

Pollution Prevention and Control Act 1999

**Environmental Permitting
(England and Wales) Regulations 2016**



INSTALLATION PERMIT

REF – PPC 116

**Permit to Operate a Blending, Packing,
Loading, Unloading and
Use of Bulk Cement Process**

**Persimmon Brickworks
Brickyard House
Brickyard Way
Harworth
DN11 8FG**

**Pollution Prevention and Control Act 1999
Environmental Permitting (England & Wales) Regulations 2016**

Permit Reference No. PPC 116

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Section One

Introductory Note & Description of Permitted Installation

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

Permit Reference No. PPC 116

Introductory Note

Permit Holder:	Persimmon Homes Ltd
Installation Address:	Persimmon Brickworks Brickyard House Brickyard Way Harworth
Registered Address of Company:	Persimmon Homes Ltd Persimmons House York YO19 4FE

Provenance	Date
Application Duly Made	
Permit Issued	

Persimmons Homes Ltd is hereby permitted by the Bassetlaw District Council to carry on a Blending, Packing, Loading, Unloading and Use of Bulk Cement, as prescribed in Section 3.1, Schedule 1, Environmental Permitting (England and Wales) Regulations 2016 at the above Installation and within the installation boundary marked red on the attached plan reference PPC/10/PLAN and in accordance with the conditions detailed in Section 2 of this Permit.

Signed..... Date XXXX

Craig Taylor- Director of Regeneration and Neighbourhoods

Process Description

The using of cement in bulk, including the batching of concrete in the manufacture of concrete products, as prescribed in the Environmental Permitting Regulations 2016

The principal potential areas for release into the air are:-

- Emissions of dust from silos.

- Emissions of dust from aggregates.

- Emissions of dust from accumulations on site structures and roadways.

Section Two

Permit Conditions

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

Permit Reference No. PPC/116

The conditions contained within this Permit are based upon Guidance Note PG 3/01 (12), Secretary of State's Guidance "Blending, Packing, Loading, Unloading and Use of Bulk Cement"

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.

Conditions

Emissions and monitoring

1. No visible particulate matter shall be emitted beyond the installation boundary.
2. The emission requirements and methods and frequency of monitoring set out in Table 1 shall be complied with. Sampling shall be representative.

Any monitoring display required for compliance with the permit shall be visible to operating staff at all times. Corrective action shall be taken immediately if any periodic monitoring result exceeds a limit in Table 1, or if there is a malfunction or breakdown of any equipment which might increase emissions. Monitoring shall be undertaken or repeated as soon as possible thereafter and a brief record shall be kept of the main actions taken.

3. All plant and equipment capable of causing, or preventing, emissions and all monitoring devices shall be calibrated and maintained in accordance with the manufacturer's instructions. *Records shall be kept of such maintenance.*

Silos

4. Bulk cement shall only be stored within the bulk cement silos.
5. Dust emissions from loading or unloading road tankers shall be minimised by backventing to a delivery tanker fitted with an on-board, truck mounted relief valve and filtration system and by connecting transfer lines first to the delivery inlet point and then to the tanker discharge point, and by ensuring delivery is at a rate which does not pressurise the silo.
6. Silos and bulk containers of dusty materials shall not be overfilled and there shall be an overfilling alarm.
7. When loading deliveries must automatically stop where overfilling or over-pressurisation is identified.

8. Displaced air from pneumatic transfer shall pass through abatement plant prior to emission to air.

Aggregates delivery and storage

9. Dusty materials (including dusty wastes) shall only be stored as detailed on the plan attached to this permit and shall be subject to suppression and management techniques to minimise dust emissions.

Belt conveying

10. All dusty materials, including wastes, shall be conveyed using enclosed conveyer belts. All transfer points shall be fitted with suitable dust control measures. Wastes (wet concrete) are conveyed out of the factory but then moved by the loading shovel to a waste pile along with waste tiles /bricks are put in skips and taken to the waste pile

Loading, unloading and transport

11. No potentially dusty materials (including wastes) or finished products shall arrive on or leave the site other than by use of road tankers/covered vehicles or sealed packaging and containers.

Roadways and transportation

12. All areas where there is regular movement of vehicles shall have a consolidated surface capable of being cleaned, and these surfaces shall be kept clean and in good repair.

