions and direct emissions to soil, ground and surface water:-

Site Schematic

A site schematic of the treatment process is shown on page 21.

Section Two

Permit Conditions

The conditions contained within this Permit are based upon Guidance Note/s: **PG6_03 - Chemical treatment of timber and wood-based products.**

1. The Permitted Installation

1.1 The Operator is permitted to carry out the activities and/or the associated activities specified in Table A known together as "the Permitted Activities".

Activities under Schedule 1 Part 2 Section 6.6 Part A2 Environmental Permitting Regulations 2016	Description of specified activity	Activity and relevant BAT Guidance Note Reference	Limits of specified activity
The preservation of wood and wood products with chemicals with the production capacity exceeding 75 m3 per day	Treatment of timber within pressurised containment vessels	Schedule 1 Part 2 Chapter 6 Section 6.6. Part A2(a) of the Environmental Permitting (England & Wales) Regulations 2016	Treatment of timber products within the confines of the pressurised containment vessels
Directly Associated Activities			
Storage and handling of chemical preservatives and colouring agents	Receipt of bulk chemicals off-loading into storage and containment prior to treatment	Directly associated activity Guidance Note SG 11 Paragraph 5.12 BAT Table items 1 - 11	Receipt and storage of chemicals before use
Drying and storage of finished wood and wood products	Drip drying and kiln drying of timber and containment of chemical run off	Directly associated activity Guidance Note SG 11 Paragraphs 5.22 - 5.30 including BAT table items 12 - 35	Drying of timber products within confines of dedicated drip pad areas and kiln

Table A

- 1.2** The Stationary Technical Unit comprising the permitted installation activities authorised under condition 1.1 shall not extend beyond the boundary of the site as shown in red on Map 1 page 25 of this Permit.
- 1.3** Without prejudice to the other conditions of this Permit, the Operator shall implement and maintain a management system, organisational structure and allocate resources that are sufficient to achieve compliance with the limits and conditions of this Permit.
- 1.4** The best available techniques shall be used to prevent or, where that is not practicable, reduce emissions from the installation in relation to any aspect of the operation of the installation, which is not regulated by any other condition of this Permit.
- 1.5** The permitted installation shall be supervised by staff that are; suitably trained and fully conversant with the requirements of this permit.
- 1.6** All staff shall be fully conversant with those aspects of the permit conditions that are relevant to their duties and shall be provided with appropriate training and written operating instructions to enable them to carry out their duties.

2.0 Delivery, storage and handling of raw materials

- 2.1** Preservative treatment chemicals shall be stored and used so as to protect soil and groundwater on site. Below ground storage/mix tanks shall include secondary containment such as double skinned tanks with leak detection devices fitted where necessary.

Risk-based and regular monitoring of underground storage and ductwork shall be carried out for identifying potential leakages.

- 2.2** The operator shall ensure that deliveries are carried out in such a way so as to minimise noise, spillage, leaks and emissions. Procedures for bulk tanker delivery of treatment chemicals shall be kept by the operator and be available to delivery drivers for reference. Only delivery drivers trained in these procedures or suitable alternative procedures provided by the product supplier shall be allowed to discharge at the site.
- 2.3** Storage areas for treatment chemicals shall be under cover and protected from the elements to avoid or minimise environmental impact, except where stored materials are in suitable weatherproof containers.
- 2.4** Storage areas for treatment chemicals shall be hard surfaced and contained or bunded. The containment area or bund can incorporate the treatment vessel area depending on site layout or be a separate dedicated area.
- 2.5** All fixed storage tanks shall be fitted with audible and/ or visual high-level alarms or volume indicators to warn of overfilling. Where practicable in relation to the viscosity of the material being handled or pumping system used, the filling systems should be interlocked to the alarm system to prevent overfilling.

2.6 All treatment mix tanks shall be fitted with high level alarms which are interconnected to stop pumps and close valves to prevent the tank(s) to continue to fill.

Manual monitoring by 'filling and usage' records shall be kept to ensure there is no leakage.

2.7 Any other Biocide containing materials shall be stored in closed storage containers.

3.0 Treatment and Drying process including Kilns

3.1 The treatment area which consists of the treatment vessel, mixing vessel, preservative storage and associated pipework, treatment vessel loading area (consisting of the full rail line and post treatment drying area); shall be under cover and protected from the elements. Surface water from the roof area shall be drained to either a drainage system to be used as make up water within the process or to a sealed surface water drainage system.

3.2 The treatment area shall have an impermeable surface, spill containment kerbs, sealed construction joints and a bunded exterior to contain treatment solution. The condition of the impervious surface should be checked regularly, and the intended maintenance recorded.

3.3 Wood packs shall be stacked to maximise free draining of treatment solution. Packs shall be sloped in traditional horizontal treatment vessels, tilting treatment vessels and vessels which use techniques such as steam fixation may use horizontal packs.

3.4 Timber treatment packs shall not be constructed with flat areas or trap areas where treatment solution may pond. Spacers shall be placed at regular intervals in the packs to facilitate the flow of treatment chemicals through the pack and the draining after treatment.

