

ENVIRONMENTAL PERMIT

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

Environmental Permit Reference:	EP 202-R3
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High Peak Borough Council (hereafter referred to as “the Regulator”), in the exercise of its powers under regulation 13 of the Environmental Permitting (England & Wales) Regulations 2016: SI 1154 as amended, hereby permits;

**Pennine Aggregates Limited
 (“the Operator”)**

Company registration number is: **6019887**

Whose registered office is:

Waterswallows Lane, Green Fairfield, Buxton, England, SK17 7JD

to operate a regulated facility

At:

Waterswallows Lane, Green Fairfield, Buxton, England, SK17 7JD

as shown in Schedule 1 and within the regulated boundary outlined in red in Schedule 2, to the extent permitted by and subject to the conditions of this environmental permit:


Signed:
Christopher Humphreys
Pollution and Environment Officer

Dated 19 July 2024

Authorised by High Peak Borough Council to sign in that behalf

Environmental Health
High Peak Borough Council, Town Hall, Market Place, Buxton, SK17 6EL
EnvHealth@highpeak.gov.uk 01298 28400

STATUS LOG

DETAIL	DATE
Date of application for grant of an Environmental Permit	22 February 2019
Date application for grant of an Environmental Permit duly made	27 March 2019
Environmental Permit issued P202-3/18	21 May 2019
Application for variation of an Environmental Permit	29 July 2021
Variation Notice EP 202-V1 served with amended Environmental Permit EP 202-R1	30 March 2022
Application for variation of an Environmental Permit	06 October 2022
Variation Notice EP 202-V2 served with amended Environmental Permit EP 202-R2	10 March 2023
Variation Notice EP 202-V3 served with amended Environmental Permit EP 202-R3	19 July 2024

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A. REGULATOR CONTACT DETAILS

Where it is necessary to contact the Regulator in relation to this Environmental Permit the following contact details or contact details supplied in writing by the Regulator shall be used:

Office hours: Monday to Friday 9am to 5pm.

Address: Environmental Health
High Peak Borough Council
Town Hall
Market Place
Buxton
Derbyshire
SK17 6EL

Telephone: 01298 28400

Email: EnvHealth@highpeak.gov.uk

Out of hours: A message must be left using the details above and contact made again at the start of the next working day.

B. DESCRIPTION OF PERMITTED ACTIVITY

This Environmental Permit is based on the following process guidance notes (PG Notes) published by the Department for Environment, Food and Rural Affairs (DEFRA).

Reference	Description
PG 3/01 September 2012	<u>Statutory guidance for blending, packing, loading, unloading and use of cement</u>
PG 3/18 September 2012	<u>Statutory guidance for mineral drying and cooling</u>

The location of the installation is shown in Schedule 1 and the installation boundary is marked in red in Schedule 2. The layout of the installation is shown in Schedule 3. The installation is made up of the following activities and directly associated activities that are regulated under this Environmental Permit:

- a) The importation and storage in bulk of powders (including cement), sands and aggregate.
- b) Handling and internal transfer of powders, sands, and aggregates.
- c) Drying of mineral and designated mineral products using two gas fired rotary drying plant.
- d) Blending of cement to form cementitious material.
- e) Mixing of aggregate
- f) Bagging of dried aggregate and cementitious material.
- g) The loading and transportation from the process areas by truck of packaged products.
- h) Use of dust arrestment filters
- i) Handling, internal transfer and storage of waste products generated from the activities.
- j) Crushing of Aggregate, processed internally.

The installation is equipped with two rotary dryers, eight dust filtration units and nine storage silos with reverse air jet filters, as shown in Schedule 3. Of these, only the following plant have direct emissions to atmosphere, the remaining plant emit filtered air within the process buildings.

Plant with emissions direct to atmosphere:

E1 – Mineral drying plant – emissions are first filtered through filter F7.

E2 – Mineral drying plant – emissions are first filtered through filter F3a&3b.