13. Vehicles shall not track material from the site onto the highway.

Techniques to control fugitive emissions

14. The fabric of process buildings shall maintained dust tight so as to minimise visible dust emissions.

Records and training

15. Written or computer records of all tests and monitoring shall be kept by the operator for at least 24 months. They [and a copy of all manufacturers" instructions referred to in this permit] shall be made available for examination by the Council. *Records shall be kept of operator inspections, including those for visible emissions.*

16. Staff at all levels shall receive the necessary training and instruction to enable them to comply with the conditions of this permit. Records shall be kept of relevant training undertaken.

Best available techniques

17. 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.

18. 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.

Table 1 - Emission limits, monitoring and related provisions

Row	Substance	Source	Emission limits/provisions	Type of monitoring	Monitoring frequency
1	Particulate matter	Whole Process	No visible airborne emission to cross the site boundary where harm or nuisance may be caused	Operator observations	At least daily
		Silo inlets and outlets (<i>for silos new since 1st July 2004</i>)	Designed to emit less than 10mg/m ³	Operator observations	At time of delivery
		Silo inlets and outlets	No visible emission		
		All emissions to air (except steam and condensed water vapour)	No droplets, no persistent mist, no persistent fume.	Visual observations	*On start-up and on at least two more occasions during the working day*
2	Droplets, persistent mist and fume	All emissions to air (except steam and condensed water vapour)	No droplets, no persistent mist, no persistent fume.	Visual observations	*On start-up and on at least two more occasions during the working day*

Only emissions to atmosphere are required to comply with the emission limits within this table.

Notes:

a) The reference conditions for limits in Table 1 are: 273.1K, 101.3kPa, without correction for water vapour content, unless stated otherwise.

- b) All periodic monitoring shall be representative, and shall use standard methods.
- c) The emission limits do not apply during start-up and shut down. All emissions shall be kept to a minimum during these periods.

Section Three

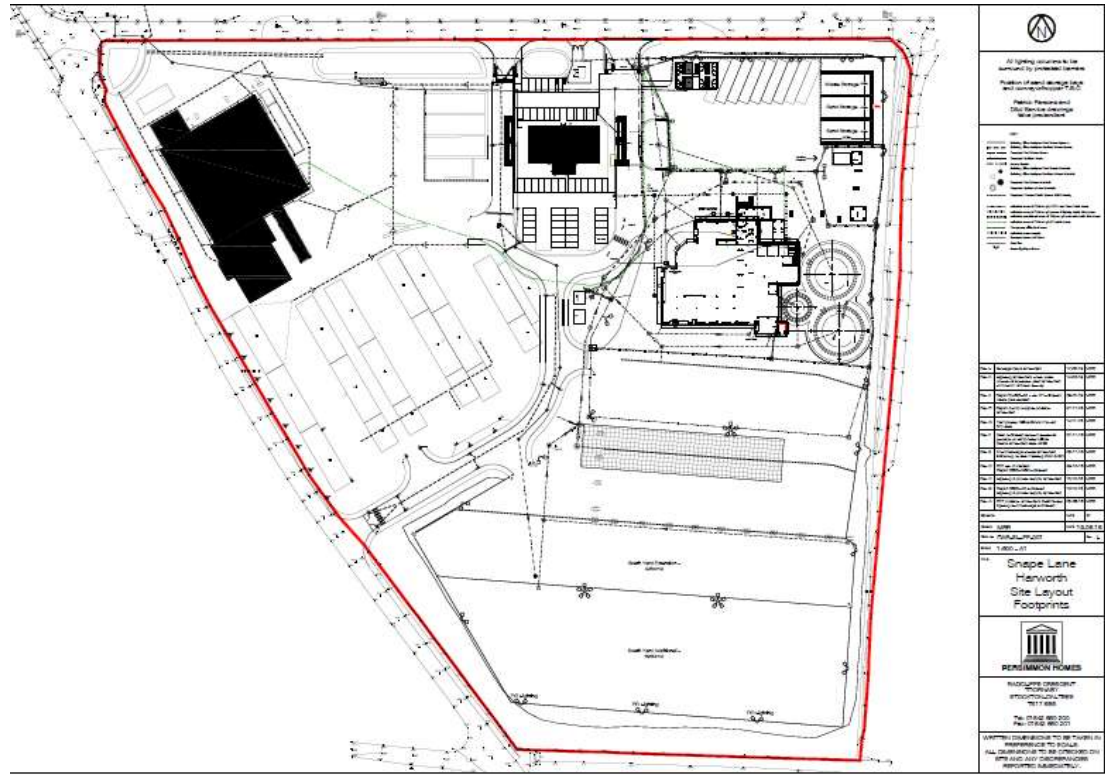
Location of Permitted Installation and Site Plan