3.5 Shaped profiles shall be positioned to prevent ponding of treatment solutions.

3.6 Wood packs/pieces shall be secured to prevent "wood lift" during treatment.

3.7 Treatment vessels shall be filled with wood packs/pieces to be treated to an optimum capacity to maximise treatment cycle efficiency.

3.8 The treatment vessel shall be locked shut and sealed once the wood pack/plant loading system is loaded and before treatment takes place.

3.9 Process controls shall prevent the operation of the treatment vessel unless the vessel is locked and sealed.

3.10 Process controls shall prevent the treatment vessel from opening prior to completion of the treatment cycle and full removal back to storage of all treatment solution from the treatment vessel.

3.11 Process controls shall include a display to show if liquid is present in the treatment vessel.

3.12 Where the treatment vessel door requires to be opened in an emergency it shall be fitted with a catch-lock to prevent the release of fluid.

3.13 Treatment vessels are typically fitted with two safety relief valves, these valves shall be designed to ensure that any discharge is directed to a tank of sufficient capacity.

3.14 The treatment vessel shall where necessary be fitted with leak detection devices.

3.15 Air extracted from pressure treatment vessels (i.e. the vacuum pump outlet) shall be treated using a vapour-liquid separator.

3.16 Plant loading systems shall be removed from the treatment vessel by drawing back along a rail system. This rail system shall be built on an impermeable surface and all treatment solution draining from the plant loading systems and attached packs shall be captured on a drip tray underneath the track and directed back into the treatment plant system for re-use in the process.

3.17 Packs shall remain on the vessel loading bogeys for the timber to drip dry once taken out of the vessel or if it is necessary can be placed on the concrete area immediately next to the bogeys track if another treatment cycle of timber is required that day. They shall remain on the tracks to the point that the timber packs are defined as dry. Packs when removed from the bogeys shall be placed on an impermeable surface.

The impermeable surface shall be used only for fully "dry" packs of timber.

3.18 The removal of the pack from the drying area to the yard stocking area can be completed using the same forklift truck that is used for unloading packs from the treatment vessels, however the operator shall ensure that: -

- a) The concrete surface of the loading/unloading and drying area is clean and not likely to cause tracking of treatment solution over the floor and yard areas.

3.19 To be defined as dry a pack shall be lifted by mechanical means and shall be suspended above the post treatment drying area (the track area) for a minimum of 5 minutes. The pack should not form drips or drip treatment solution during this period. Packs which make up a single charge and which are made up of the same wood type and form can be deemed dry as a group after suspension testing of a single sample from the group.

3.20 The drainage systems related to the treatment operation shall be recorded on a clear diagrammatic record and should be inspected on an annual basis to prove the continuing efficacy of the system.

3.21 Visual assessments of emissions shall be undertaken daily when the biomass kilns are in use. Remedial action shall be taken immediately in the case of abnormal emissions and/or visual smoke emissions are observed. The Regulator shall be notified if problems persistent. All adverse results of the assessments shall be recorded in a logbook.

4.0 Process vessel cleaning

4.1 Cleaning water shall be minimised by using rotary spray nozzle heads or similar means and reused where technically possible.

4.2 Where materials that are potentially harmful to the environment may be present in wastewater, measures should be taken to prevent them from entering the water circuit. Water which has been in contact with treatment chemicals can be used as "make-up water".

5.0 Protection of soil and groundwater

5.1 There shall be no emission of any pollutants to groundwater or soil from the permitted Installation.

5.2 All emissions shall be controlled, as a minimum, to avoid a breach of water quality standards.

5.3 Run-off from the installation shall be controlled and managed and where necessary (given the nature of the run-off) be treated before discharge in a suitable effluent treatment plant or captured in a tank for removal from site.

5.4 All interceptors shall be:

- Impermeable.
- Subject to visual inspection and any contamination removed at a frequency agreed with the regulator.
- Have an annual maintenance inspection.
- Prior to inspection all contents should be removed.

5.5 Procedures for dealing with the discharges from bunds shall be in place.

5.6 Process effluent shall be kept separate from surface drainage unless agreed with the regulator.

5.7 There should be no intentional point source emissions of List I and List II substances as defined by the Water Framework Directive to groundwater.

5.8 The operator shall have a clear diagrammatic record of the routing of all installation drains, subsurface pipework, sumps and storage vessels including the type and broad location of the receiving environment.

5.9 All sumps shall be impermeable and resistant to stored materials.

5.10 All liquid storage tanks shall be located within bunds that are designed and constructed to appropriate standards ensuring that the volume is more than 110% of the largest tank or 25 per cent of the total volume you are likely to store, whichever is greater.

5.11 Storage tanks shall be fitted with high-level alarms or volume indicators to warn of overfilling and where practicable the filling system should be interlocked to the alarm system to prevent overfilling. Delivery connections shall be located within a bunded area, fixed and locked when not in use.

5.12 All tanks bunds, sumps and catchment trays shall be subject to regular visual inspection, as agreed with the regulator, and placed on a preventative maintenance programme. The

contents of bunds and sumps shall be pumped out or otherwise removed as soon as is practicable after checking for contamination.

