



PPC Permit ref: **023**
Variation ref: **001**

Coventry City Council
The Pollution Prevention and Control (England and Wales) Regulations 2000 Regulation 17

Variation Notice

To **The Company Secretary**
Tarmac Central Ltd
Tunstead House
Buxton
Derbyshire
SK17 8TG

Coventry City Council ("the Council"), in the exercise of the powers conferred upon it by regulation 17 of the Pollution Prevention and Control (England and Wales) Regulations 2000¹ ("the 2000 Regulations") hereby gives you a notice as follows-

The Council has decided to vary the conditions of permit reference **023** granted under regulation 9(1) of the 2000 Regulations in respect of the operation of the installation at:

Tarmac Topmix
Barlow Road
Aldermans Green Industrial Estate
Coventry
CV2 2LD

The variation of the conditions of the permit and date [s] on which they are to take effect are specified in [Schedule 1] to this notice. [A consolidated permit as varied by this notice is set out in [Schedule 2].

Signed on behalf of Coventry City Council

..... Date.....
[Position]
An authorised officer of the Council

¹ S.I 2000 No. 1973 to which there are amendments not relevant to this suspension notice.

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Schedule 1

Variation to the conditions Of the permit	Date(s) on which the variation Is to take place
In document A of the permit on page 1 replace "Tarmac Topmix Ltd" with "Tarmac Topmix" as the correct process name	Immediately
In document B of the permit, in condition 2.4 replace the word "omission" with the word "emission"	Immediately

Signed on behalf of Coventry City Council

..... Date.....

[position]

An authorised officer of the Council

PPC Permit ref: **023**
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Schedule 2

Permit reference **023** as varied by this notice

**POLLUTION PREVENTION & CONTROL ACT 1999
POLLUTION PREVENTION & CONTROL (ENGLAND AND WALES)
REGULATIONS 2000**

DOCUMENT A : PERMIT

Tarmac Central Ltd

Reference Number **PPC/023**

Coventry City Council ("the Council") in accordance with Section 10(2) of the Pollution Prevention & Control (England and Wales) Regulations 2000 ("The Regulations"), hereby permits:

Tarmac Central Ltd

Whose registered office is:

**Tunstead House
Buxton
Derbyshire
SK17 8TG**

to operate a Part B installation involving the activity of blending cement in bulk as prescribed in Section 3.1 Part B (b) of Schedule 1 to The Regulations, at:

**Tarmac Topmix
Barlow Road
Aldermans Green Industrial Estate
Coventry
CV2 2LD**

The permit is subject to the conditions specified in this document consisting of 9 pages and comprising documents A, B and C, plans PPC/023/A, PPC/023/B and Appendix 1.

Signed.....

Alan Bennett, Head of Environmental Health
A person authorised to sign on behalf of the Council

Dated

SCOPE

The installation comprises not just any relevant unit carrying out a Part B activity listed in Schedule 1 to the Regulations, but also directly associated activities which have a technical connection with that activity and which could have an effect on pollution.

All pollutant concentrations shall be expressed at reference conditions of 273K and 101.3kPa, without correction for water vapour content.

Technical Guidance documents used in the preparation of this document:

- Secretary of States Guidance Note PG6/31(95)– Blending, loading, packing and use of bulk cement. ISBN 0-11-753148-0
- Secretary of State's Guidance – General Guidance Manual on Policy and Procedures for A2 and B installations. ISBN 0-85521-028-1

Date Annual Fee Required: 1st April of each financial year

Date For Full Compliance: Date of Permit Issue

Permit Prepared By: Rachel King

LEGISLATION

1. Pollution Prevention and Control Act 1999.
2. Pollution Prevention and Control Regulations 2000 as amended, schedule 1 as amended

BRIEF DESCRIPTION OF THE INSTALLATION REGULATED BY THIS PERMIT

Definitions referred to in this permit

- An **Activity** is an industrial activity forming part of an installation. Different types of activity are listed within Schedule 1 of the PPC Regulations and are broadly broken down into industrial sectors. Other “associated” activities may also form part of an installation.
- An **Installation** comprises not just any relevant unit carrying out a B activity listed within Schedule 1 to the PPC Regulations, but also directly associated activities which have a technical connection with a schedule 1 activity and which could have an effect on pollution.
- An **Operator** is the person (eg a company or individual) who has control over the operation of an installation.
- **Authorised Officer** shall mean an officer authorised to carry out duties under the Pollution Prevention and Control Act 1999 and subordinate regulations
- **Logbook** shall mean any electronic or paper means of storage of the required information as agreed by the regulator
- **Local Authority** shall mean Coventry City Council

The general location of the Authorised Process is shown on the attached plan PPC/023/A. The Installation boundary is marked with a hatched red line on the attached plan PPC/023/B in addition to plant referred to in the permit.

