

ENVIRONMENTAL PERMIT

Chelmsford City Council Permit:

ASDA House
Southbank
Great Wilson
Leeds, LS11 5AD
(Registration Number: 464777)

To Operate a Part B Installation At:

ASDA Stores Ltd
1-10 Queen Elizabeth Square
South Woodham Ferrers
Essex, CM3 5SY

Under the Provisions of:

Pollution Prevention and Control Act 1999
Environmental Permitting (England and Wales)
(Amendment) Regulations 2018

Permit Reference Number: EPR/VR/011

Permit Issue Date: 12th February 2018



Paul Brookes
Public Health & Protection Services Manager
(The Authorised Officer for this purpose)

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STATUS LOG

| Detail | Reference | Date |
|----------------------|--------------------------|--------------------------------|
| Application Received | | January 1999 |
| Permit Issued | Standard PPC Permit | 1 st August 2005 |
| Variation | Stage II & EPR Variation | 8 th January 2010 |
| Variation | Updated Guidance Note | 2 nd August 2016 |
| Variation | EP Regulations (2018) | 12 th February 2018 |

DESCRIPTION OF THE INSTALLATION

The following activities are undertaken by the operator:

- Unloading petrol from mobile containers into stationary storage tanks – *Schedule 1, Part 2, Section 1.2 Part B(c) 'Gasification, Liquefaction and Refining activities' of the Environmental Permitting (England and Wales) (Amendment) Regulations 2018.*
- Motor vehicle refuelling activities at a new service station, if the petrol refuelling throughput at the service station in any 12 month period is likely to be 500m³ or more - *Schedule 1, Part 2, Section 1.2 Part B(e) 'Gasification, Liquefaction and Refining activities' of the Environmental Permitting (England and Wales) (Amendment) Regulations 2018.*

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.

Motor Vehicle Refuelling

3. 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 4.
4. 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.
5. 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.
6. 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.

7. 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.
8. Where automatic monitoring systems have not been installed a weekly functionality check shall be undertaken to verify the operation of the vapour recovery system.
9. 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

10. In the event of any incident at the site which could have an impact beyond the site boundary, the operator shall notify Council by telephone without delay on 01245 606606.

Management

11. A copy of this permit shall be kept at the permitted installation. All staff who should be aware of its content shall be told where it is kept.
12. All relevant staff shall receive the necessary training and instruction to enable them to comply with the conditions of this permit.
13. The operator shall notify the Council of any changes to the persons nominated in the application as the primary point of contact, and deputy.
14. Maintenance and testing of vapour recovery systems shall be recorded.
15. 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.

Best Available Techniques (BAT)

16. 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.

Process Changes

17. If the operator proposes to make a change in operation of the installation, he must, at least 14 days before making the change, notify the regulator in writing. The notification must contain a description of the proposed change in operation. It is not necessary to make such a notification if an application to vary this permit has been made and the application contains a description of the proposed change. In this condition 'change in operation' means a change in the nature or functioning, or an extension, of the installation, which may have consequences for the environment.

Appendix 1 – Location of the Installation



Based upon the Ordnance Survey mapping with the permission of the Controller of Her Majesty's Stationery Office (c) Crown copyright.
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Explanatory Note to Environmental Permit (This note does not form a part of the Permit)

The enclosed Permit is issued under Regulation 13 of the Environmental Permitting (England and Wales) (Amendment) Regulations 2018 (EP Regulations), to operate an installation carrying out activities covered by the description in Schedule 1 Part B of the EP Regulations.

Best Available Techniques (BAT)

Aspects of the operation of the installation which are not regulated by specific conditions of the Permit are subject to the general condition included in the Permit requiring the operator to use BAT to prevent or reduce emissions that are not covered by specific permit conditions.

The determination of what constitutes BAT is made on a case-by-case basis however where Process Guidance Notes are available these will be used as the baseline for what is BAT. Formal definitions of BAT can be found in the IPPC Directive.