5.13 Plans shall be maintained that identify the configuration and specification of all drains and subsurface pipe-work and the position and purpose of all sub-surface sumps and storage vessels that are used or have been used within the permitted installation from the date of this permit until the permit is surrendered.

5.14 All bunds and catchment trays shall be cleaned on a regular basis. Excess product that drips into bunds/trays shall be pumped back into the vessel or treatment tank on a regular basis or by automatic means.

5.15 All surface water runoff from the drip areas shall be harvested/captured and diverted into the dedicated storage system prior to reuse through the chemical mixing plant (Dosatron). To ensure storm water conditions can be adequately contained; the drip areas shall be up-graded by the provision of a roof within 2 years of the issue of this permit.

6.0 Soil and groundwater monitoring

6.1 The groundwater at the site shall be monitored for the relevant hazardous substances and frequency as specified in Table A. Each assessment shall be recorded and reported to the Regulator. Groundwater monitoring every 6 months is the default position following review of BAT conclusions for timber treatment activities specified in Annex I to Directive 2010/75/EU.

Note, this is much more frequent than the requirements of Article 16, which was once every 5 years.

The location of sampling points should be based on the submitted soil and ground water monitoring plan agreed between the regulator and operator. The assessment shall include interpretation of the results with reference to previous monitoring undertaken (including the site and where applicable baseline reports) and operations at the permitted installation and details of corrective actions that are required to protect groundwater and remedy any contamination that has occurred as a result of permitted activities.

A review shall be carried out after 4 years to assess the monitoring frequency and a risk assessment must be completed before the monitoring frequency can be reduced.

Table A - Groundwater Monitoring Requirements

Relevant hazardous substance	Activity to be monitored	Frequency
Copper Biocides (Propiconazole Tebuconazole Didecyldimethylammonium Chloride)	Sampling points agreed with the regulator as detailed in the November 2020 soil and ground water monitoring plan	Every 6 months

6.2 The soil at the site shall be monitored for the relevant hazardous substances and frequency as specified in Table B. Each assessment shall be recorded and reported to the regulator. The first assessment shall be completed by 31st December 2020, and every 10 years thereafter. The assessment shall include interpretation of the results with reference to previous monitoring

undertaken (including the site and where applicable baseline reports) and operations at the permitted installation and details of corrective actions that are required to protect soil and remedy any contamination that has occurred due to permitted activities.

Table B - Soil Monitoring Requirements

Relevant hazardous substance	Activity to be monitored	Frequency
Copper Biocides (Propiconazole Tebuconazole Didecyldimethylammonium Chloride)	Sampling points agreed with the regulator as detailed in the November 2020 soil and ground water monitoring plan	Every 10 Years

6.3 A detailed soil and groundwater monitoring plan shall be submitted to East Suffolk Council, for the monitoring required by conditions 6.1 and 6.2, at least three months in advance of carrying out the monitoring, which shall include the locations at which the monitoring shall be carried out and the methodology which shall be used. The purpose of the review shall be to determine whether any changes to monitoring locations, frequency or parameters are required and where changes are proposed, submit a revised plan to East Suffolk Council.

7.0 Incidents

7.1 In the event of an incident all necessary measures shall immediately be taken:

- to prevent, or where that is not practicable to reduce, emissions from the permitted installation,
- to limit the environmental consequences because of that incident,
- and to prevent further incidents.

7.2 Without prejudice to the requirements of Condition 7.1 above, in the event of an incident involving the breach of any condition of the permit all measures necessary to ensure that compliance is restored in the shortest possible time shall immediately be taken.

7.3 Notwithstanding the requirements of Conditions 7.1 and 7.2 where a breach of any condition of the permit poses an immediate danger to human health, or threatens to cause an immediate significant adverse effect on the environment, operation of the permitted installation or relevant part thereof shall be immediately suspended until such time as it can be operated in compliance with the conditions of the permit.

7.4 In the event of an incident, East Suffolk Council shall be notified without delay by telephone or email on the contact details contained in this permit.

7.5 Any incident shall be confirmed in writing to the Regulator by the next working day after identification of the incident. This confirmation shall include: the time and duration of the incident, the receiving environmental medium or media where there has been any emission because of the incident, an initial estimate of the quantity and composition of any emission,

the measures taken to prevent or minimise any emission or further emission, and a preliminary assessment of the cause of the incident.

7.6 Any incident notified to the Regulator shall be investigated, and a written report of the investigation shall be produced. The report shall detail, as a minimum, the circumstances of the incident, an assessment of any harm to the environment and the steps taken to bring the incident to an end. The report shall also set out proposals for remediation, where necessary, and for preventing a repetition of the incident. Unless otherwise agreed with the Regulator in writing, the report shall be sent to the East Suffolk Council within 14 days of the date of the incident.

7.7 For the avoidance of doubt, any release of timber treatment chemical to soil, groundwater or the water environment shall be considered to be an incident and in addition any such release shall be considered to threaten to cause a significant adverse impact on the environment and as such the requirements of Condition 7.3 shall apply until the release had stopped.