Description of Installation

Cement and cementitious materials are delivered by bulk pressure tankers and pressure discharged into storage in 1, 50 tonne hopper and 1, 30 tonne hopper.

Aggregate is delivered by tipper truck, and stored in 3, ground bays and to 4, 12 Tonne capacity, holding bins by rubber tyred loading shovel.

Aggregate is moved from storage in the bays to discharge points via a conveyor. Cement is then moved from storage to discharge points via sealed screw conveyors and covered air slides, via a weigh hopper.

Cement aggregate, water and admixture is then discharged into the mobile mixing plant employing water sprinklers. The final product is discharged into tankers for removal from site.

Table 1

List of Process Areas within the Installation and Associated Emission Points, Pollutants of Concern and Abatement Plant Required

Row	Area/Machinery Identification	Pollutants Emitted	Emission Limits	Abatement Plant Required
1	2 bulk cement silos	Particulates	Conditions 1.1, 2.1. 2.2	Air Master and Wam reverse jet filter units

DOCUMENT B

CONDITIONS

All conditions shall have immediate effect unless stated otherwise.

1. EMISSION LIMITS AND CONTROLS

- 1.1 There shall be no persistent emissions of particulate matter noticeable beyond the installation boundary.

2. MONITORING SAMPLING AND MEASUREMENT OF EMISSIONS

- 2.1 A visual assessment of emissions from the Air Master and Wam reverse jet filter units serving the silos marked A on plan PPC/023/B, shall be carried out at least once while bulk deliveries of cement are taking place. This assessment shall be carried out by the site personnel from the position marked X on plan PPC/023/B.
- 2.2 A visual assessment of dust emissions within the installation boundary shall be undertaken once per day.
- 2.3 The results of all monitoring to comply with 2.1 and 2.2 shall be recorded in a log book which shall include details of: date; time; the name of the observer and an assessment of the emissions. This log book shall be made available for inspection by this authority for a minimum of four years.
- 2.4 Any adverse results from monitoring of 2.1 and 2.2. shall be followed up immediately by the investigation of the cause of the emission and any corrective actions taken, with this also being noted in the log book.
- 2.5 A notice displaying the procedures for charging cement shall be displayed in a prominent position near to the point of delivery of bulk cement.

3. MATERIALS HANDLING

- 3.1 Stocks of cement and cementitious materials shall only be stored in the sealed cement silos marked A on plan PPC/023/B. These silos must only be vented to atmosphere through the Wam reverse jet filter unit or the Air Master reverse jet filter unit while charging of cement takes place.
- 3.2 Filter bags in the Air Master reverse jet filter unit and the Wam reverse jet filter unit shall be inspected by a competent person at least once a month. If defects or significant blinding are detected, corrective action shall be taken promptly and before another delivery occurs. The operator shall record these inspections in the log book, together with any cases where deliveries are made prior to corrective action being taken.
- 3.3 The cement silos shall be equipped with audible high-level alarms to warn of overfilling. The correct operation of these alarms shall be checked by site personnel once a week and these checks recorded in the log book.
- 3.4 The seating of all pressure relief valves on the cement silos shall be checked visually and resealed if necessary at least once a week or before a delivery takes place whichever is the longer interval and after any high pressure release incident.

- 3.5 The site personnel shall ensure that all persons responsible for charging the cement silos comply with all site operating procedures. Vehicle operators must not be allowed to clean their tanks out on this site.
- 3.6 The site personnel shall ensure that the cement silos are not charged if there are any leaks in the feed lines or connection points.
- 3.7 The water sprinklers must always be in operation while cementitious products are being discharged into mobile mixing plant.
- 3.8 The conveyors shall be covered whilst in use.

4. **GENERAL OPERATIONS**

- 4.1 Any mechanical malfunction or spillage of material shall be attended to and remedied as soon as possible. Any spillage or mechanical malfunction shall be in the log book, with details of any remedial measures taken.
- 4.2 Any incident likely to give rise to emissions that may have an impact on neighbouring residents shall be reported immediately to this authority.
- 4.3 A copy of this permit shall be located on site such that all operatives involved in the process have unrestricted access to it.
- 4.4 The operator shall supply to this Authority, on demand and without charge, a copy of all or part of the records required to be kept by this permit.
- 4.5 The operator shall undertake regular cleaning and preventative maintenance including inspection and repair/replacement on all plant and equipment concerned with the emission, capture, transport and control of emissions to atmosphere. Where necessary manufacturers guidelines shall be used to determine the regularity of maintenance. Records of preventative maintenance including inspections and any works undertaken shall be kept on site and made available to the local authority inspector on request.
- 4.6 Spares and consumables for plant and equipment used in the installation in particular that subject to continual use or wear shall be held on site or shall be available at short notice. Such plant or equipment shall not be used unless that plant or equipment is capable of working in accordance with the conditions of this permit.
- 4.7 Staff at all levels shall receive the necessary training and instruction in their duties relating to control of the activities and emissions to air. Records shall be kept which details all relevant training provided to staff, and these records shall be kept for a minimum of 2 years.
- 4.8 If there is any intention to change any aspect of the prescribed installation from the description contained in the beginning of this permit, or any other aspect which may affect the substances or concentration or amount of substances being emitted to atmosphere, the operator shall notify the regulator of the proposed changes at least 4 weeks in advance before the changes take place.