Location of Permitted Installation

3.1 Location



3.2 PPC/116/PLAN



Section Four

Explanatory Notes And Appeals Procedure

Bassetlaw District Council
The Pollution Prevention Control Act 1999
The Environmental Permitting (England & Wales) Regulations 2016

1. RESIDUAL BAT CONDITION (BEST AVAILABLE TECHNIQUES)

You should note that a fundamental principle of the LAPPC regime is the application controlling pollution by using “Best Available Techniques”. The BAT approach requires that the cost of applying techniques is not excessive in relation to the environmental protection they provide.

Article 2(11) of the IPPC Directive defines – Best Available Techniques as:-

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

- **‘techniques’** shall include both the technology used and the way in which the installation is designed, built, maintained, operated and decommissioned,

- **‘available’** techniques shall mean those developed on a scale which allows implementation in the relevant industrial sector, under economically and technically viable conditions, taking into consideration the costs and advantages, whether or not the techniques are used or produced inside the Member State in question, as long as they are reasonably accessible to the operator,

‘best’ shall mean most effective in achieving a high general level of protection of the environment as a whole.

2. STATUTORY REQUIREMENTS

This Permit is issued under the Environmental Permitting (England and Wales) Regulations 2016 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 46 to maintain a Public Register containing information on all LAPPC installations and mobile plant. The register is available on the Council’s website.

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 a permit condition or regulation 61 notice;
- 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;

4. 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

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 20 working 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).

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-IPPC and LAPPC manual.

5. National Security

Information may be excluded from the public register on the grounds of National Security Regulation 47(1). 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.

6. PROCESS CHANGES

You are required 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.

If the change could result in the breach of the existing permit conditions or is likely to require the variation of permit conditions then you must apply in writing under regulation 20(1), or involves a SUBSTANTIAL CHANGE to the installation you will be required to submit an application, pay the relevant fee and advertise the application accordingly. You should notify the Council 28 days before undertaking such changes in the installation operation. You may serve a Notice on the Council requesting that they determine whether any change, which is proposed, would constitute a substantial change before you proceed with application.

7. APPEALS

Under regulation 31(1)c of the 2016 Regulations operators have the right of appeal to the Secretary of State against the conditions attached to their permit. The rights to appeal do not apply where the decision or notice implements a direction given by the Secretary of State or Welsh Ministers. There is also no right of appeal if a revocation notice has been served for non-payment of subsistence fees.

Appeals against a variation notices, enforcement notices and suspension notices do not have the effect of suspending the operation of the notice. Appeals do not have the effect of suspending permit conditions, or any of the mentioned notices. However, appeals against revocation notices suspend the operation of the notices coming into effect until the appeal is decided or withdrawn.

Notice of appeal against the conditions attached to the permit must be given within six months of the date of the notice, which is the subject matter or the appeal. The Secretary of State may in a particular case allow notice of appeal to be given after the expiry of this period, but would only do so in the most compelling circumstances.

How to appeal

There are no forms or charges for appealing. However, for an appeal to be valid, appellants (the person/operator making the appeal) are legally required to provide (see Schedule 6 of the 2016 Regulations, paragraph (2)2):

- 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.

Appellants should state whether any of the information enclosed with the appeal has been the subject of a successful application for commercial confidentiality and provide relevant details. Unless such information is provided all documents submitted will be open to inspection. Further guidance on commercial confidentiality can be found in chapter 8 of the LA-IPPC and LAPPC manual.

Where to send your appeal documents:

Appeals should be despatched on the day they are dated, and addressed to:

**The Planning Inspectorate
Environmental Appeals Administration
Room 4/04 - Kite Wing
Temple Quay House
2 The Square
Temple Quay
Bristol BS1 6PN**

On receipt of an appeal and during the appeal process the main parties will be 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.

Review of Permit

Regulation 34 of the Regulations imposes an obligation on the regulator to periodically review environmental permits. The guidance note for this sector suggests that a period no less than once every six years, unless otherwise directed by the Secretary of State.