8.0 Resource Utilisation

8.1 At least every 4 years, a systematic assessment of the raw material, energy and fuel consumption, emissions and waste production associated with the permitted installation shall be undertaken. The purpose of the assessment shall be to identify methods of reducing raw material usage such as mains water, energy and fuel consumption, emissions and waste produced. Each assessment shall be recorded and be available for inspection by the regulator. The first assessment shall be completed by 30th August 2021.

8.2 A programme to monitor and record the consumption of preservative against product produced should be used to optimise the amount of preservative used.

9.0 Avoidance, recovery and disposal of wastes produced by the permitted installation

9.1 All necessary measures shall be taken to ensure that:

- the waste hierarchy referred to in Article 4 of Directive 2008/98/EC on waste (the "Waste Framework Directive") is applied to the generation of waste by the permitted activities; and
- any waste generated by the permitted activities is treated in accordance with the waste hierarchy referred to in Article 4 of the Waste Framework Directive; and
- where further treatment or disposal is necessary, this is undertaken in a manner which minimises its impact on the environment.

9.2 Waste treatment water removed during planned preventative maintenance shall be removed by a licensed waste carrier vacuum tanker.

10.0 General Operations

10.1 Effective operational and maintenance systems shall be employed on all aspects of the installation whose failure could impact on the environment, there shall be:

- Documented operational control procedures
- A documented preventative maintenance schedule, covering all plant whose failure could lead to impact on the environment, including major 'non-productive' items such as tanks, pipe work, retaining walls, bunds, ducts, and filters; this should be reviewed and updated annually.
- Documented procedures for monitoring emissions.

10.2 Essential spares and consumables shall be held on site or be available at short notice from suppliers, so that any plant breakdown can be rectified rapidly.

10.3 Records of breakdowns shall be kept and analysed by the operator to eliminate common failure modes.

10.4 Noise from the process plant and kiln shall not adversely affect occupiers of any nearby premises. Where new plant is to be installed which may increase existing noise or vibration levels, an assessment shall be undertaken, and a report sent to the Regulator comparing the proposed and existing noise or vibration levels and any works required to maintain the levels as existing.

10.5 A competent person shall be appointed to liaise with the regulator and the public regarding complaints. The regulator shall be informed of the designated individual.

10.6 The process operator shall implement the provisions of an appropriate Environmental Management System such as ISO 14001 or as a minimum those detailed in BREF BAT conclusions for timber treatment activities as specified in Annex I to Directive 2010/75/EU.

The EMS shall be implemented with 12 months from the date of this permit.

10.7 A responsible person shall be nominated to act on behalf of the company, who will be responsible for ensuring that tests, emission monitoring and maintenance measures that are required under this Permit are carried out. The responsible person shall be named in the logbook.

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

10.9 Complete and immediate access to the premises shall be granted to a duly authorised officer of the Local Authority upon request.

10.10 A copy of this Permit shall be kept on the premises.

10.11 You must respond to any Information Notice served on you for the purposes of complying with your obligation to report your pollutant releases and off-site waste transfers pursuant to the directly applicable EU duty in accordance with Article 5 of EC Regulation No 166/2006 concerning the establishment of a European Pollutant Release and Transfer Register. As a permit condition, your failure to respond in accordance with such annual E-PRTR Information Notice will hereby constitute a breach of your permit'.

11.0 Closure and Decommissioning

11.1 A site decommissioning plan shall be maintained and shall demonstrate that in its current state the installation can be decommissioned to avoid any pollution risk and return the site of operation to a satisfactory state. The plan shall be updated as material changes occur. This plan shall include:

- The removal or the flushing out of pipelines, bulk storage tanks, vessels and sumps and their complete emptying and removal of any harmful pollutants.
- Plans of all underground pipelines and vessels.
- The removal of asbestos and other potentially harmful materials unless an agreement is made to leave such liabilities to future owners.
- Methods of dismantling buildings and other structures to ensure protection is given to environmental receptors.
- Testing of the soil to ascertain the degree of any pollution caused by the activities and the need for any remediation to return the site to a satisfactory state as defined by the initial site report.

11.2 A site investigation shall be completed to determine the baseline level of ground contamination, at the start of the IPPC permit. The results of the investigation shall be submitted to the regulator for approval.

11.3 When the site investigation required by condition 11.2 has been successfully completed and approved by the enforcing authority, a site protection and monitoring plan (SPMP) shall be developed and submitted to the enforcing authority for approval. The SPMP should be designed to ensure the ground conditions within the site do not deteriorate further from the baseline level throughout the life of the permit. Where degradation occurs, mitigation or remediation measures shall be employed to return the ground conditions to the baseline level.

12.0 Interpretations

12.1 In this Permit, the following expressions shall have the following meanings:

"Operator"

means Nelson Potter Limited

"Duly Authorised Officer"

means any person authorised by East Suffolk Council under the provisions of the Environmental Permitting (England & Wales) Regulations 2016 (as amended) and Section 108(1) of The Environment Act 1995 to exercise, in accordance with the terms of any such authorisation, powers specified in Section 108(4) of that Act.