S1, S4, S5, S6, S7, S8, S9, S11 – Bulk storage silos

By December 2024, retractable close-fitting bellows shall be fitted to the silo loadout of the mixing line located in Building 2.

Further information on plant is detailed overleaf.

TABLE 1: Plant, silos, and arrestment equipment

Schedule 3 Ref:	Plant type			Installed particulate arrestment systems
E1, F7	Gas fired rotary dryer stack. Net rated thermal input 1MW.			Reverse jet bag dust arrestment plant - Filter F7
E2, F3a & F3b	Gas fired rotary dryer stack. Net rated thermal input 1MW.			Reverse jet bag dust arrestment plant - Filter F3a&3b
F1,F2, F4, F5, F6, F8, F9, F10	Dust Extraction Filters.			Filtered air is emitted within process buildings.
S1 – S11	Silo: Material is transferred into each silo by pneumatic means.			Reverse air jet filter. Pressure relief device. High level alarm. Pressurisation alarm. Automatic cut-off of delivery in the event of either a high-level or pressurisation alarm.
	Silo reference	Date installed	Contents	
	S1	2019	Silica Sand	
	S2	2021	Cementitious	
	S3 & S8	2021	Calcium carbonate based product	Material is transferred from the silos to the processes by enclosed screw conveyors.
	S4	2022	Sand/Undersized material	
	S5, S6 & S7	2021	Bulk Powders	
	S9	2021	Silica sand	
	S10	2022	Bulk powders	
	S11	2022	Silica Sand	Material is transferred from silos S2 and S10 to road tankers by enclosed screw conveyors and by December 2024 with retractable close-fitting bellows.

Table 2: LEV Plant

LEV No.	Type	Plant Services
1	Heaton Green EMB 330	Silo 9 & Silo 3 Discharge Screws
2	JK Filters 16 Cartridge	Boone Mixer 1, Silo 2 Loading hopper, Silo 10 Discharge Screw
3A & 3B	DU45R DALMATIC	Powders Drying Plant
4	JK Filters 12 Cartridge	Arodo Mixer & Arodo Bagger
5	JK Filters 12 Cartridge	FFS1 - Sand Bagging Plant
6	JK Filters 24 Cartridge	FFS2 - Dried Aggs Bagging Plant
7	Mikropul	Aggregates Drier
8	Heaton Green 300	Silo 8 Air packer
9	JK Filters 12 Cartridge	Boone Mixer 2, Arodo Accelerator Hopper

C. CONDITIONS

1. Regulated Facility

- 1.1 The Operator is authorised to carry out only the activities and directly associated activities in Table 3.
- 1.2 The activities making up the facility shall not extend beyond the regulated boundary shown in red in Schedule 2.

Table 3 – Authorised activities and directly associated activities		
EPR reference for activity or Directly associated activity:	Description of specified activity	Limits of specified activity
Schedule 1, Part 2, Chapter 3, Section 3.1, Part B (a)	Storing, loading, unloading cement in bulk prior to further transportation in bulk	Receipt of cement from road tankers, transfer to storage silos by pneumatic means and transfer from storage silos to road tankers by screw conveyor.
Schedule 1, Part 2, Chapter 3, Section 3.1, Part B (b)	Blending cement in bulk, including the bagging of cement and cement mixtures	Transfer from storage silos by screw conveyor to mixing plant, blending with other dried aggregates and transfer to bagging plant, or transfer to silo for further transportation in bulk.
Schedule 1, Part 2, Chapter 3, Section 3.5, Part B (a)	The crushing, grinding or other size reduction, or the grading, screening or heating of any designated mineral or mineral product	Crushing, grinding or other size reduction of over-sized aggregates within a dedicated unit within the process and/ or drying of mineral or designated minerals in dedicated gas-fired rotary drying plant.
Directly associated activity	Unloading, storing and internal transfer of raw material	Receipt of raw aggregate material, storage in external storage bays or silos (for fine or powder material), transfer to process
Directly associated activity	Internal transfer of semi-finished or finished products.	Transfer of dried material to storage silos or packaged into tote bag pending further processing onsite or for transfer off-site or packaged into sealed bags for transfer off-site.