DOCUMENT C

RESIDUAL DUTY

In relation to any aspect of the process not regulated by specific conditions in the permit, then Best Available Techniques shall be used:

For the purposes of the Pollution Prevention and Control (England and Wales) Regulations 2000, “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 designed to prevent and, where practicable, generally to reduce emissions and the impact on the environment as a whole; and for the purpose of this definition –

- a) “available techniques” means those techniques which have been developed on a scale which allows implementation in the relevant industrial sector, in the 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;
- b) “best” means, in relation to techniques, the most effective in achieving a high general level of protection of the environment as a whole;
- c) “techniques” includes both the technology used and the way in which the installation is designed, built, maintained, operated and decommissioned.

Appendix 1 **SUPPLEMENTARY NOTES**

These notes do not comprise part of the Permit PPC/023 but contain guidance relevant to the Permit.

Inspections and Powers of Entry

Regular inspections will be carried out by officers of the Council (the Local Authority Inspectors) to check and ensure full compliance with the Permit conditions and residual duties. These inspections may be carried out without prior notice.

Under section 108(6) of the Environment Act 1995 authorised Local Authority Inspectors have been granted powers of entry into any premises for the purposes of discharging relevant duties.

Reviews

The Local Authority has a statutory duty to review the permit at least once every 6 years or in the following circumstances set out in regulation 15 of the Pollution Prevention and Control regulations 2000:

- a) The pollution from the installation is of such significance that the existing emission limit values for the permit need to be revised or new emission limit values need to be included in the permit
- b) Substantial changes in BAT make it possible to reduce emissions from the installation or mobile plant significantly without imposing excessive costs; or
- c) Operational safety of the activities carried out in the installation or mobile plant requires other techniques to be used

Health and Safety

This Permit is given in relation to the requirements of the Pollution Prevention and Control (England and Wales) Regulations 2000. It must not be taken to replace any workplace responsibilities the operator has under Health & Safety legislation. Whenever emission limits quoted in this Permit conflict with occupational exposure limits set under the Health and Safety at Work Act 1974 to secure the health, safety or welfare of persons at work, the tighter limit should prevail.

Installation must be operated in order to protect persons at work as well as the environment. In achieving conditions in this Permit the operator must not adopt any course of action that would put at risk the health, safety or welfare of persons at work.

Other Statutory Requirements

This Permit does not detract from any other statutory requirement, such as the need to obtain planning permission, hazardous substances consent, discharge consent from the Environment Agency, building regulations approval, or a waste disposal licence.

This Permit does not authorise a contravention of any other enactment or any order made, granted or issued under any enactment, nor does it authorise a contravention of any rule or breach of any agreement.

The Operator is advised to consult the relevant Planning Department regarding changes that may be required as a result of this Permit (e.g. stack heights) as they may require planning permission.

Transfer of Permits

Where the operator of an installation wishes to transfer, in whole or in part, his permit to another person, the operator and the proposed transferee shall jointly make an application to the regulator to effect the transfer. Such an application shall be accompanied by the permit and any fee prescribed in respect of the transfer.

In the case of partial transfer, where the original operator retains part of the permit, the application must make clear who will retain control over the various parts of the installation. The application must include a plan identifying which parts of the site and which activities the operator proposes transferring.

The local authority will then determine whether to allow the transfer within a two-month period, unless the local authority and the applicants agree a longer period. Where the local authority approves the transfer, the transfer will take effect from the date requested by the operator or a date that may be agreed by the local authority and the applicants.

Variation to Permits

Variation to permits may be initiated either by the local authority or the operator, either in response to changes in the operation of an installation or if new conditions are needed to deal with new matters. Variations may be required in response to the following.