Process Changes

The Permit contains a condition requiring you to notify the Council of any proposed change in operation 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 to the permitted activity. Failure to do so is an offence. It is also good practice to notify the Council of any administrative changes, such as the name or address of the operator.

Variations to the Permit

If you consider that a proposed change could result in the breach of the existing permit conditions or is likely to require the variation of permit conditions then you may apply in writing under Regulation 20 of the EP Regulations. Additionally, if this involves a SUBSTANTIAL CHANGE (A change in operation which, in the opinion of the Council may have significant negative effects on human health or the environment) to the installation you will be required to submit an application, pay the relevant fee and the application will be subject to publicity and consultation.

The Council may decide that the existing permit conditions require amendment without receiving any notification or an application for variation from the operator. This is most likely to occur when the Council has conducted a periodic review in accordance with EP regulation 34 or in the light of revised guidance from Defra. The Council will serve a Variation Notice under EP Regulation 20 on the Operator and may issue a consolidated Permit under EP Regulation 18.

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 EP Regulation 21. A transfer will be allowed unless Chelmsford City Council considers that the proposed holder will not be the person who will have control over the operation of the installation or will not operate the installation in accordance with the Permit.

Annual Subsistence Fee

Operators must pay an annual subsistence fee for the Permit in accordance with EP Regulation 65. This fee is payable annually on 1st April and the level of the subsistence fee payable is contained within the relevant charging scheme issued annually by the Secretary of State. The charging scheme is risk based for all standard activities (i.e. not dry cleaning, petrol stations, small waste oil burners and vehicle refinishers). The risk-based method uses a point scoring method and applies a low, medium or high risk rating to activities operating at an installation. The resulting subsistence fees are proportionate to the risk rating. You will receive an invoice each year with respect to this payment and you are advised that if prompt payment of the fee is not forthcoming, Chelmsford City Council may revoke your Permit under EP Regulation 22.

Public Register

The Council is required by Regulation 46 of the EP Regulations to maintain a Public Register containing information on all LA-IPPC and LAPPC installations and mobile plant.

Confidentiality

An operator may request certain information in relation to the Permitted installation to remain confidential and not to be placed on the Public Register for reasons of National Security or commercial or industrial confidentiality. The operator must provide clear justification for each item he or she wishes to be kept from the register. Chelmsford City Council must consider and determine all requests of confidentiality of information in accordance with EP Regulation 51.

Talking to Us

Any communication with Chelmsford City Council with respect to this Permit should quote the Permit Reference Number, and should be made to:

Chelmsford City Council
Public Health & Protection Services
Civic Centre,
Duke Street,
Chelmsford,
Essex, CM1 1JE
Tel: 01245 606606
Email: envpermits@chelmsford.gov.uk

Appeals

Under Regulation 31 of the EP Regulations operators have the right of appeal against the conditions contained within their permit. An appeal does not have the effect of suspending the Permit conditions. Notice of appeal against the conditions attached to the permit must be given within six months of the issue date of the Permit, which is the subject matter of the appeal.

How to Appeal

There are no charges for making an appeal, application forms can be obtained from <http://www.planning-inspectorate.gov.uk/pins/environment/environmeny/index.htm>.

For an appeal to be valid, appellants (the person/operator making the appeal) are legally required to provide:

- Written notice of the appeal;
- 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 a hearing - a hearing must be held if either the appellant or enforcing authority requests this, or if the Planning Inspector or the Secretary of State decides to hold one.

(appellants must copy the above three items to the local authority when the appeal is made)

- A copy of any relevant application;
- A copy of any 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.

Where to Send Your Appeal Documents

Appeals should be addressed to:

The Planning Inspectorate
Environment Team, Major and Specialist Casework
Room 4/04 – Kite Wing
Temple Quay House
2 The Square
Temple Quay
Bristol BS1 6PN
0117 372 8726

In the course of an appeal process, the main parties will be informed of procedural steps by the Planning Inspectorate. To withdraw an appeal the appellant must notify the Planning Inspectorate in writing and copy the notification to the local authority.