Directly associated activity	Handling, internal transfer and storage of waste products.	Transfer and storage of waste products in externally located storage bay pending removal from site, or re-use within the process where quality allows.
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2. Emission limits and other provisions

- 2.1 The emission limit values (ELV's) specified in Table 4 shall not be exceeded. The emission limits do not apply during start-up and shutdown, unless otherwise specified in Table 4. Emissions during start-up and shutdown shall be kept to a minimum.

Table 4: Emission limits, monitoring frequency				
Source	Substance	Emission Limit	Type of monitoring	Monitoring frequency
Dryer stacks: E1 and E2	Particulate matter	No visible emissions	Operator observations	At least daily
		50mg/m ³	Periodic extractive quantitative monitoring	Six monthly
	Persistent mist, fume and smoke (except steam and condensed water vapour)	No persistent mist or fume No visible smoke except during start up and shutdown the emissions shall not exceed the equivalent of Ringelmann Shade 1 as described in British Standard BS 2742	Operator observations	On start-up and on at least two more occasions during the working day
	Droplets	No droplets		
Site	Particulate matter	No visible emissions across the site boundary	Operator observations	At least daily
Processing plant, Process buildings, conveyors	Particulate matter	No visible emission	Operator observations	At least daily
Silos inlets and outlets	Particulate matter	Designed to emit less than 10mg/m ³	Manufacturer guarantee	A copy shall be provided within 7 days to the Regulator when requested.
		No visible emission	Operator/ driver observations	At least daily or If filled from road tanker, every delivery

- 2.2 The reference conditions for the particulate emission limit values in Table 4 shall be 273.1K, 101.3kPa, without correction for water vapour content.
- 2.3 The introduction of dilution air to achieve the emission limit values specified in Table 4 shall not be permitted.
- 2.4 All appropriate precautions shall be taken to minimise emissions during start-up and shutdown.
- 2.5 The number of start-ups and shutdowns shall be kept to the minimum that is reasonably practicable.

3. Monitoring, Sampling and Measurement of Emissions

- 3.1 Monitoring of emissions shall be carried out at the frequency stated in Table 4.
- 3.2 Monitoring of emissions, both extractive and continual, shall be carried out in accordance with methods described in the latest update to the Environment Agency's guidance "Monitoring Stack Emissions: environmental permits. Any deviation from these methods shall be agreed in writing with the Regulator prior to the testing being carried out.
- 3.3 Sampling points on new plant shall be designed to comply with British or equivalent standards.
- 3.4 The Operator shall ensure that "stacks" in Table 4 are fitted with facilities for sampling which allow compliance with the sampling standards

Non-continuous periodic extractive monitoring of air emissions

- 3.5 For periodic monitoring, no result of monitoring shall exceed the emission limit values specified in Table 4.
- 3.6 All periodic monitoring shall be representative, and shall use standard methods.
- 3.7 The Regulator shall be notified at least seven days in advance of any periodic monitoring exercise to verify compliance with the emission limit values in Table 4 of the provisional date and time of monitoring, the pollutants to be determined and the methods to be used.
- 3.8 For periodic testing the sampling shall meet the following requirements:
 - a. For batch processes, where the production operation is complete within two hours, the periodic sampling shall take place over a complete cycle of the activity; or
 - b. Where the activity is continuous or have a batch cycle that is not compatible with the available for sampling, then the data required shall be obtained over a minimum period of two hours in total and,
 - c. For all activities the sampling period shall be sufficient that at least three results are obtained.

Operator observations

- 3.9 All 'Operator observations' of particulate matter required under Table 4 shall be made during the hours of daylight (unless relating to a bulk delivery of dusty material into a silo outside of this time) and when the plant is working. A record shall be made of the date, time, location, weather conditions and observations. In relation to bulk delivery of dusty material into a silo, a record of the start and finish times of delivery and the silo being discharged into shall also be made.