"Incident" means any of the following situations:

- Where an accident occurs which has caused or may have the potential to cause pollution;
- Where any malfunction, breakdown or failure of plant or techniques is detected which has caused or may have the potential to cause pollution;

- A breach of any condition of this Permit;
- Where any substance, vibration, heat, or noise specified in any Condition of this Permit is detected in an emission from a source not authorised by a Condition of this Permit and in a quantity which may cause pollution;
- Where an emission of any pollutant not authorised to be released under any Condition of this Permit is detected;
- Where an emission of any substance, vibration, heat or noise is detected that has exceeded, or is likely to exceed, or has caused, or is likely to cause to be exceeded any limit on emissions specified in a Condition of this Permit.

"Climate Change Agreement"

means an agreement entered into with the Government for the saving of energy at the installation.

"Commissioning"

relates to the period after construction has been completed when the Permitted Installation process is being made ready to operate.

"Annual average"

means the average of all daily averages in a calendar year.

"year"

means calendar year ending 31 December.

"Daily"

means a 24 hour period commencing at 00.00 hours.

"Daytime"

means 07.00 to 23.00 hours.

"Evening"

means 18.00 to 23.00 hours.

"Night time"

means 23.00 to 07.00 hours.

"Monitoring"

includes the taking and analysis of samples, instrumental measurements (periodic and continual), calibrations, examinations, tests and surveys.

"Fugitive emission"

means an emission from any point other than those specifically specified.

"Permitted Installation"

means the activities and the limits to those activities described in Table 1.1. of this Permit.

"Regulator"

means East Suffolk Council

"Regulations"

means the Environmental Permitting (England & Wales) Regulations 2016 (as amended) and words and expressions defined in the Regulations shall have the same meanings when used in this Permit.

"Staff"

includes employees, directors or other officers of the Operator, and any other person under the Operator's direct or indirect control, including contractors.

"Systematic assessment"

means an assessment undertaken in a methodical and planned manner. [If you require guidance on the scope or extent of any assessment or review, required to be undertaken, you should contact the Regulator at the address or telephone number given in the introduction of this permit].

"writing" includes electronic communication within the meaning of section 15 (general interpretation) of the Electronic Communications Act 2000;

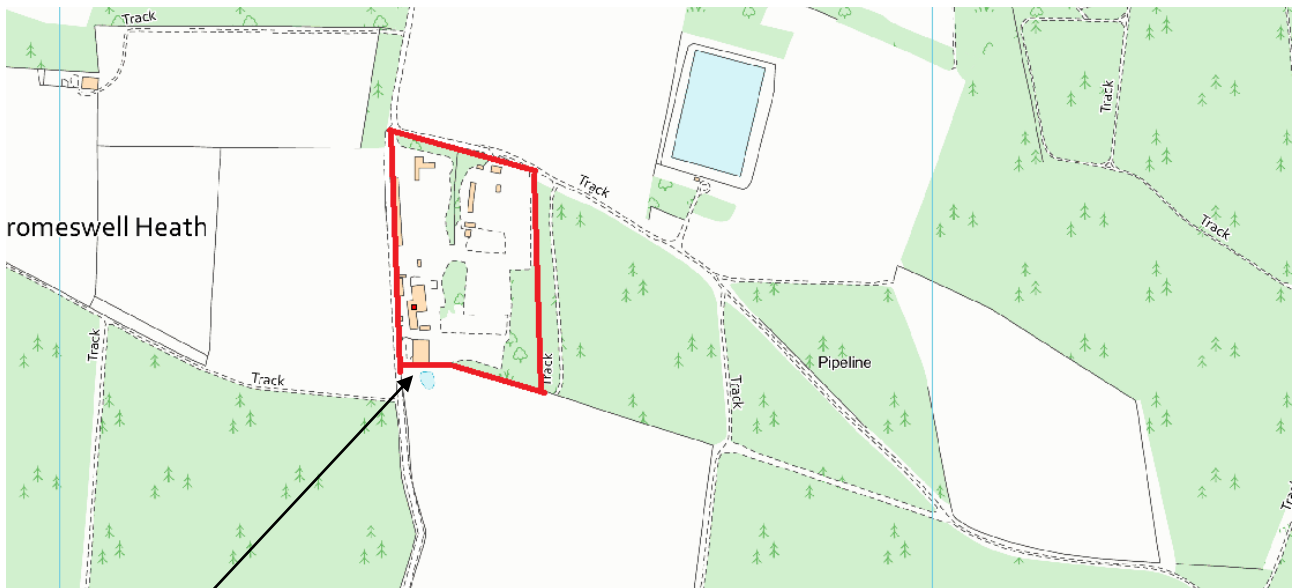
Any reference to a numbered condition, group of conditions, schedule, table, appendix, figure or paragraph is a reference to the condition, group of conditions, schedule, table, appendix, figure or paragraph bearing that number in this permit;

Except where specified otherwise in this Permit, any reference to an enactment or statutory instrument includes a reference to it as amended (whether before or after the date of this Permit) and to any other enactment, which may, after the date of this Permit, directly or indirectly replace it, with or without amendment.