Variation of Conditions of Permit

By Regulator

Regulation 20 (1) and Part 1 of Schedule 5 of the Regulations state that the regulator may vary the permit if it appears to the regulator that the permit requires conditions to be included which are different from the subsisting conditions. This is carried out by serving a variation notice. The notice shall specify the nature of the variation, the date or dates on which the variations are to take effect.

By permit holder

Regulation 20(1) and Part 1 of Schedule 5 of the Regulations states that a person carrying on a permitted activity may apply to the regulator for the variation of conditions in the permit. The regulator shall notify the operator that the application is duly made and vary the conditions by means of a variation notice.

A variation notice issued under regulation 20 may attract a fee as set out in the current charging scheme.

Transfer of Permit

Regulation 21(1) of the Regulations states that the regulator may transfer an environmental permit in whole or in part from the operator to another person on the joint application of the operator and that other person. Part 1 of Schedule 5 of the regulations applies in relation to the transfer of a permit in whole or in part. If an enforcement notice is in force in respect of an environmental permit and that environmental permit is transferred to another person either in whole or in part the duty to comply with the enforcement notice is transferred to the other person to the extent that it relates to the permit or part transferred.

Surrender of Permit

Regulation 24 of the Regulations applies to the operations of a Part B installation or mobile plant or an activity falling within Part A (2) of section 5.1 of Part 2 of Schedule 1 of the regulations. An operator may surrender an environmental permit to which this regulation applies, in whole or in part, by notifying the regulator of the surrender.

A notification must:-

- be made on the form provided by the regulator
- include such information as specified on the form; and
- specify the date on which the surrender is to take place, which must not be less than 20 working days from the date on which the notification is given

In the case of a partial surrender where the regulator considers it necessary to vary permit conditions taking into account that surrender the regulator shall serve notice on the operator stating:-

- the regulators views under regulation 24 (5)
- the variation; and
- the date the variation takes effect.
- if the date of variation is later than that of the partial surrender then the partial surrender and variation take effect on the later date.

Where regulation 24 does not apply then regulation 25 comes into force together with Part 1 of Schedule 5 of the Regulations in relation to an application to surrender an environmental permit in whole or in part.

Revocation of Permit

Regulation 22 of the Regulations states that the regulator may revoke a permit, in whole or in part. If the regulator revokes a permit in part they may vary the permit conditions to the extent that they consider necessary to take account of the revocation.

Where the regulator decides to revoke an environmental permit they must serve notice on the operator specifying -

- (a) the reasons for the revocation
- (b) in the case of a partial revocation –
 1. the extent to which the environmental permit is being revoked;
 2. any variation to the conditions of the environmental permit; and
- (c) the date on which the revocation will take place, which must not be less than 20 working days from the date on which the notice is served.

Unless the regulator withdraws the revocation notice, an environmental permit ceases to have effect on the date specified in the notice; in the case of a revocation in whole, entirely, in case of partial revocation, to the extent of the part revoked.

If a consolidated permit is issued in the case of partial revocations a notice of variation shall be served at the same time specifying any variation to the permit conditions. Only the variations specified are subject to the right of appeal in regulation 31(1) (b).

8. FEES

In accordance with regulation 66(1)c of the EPR Regs, the holder of a permit is required to pay a fee for the subsistence of the Permit. This fee is payable annually on 1st April. You are advised that under the provisions of regulation 66(5) of the PPC Regs, if you fail to pay the fee due promptly, the Council may revoke the Permit.

9. **SECRETARY OF STATES GUIDANCE**

This permit is covered by the relevant Secretary of State's Guidance:

PG Secretary of State's Guidance https://www.gov.uk/government/collections/local-air-pollution-prevention-and-control-lappc-process-guidance-notes
Pollution Prevention and Control Act 1999 http://www.legislation.gov.uk/ukpga/1999/24/contents
The Environmental Permitting (England and Wales) Regulations 2016 http://www.legislation.gov.uk/uksi/2016/1154/contents/made
General Guidance Manual on Policy and Procedures for A2 and B Installations https://www.gov.uk/government/publications/environmental-permitting-general-guidance-manual-on-policy-and-procedures-for-a2-and-b-installations

9. **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

Environmental Health Manager
Bassetlaw District Council
Queens Buildings
Potter Street
Worksop
Nottinghamshire
S80 2AH

By Telephone

Tel: (01909) 533533

email: environmental.health@bassetlaw.gov.uk