Monitoring - Results

- 3.10 The results of all non-continuous periodic extractive emissions testing shall be forwarded to the Regulator within 8 weeks of the completion of the sampling.
- 3.11 Data, including details of alarm triggers, from the continuously recording particulate monitors shall be retained by the Operator for at least two years and shall be made available to the Regulator.

Monitoring – Adverse results

- 3.12 Adverse results from any monitoring activity (both continuous and non-continuous) shall be investigated by the Operator as soon as the monitoring data has been obtained. The Operator shall:
- a. Identify the cause and take corrective action;
 - b. Clearly record as much detail as possible regarding the cause and extent of the problem, and the remedial action taken;
 - c. Re-test to demonstrate compliance as soon as possible; and
 - d. Inform the Regulator without delay of the steps taken and the re-test results.

Abnormal Events

- 3.13 In the case of abnormal emissions, malfunction or breakdown leading to abnormal emissions the Operator shall:
- a. Investigate and undertake remedial action immediately,
 - b. Adjust the process or activity to minimise those emissions; and
 - c. Promptly record the events and actions taken.

Effect on local community

- 3.14 The Regulator shall be informed without delay, whether or not there is related monitoring showing an adverse result:
- a. If there is an emission that is likely to have an effect on the local community; or
 - b. In the event of the failure of key abatement plant.
- 3.15 Written confirmation of notifications under Condition 3.14 shall be submitted to the Regulator within 24 hours
- 3.16 Where, in the opinion of the Regulator, there is repeated evidence of airborne particulate matter being deposited beyond the site boundary or offensive odour beyond the site boundary (indicated by a red line on the attached Schedule 2), the Operator shall undertake monitoring to identify the source, which may include off-site monitoring. The monitoring method and reporting timescales shall be agreed by the Regulator.

4. Stacks, vents and process exhausts

- 4.1 The height of the chimneys shall not be changed without prior written agreement from the Regulator.
- 4.2 No chimney shall be fitted with any restriction at the final opening such as a plate, cap or cowl.
- 4.3 Chimneys and associated ducting shall be inspected every twelve months and cleaned to prevent the accumulation of material on internal surfaces.
- 4.4 The chimney stacks identified in Table 1 and Table 4 shall have efflux velocities for emitted gases of not less than 15 metres per second in normal operation.

Upgrade requirements

- 4.5 For emission points E1 and E2, the Operator shall undertake an assessment to determine the minimum vertical discharge height required to disperse their respective substances specified in Table 2. Where it is determined that the stack heights are required to be increased in height, the Operator shall subsequently prepare an action plan detailing the actions required and timescales necessary for implementing the amendments required. By 28th April 2023, the Operator shall submit to the Regulator for approval the assessments undertaken and any subsequently prepared action plans. Once approved, the actions shall be implemented in accordance with the approved action plan timescales.

5. Control techniques

- 5.1 No potentially dusty materials, including wastes, or finished products shall arrive on or leave the site other than by use of tanker or shall be sheeted except where the material is within fully enclosed containers or packaging.
- 5.2 All dusty or potentially dusty materials shall only be stored in fully enclosed containers or packaging, storage areas within the process buildings or within the silos or storage bays marked in the installation plan in Schedule 3. Where storage is open within a building, then suitable precautions shall be taken to prevent wind whipping.
- 5.3 Displaced air from pneumatic transfer of dusty or potential dust material to silo or bulk storage tank shall pass through reverse air jet dust abatement plant prior to emission to air. The abatement plant shall be of sufficient size and kept clean to avoid pressurisation during transfer.
- 5.4 The Operator shall maintain a written procedure for the delivery of cement or other dusty materials to silos or bulk storage tanks incorporating Conditions 4.5 to 4.11, including for the undertaking of visual assessments during delivery. Tanker drivers shall be informed of the correct procedures to be followed, which shall be available for inspection at the premises.
- 5.5 Any failure of the silo management system, which includes the pressurisation and high level sensors and visual and audible alarms, pressure relief valve, filter system, automatic cut-off valve and associated PLC systems and air systems, shall lead to full investigation of the operation of the plant and equipment prior to further deliveries being permitted to the silo affected.
- 5.6 In order that fugitive emissions are minimised during the charging of silos, transfer lines shall be securely connected to the silo delivery inlet point and the tanker discharge point, in that order.
- 5.7 Bulk storage tanks and silos containing dry materials shall be equipped with audible and/ or visual high level alarms, or volume indicators, to warn of overfilling. The correct operation of such alarms shall be checked in accordance with manufacturers' instructions. If manufacturers' instructions do not specify, then the check shall be weekly or before a delivery takes place, whichever is the longer interval.
- 5.8 If emissions of particulate matter are visible from ducting, pipework, the pressure relief device or dust arrestment plant during silo filling, the operation shall cease; the cause of the problem shall be rectified prior to further deliveries taking place.
- 5.9 Seating of pressure relief devices on silos shall be checked at least once a week, or before a delivery takes place, whichever is the longer interval.
- 5.10 Immediately it appears that the pressure relief device has become unseated during silo filling, no further delivery shall take place until corrective action has been taken. The pressure relief device shall be examined to check for defects before being re-set and a replacement fitted if necessary.