End of Conditions

Section Three

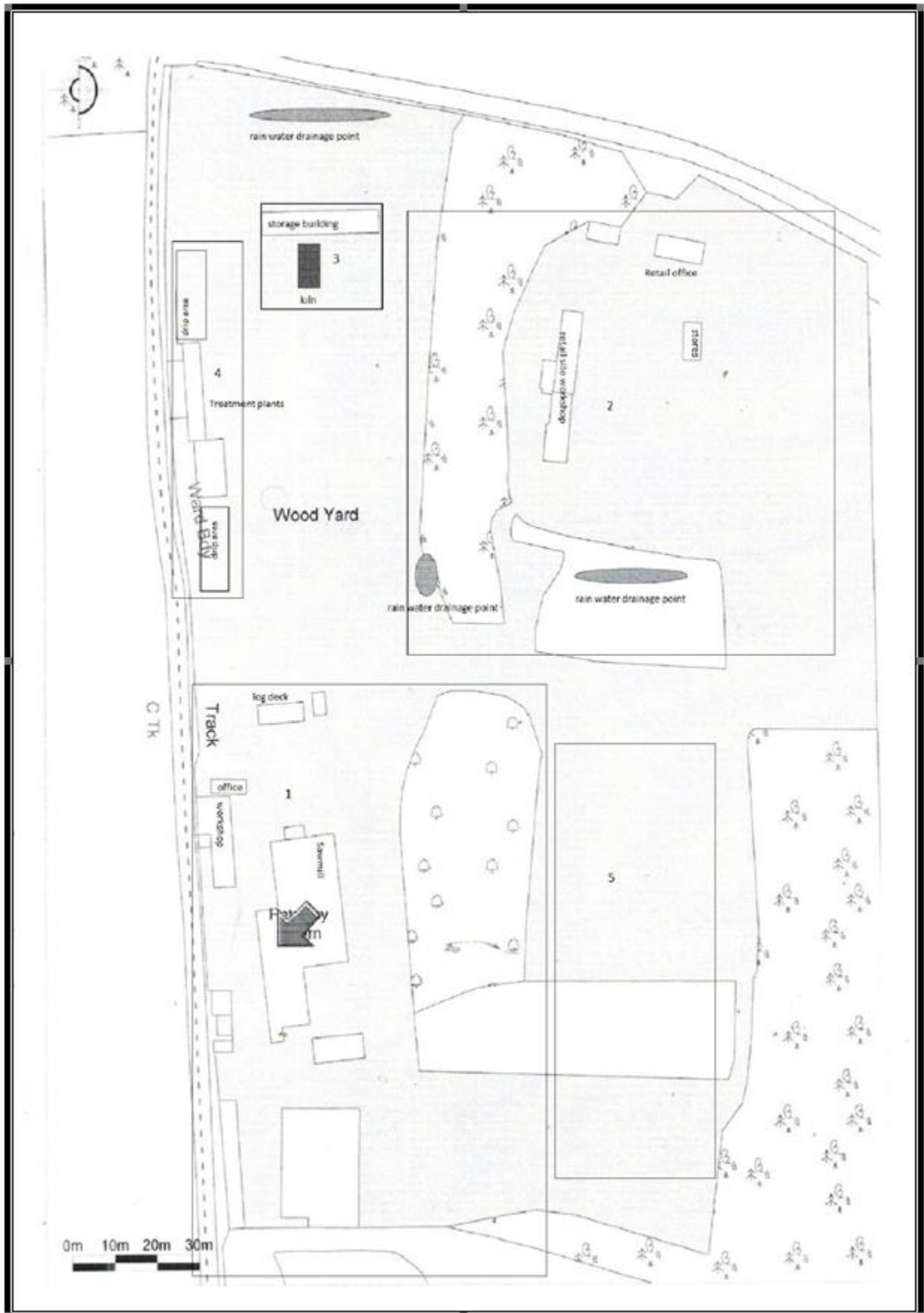
Location of Permitted Installation



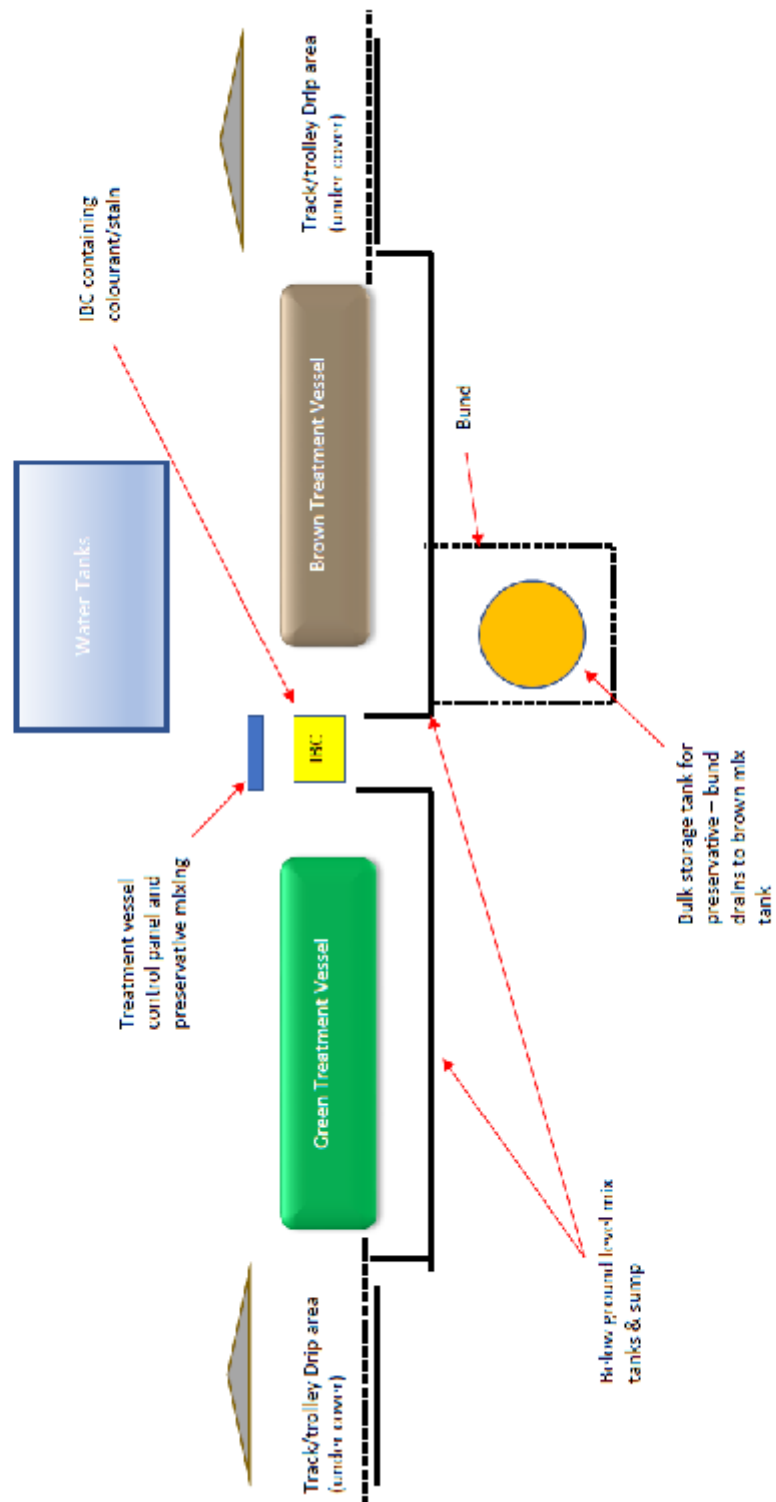
Nelson Potter The Sawmill Hatchley Barn Eyke Suffolk IP12 2PS



Site Layout



Stationary Technical Unit Diagram



Section Four

Explanatory Notes

And

Appeals Procedure

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 Environmental Permitting (England and Wales) Regulations 2016. These notes do not form part of the Permit or conditions attached to it.

Talking to us

The Local Authority (Regulator) can be contacted by telephone on 0333 0162000 or e-mail environment@eastsuffolk.gov.uk or by writing to;
Environmental Protection,
East Suffolk Council,
Melton Hill,
Woodbridge,
Suffolk,
IP12 1AU

If you are reporting a malfunction or failure of permitted activity outside normal working office hours, you should phone 0333 016 2000. This line directs you to a call centre at East Suffolk Council and is exclusively for reporting genuine emergencies. The operator should use the Environment Agency's emergency Hotline telephone number (0800 80 70 60) for notifications required by conditions 5.1 only.

Contact Officer

Louise Burns
Environmental Health Officer
Direct Line: 0333 0162000
E-mail: louise.burns@eastsuffolk.gov.uk

Best Available Technique (Controls)

"Best available techniques" means the most effective and advanced stage in the development of activities and their methods of operation which indicates the practical suitability of particular techniques for providing in principle the basis for emission limit values and other permit conditions designed to prevent and, where that is not practicable, generally to reduce emissions and the impact on the environment as a whole.

"available techniques" means those techniques which have been developed on a scale which allows implementation in the relevant industrial sector, under economically and technically viable conditions, taking into consideration the cost and advantages, whether or not the techniques are used or produced inside the United Kingdom, as long as they are reasonably accessible to the operator.

"best" means in relation to techniques, the most effective in achieving a high general level of protection of the environment as a whole.

"techniques" includes both the technology used and the way in which the installation is designed, built, maintained, operated and decommissioned.

In considering BAT, the Regulator will expect the Operator to have regard to all relevant sections of this permit and other technical guidance, including BAT Conclusions, BAT Reference Documents published by the European Commission and technical guidance published by the Environment Agency and other relevant regulatory authorities.

Suffolk Coastal District Council is statutorily obliged to include conditions in any permit they issue which are designed to ensure the activity is operated using the 'Best Available Techniques'. Environmental Permitting regulations principles are that 'Installations should be operated in such a way that:

- (a) All appropriate preventative measures are taken against pollution, in particular through the application of best available techniques (BAT);
- (b) No significant pollution is caused';
- (c) The best available techniques shall be used to prevent or where that is not practical, reduce the emissions from the installation in relation to that aspect of the operations of the installation which is not regulated by any other condition of this permit.