- Change of operation of the installation. (The operator shall notify the local authority under Section 16(1) of the Regulations.)
- In response to the findings of a periodic review of conditions.
- In response to the findings of an inspection.
- New or revised sector guidance notes

The operator should apply to the Local Authority in order to vary a permit under regulation 17 of the Regulations. The application must be in writing and, in accordance with Part 1 of Schedule 7 to the Regulations contain:

- The name, address and telephone number of the operator.
- The address of the installation.
- A correspondence address.
- A description of the proposed changes.
- An indication of the variations the operator would like to make.
- Any other information the operator wants the authority take account of.

Substantial Change

A substantial change means, in relation to an installation, a change in operation, which in the opinion of the local authority may have significant negative effects on human beings or the environment.

Where the local authority deems that a proposed variation constitutes a substantial change, the operator will be informed of the process to follow.

Noise

This Permit does not include reference to noise. Statutory noise nuisance is regulated separately under the provisions of Part III of the 1990 Act.

Appeals

An Appeal can be made against the conditions in, or variations to this Permit as per Part IV of the Regulations. Appeals are made to the Planning Inspectorate who acts on behalf of the Secretary of State. Appeals against conditions within a Permit must be submitted within 6 months of the date of issue of the permit. Appeals against variation notices must be submitted within 2 months of the date of issue of the notice. Appeals should be despatched on the day they are dated and sent to:

The Planning Inspectorate
Environmental Appeals Administration
Room 4/19 – Eagle Wing
Temple Quay House
2 The Square
Temple Quay
BRISTOL
BS1 6PN

HMSO Publications

All HMSO publications can be ordered by telephone on Tel: 0870 600 5522,
Fax: 0870 600 5533 or e-mail: book.orders@tso.co.uk

Guidance for Operators receiving a Variation Notice

(This guidance does not form part of the Variation Notice, but it is for the guidance of those served with the notice).

Dealing with Variation Notice

This notice varies the terms of the permit specified in the Notice by amending or deleting certain existing conditions and/or adding new conditions. The Schedule attached to the notice explain which conditions have been amended, added or deleted and the dates on which these have effect.

The Council may have included a 'consolidated permit' which takes into account these and / or previous variations. In cases where a consolidated permit is not included this variation notice must be read in conjunction with your permit document.

Offences

Failure to comply

With a variation notice is an offence under regulation 32 of the 2000 Regulations. A person guilty of an offence under this regulation could be liable to (i) a fine of up to £20,000 or improvement for a term not exceeding 6 months or both; or (ii) to a fine or imprisonment for a term not exceeding 5 years or both, depending on whether the matter is dealt with in Magistrates Court or Crown Court.

Appeals

Under regulation 27(2) of the 2000 Regulations operators have the right to appeal against a suspension notice. The right to appeal does not apply in circumstances where the notice implements a direction of the Secretary of State given under regulations 12(15) (directions to regulators), 36 (general directions to regulators), paragraph (4) of regulation 27 (Appeals), paragraph 14(6) of Schedule 4 (directions determining applications for permits) or 6(6) of Schedule 7 (directions determining variation of permits).

Appeals against a variation notice do not have the effect of suspending operation of the notice. Appeals do not have the affect of suspending permit conditions, or any of the mentioned notices.

Notice of appeal against a variation notice must be given within two months of the date of the notice, which is the subject matter of 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 changes for appealing. However, for an appeal to be valid, appellants (the person/operator making the appeal) are legally required to provide (see Schedule 8 of the 2000 Regulations, paragraph 1):

- 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 under regulation 31 of the 2000 Regulations, 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 4/19 – Eagle 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.

Costs

Guidance from the Planning Inspectorate states that operator and regulator would be normally expected to pay their own expenses during an appeal. Where a hearing or enquiry is held as part of the appeal process, by virtue of Schedule 8, paragraph 4(10) of the 2000 Regulations, either the appellant or the local 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 claimed 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.

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. It may assist the local authority if the information the operator considers to be commercially confidential is submitted in a way which will allow it to be easily removed should the claim be granted, for example on separate pages, marked 'claimed confidential'. 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.

The general principle is that information should be freely available to the public. Information that maybe considered commercially confidential is that which if it "were being contained within the register would prejudice to an unreasonable degree the commercial interests of an individual or any other person² (regulation 31(12) of the 2000 Regulations).

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

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

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

The local authority may consider that certain areas of the information are commercially confidential, and others are not. If this is the case it will be stated in the determination notice. The operator may appeal against this in the normal manner.

Further guidance on commercial confidentiality can be found in Chapter 8 of the LA-IPPC and LAPPC manual.

National Security

Information may be excluded from the public register on the grounds of National Security. If it is considered that the inclusion of information on a public register is contrary to the interests of national security, the operator may apply to the Secretary of State, specifying the information and indicating the apparent nature of risk to national security. The operator must inform the local authority of such an application, who will not

include the information on the public register until the Secretary of State has decided the matter.