It should be noted that Section 6 (1) and (2) of Schedule 7A to the Environmental Permitting (England and Wales) (Amendment) Regulations 2013 specifies that the Regulator must ensure that it is informed of developments in best available techniques and the publication of any new or updated BAT conclusions. This requirement is as defined in Articles 3(10), 3(11), 3(12) and 3(14) of the Industrial Emissions Directive 2010/75/EU.

Subsistence Charge

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 Council to ensure this Permit remains in force. An invoice will be sent for the appropriate subsistence charge each year.

General Statutory Requirements

This permit does not detract in any way from other statutory requirements applicable to you or the installation such as any need to obtain planning permission or building regulation approval or responsibilities you have under other legislation for health, safety and welfare in the workplace. If there are any situations where different standards are required under these two types of legislation, the more stringent standard will apply.

Review of Conditions

The “Conditions” contained in this Permit will be reviewed by the local authority at intervals, in accordance with Regulation 34 (i) of “The Environmental Permitting (England and Wales) Regulations 2016 (as amended)”. The next such programme of review is scheduled to take place in 8 years’ time. 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.

Where a condition of the permit requires a systematic assessment or review, the assessment shall be undertaken in a methodical and arranged manner. Guidance may be obtained from the Environmental Protection Team at Suffolk Coastal District Council.

Management arrangements

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.

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.

Environmental Management System (EMS) is a BAT requirement as a key method for controlling emissions and thereby achieving compliance with permit conditions. The Environmental Management System must as a minimum meet the requirements detailed in BREF BAT conclusions for timber treatment activities as specified in Annex I to Directive 2010/75/EU or a system such as ISO 14001.

Inspections

Under Environmental Permitting Regulations 2016 SI 675 the legislation requires the regulator undertake appropriate periodic inspections of regulated facilities. Inspections should be undertaken in accordance with a risk assessment and following on from any complaints or applications.

Publications

- i. Environmental Permitting (England and Wales) Regulations 2016 SI No 675 as amended
- ii. The Pollution Prevention and Control Act 1999
- iii. Council Directive 2010/75/EU of the European Parliament and of the Council on the 24 November 2010 on industrial emissions (integrated pollution prevention and control)
- iv. Council Directive 67/548/EEC of 27th June 1967 on the approximation of laws, regulations and administrative provisions relating to the classification, packaging and labelling of Dangerous Substances also known as the Dangerous Substances Directive.
- v. Draft Sector Guidance Note IPPC SG11 “Guidance for Wood Products Preservation with Chemicals”

Public Registers

Considerable information relating to Permits is available on public registers in accordance with the requirements of the Environmental Permitting (England and Wales) Regulations 2016 (as amended). 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 East Suffolk Council. The Council will place the information onto the public registers in accordance with the requirements of "Environmental Permitting (England and Wales) Regulations 2016" (as amended). If the Operator considers that any information provided is commercially confidential, it may apply to the East Suffolk Council to have such information withheld from the register as provided in "Environmental Permitting (England and Wales) Regulations 2016" (as amended). To enable East Suffolk 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 also 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 that will not include the information on the public register until the Secretary of State/Welsh Ministers has decided the matter.

Variations & Substantial Changes 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 the Environmental Protection Team at East Suffolk Council. If such changes are substantial so as to require significant alterations to the permit, then these must be notified 14 days in advance of any changes being made and a fee is also applicable. The 'Status Log' within the introduction note will include summary details of each permit variation issued.

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 (England and Wales) Regulations 2016(as amended). A transfer will be allowed unless East Suffolk Council 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.

Surrender of the permit

Where an Operator intends to cease the operation of an installation (in whole or in part) East Suffolk Council should be informed in writing, such notification must include the information specified in Regulation 24 or 25 of the Environmental Permitting (England and Wales) Regulations 2016(as amended).

Enforcement and Offences

If East Suffolk 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 2016(as amended). If East Suffolk Council is of the opinion that the continued operation of the installation poses an immediate danger to human health, or threatens to create an immediate significant adverse effect upon the environment or involves a risk of serious pollution it will serve a Suspension Notice under Regulation 37 of the Environmental Permitting (England and Wales) Regulations 2010(as amended).

Offences detailed in Regulation 38 of the Environmental Permitting (England and Wales) Regulations 2016(as amended), include operating an installation covered by the regulations without a permit, 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.

Directors, managers and other individuals within the company may be held personally liable for offences under the Regulations. All personnel who are responsible for fulfilling any conditions of the permit shall be made aware of these facts.

Procedures for recording information and return requirements

Where a condition requires any system, procedure, monitoring or information to be recorded or returned to East Suffolk Council, the operator shall demonstrate compliance by making use of any relevant written or electronic data storage systems which can indicate proof of compliance with the relevant condition.

Appeals against permit conditions

Anyone who is aggrieved by conditions attached to this 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 2016(as amended). 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 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
- a copy of any decision or notice, which is the subject matter of the appeal and
- 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 East Suffolk 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.