- 5.11 Deliveries to silos from road vehicles shall only be made using tankers with an on-board (truck mounted) relief valve and filtration system. Venting air from the tanker at the end of a delivery shall not take place through the silo.
- 5.12 Care shall be taken to avoid delivering materials to silos at a rate which is likely to result in pressurisation of the silo. If compressed air is being used to blow powder into a silo then particular care is required towards the end of the delivery when the quantity of material entering the ducting is reduced and hence the air flow is increased.
- 5.13 Storage areas and roadways in normal use where there is vehicular movement shall have a consolidated surface capable of being cleaned. The surfaces shall be kept clean and in good repair.
- 5.14 Unused stocking areas shall be controlled to prevent visible dust emissions.
- 5.15 Vehicles shall not track material from the site onto the highway.
- 5.16 Loading and unloading of product for transport shall be carried out so as to minimise the generation of airborne dust.
- 5.17 Stock shall not be piled higher than the external walls, or forward of, the storage bays marked in Schedule 3. If necessary, covers or dust suppressants shall be used to minimise dust emissions.

External Conveyors

- 5.18 Where dusty materials are conveyed, the conveyor and any transfer points shall be provided with adequate protection against wind whipping. All transfer points shall be enclosed to such an extent as to minimise the generation of airborne dust.
- 5.19 Conveyors shall be fitted with effective means for keeping the return belt clean and for collecting materials removed by this cleaning operation.
- 5.20 Conveyor belts shall not be overloaded.

Fugitive emissions

- 5.21 All process buildings shall be made as dust tight as is necessary to prevent visible emissions.
- 5.22 Dusty materials for disposal shall be stored in closed containers or storage bays designed for that purpose.
- 5.23 The method of collection of product or rejected materials from dry arrestment plant shall be such that dust emissions are minimised.
- 5.24 A high standard of housekeeping should be maintained.

- 5.25 All spillages which may give rise to dust emissions shall be cleaned up promptly, normally by wet handling methods. Dry handling of dusty spillages should not be permitted other than in fully enclosed buildings. (N.B. Dry handling of dusty spillages within fully enclosed buildings may not be acceptable under COSHH.) In the event of a major spillage it shall be dealt with on the same day that it occurs, and measures to minimise emissions, such as wetting the surface to create a crust, shall be taken immediately

Process Operations – Mineral drying

- 5.26 All hot storage bins shall have level indication and any overflow chutes shall have dust arrestment facilities fed into the main dust arrestment system.
- 5.27 Plant shall be designed and operated so that emission of dust during the discharge of sand is minimised.

Process Operations - Cement

- 5.28 The transfer of cement shall be by enclosed screw feeder or pneumatic means.
- 5.29 The packing of cementitious material into bags shall be carried out using purpose designed plant fitted with extraction for displaced air ducted to arrestment plant.

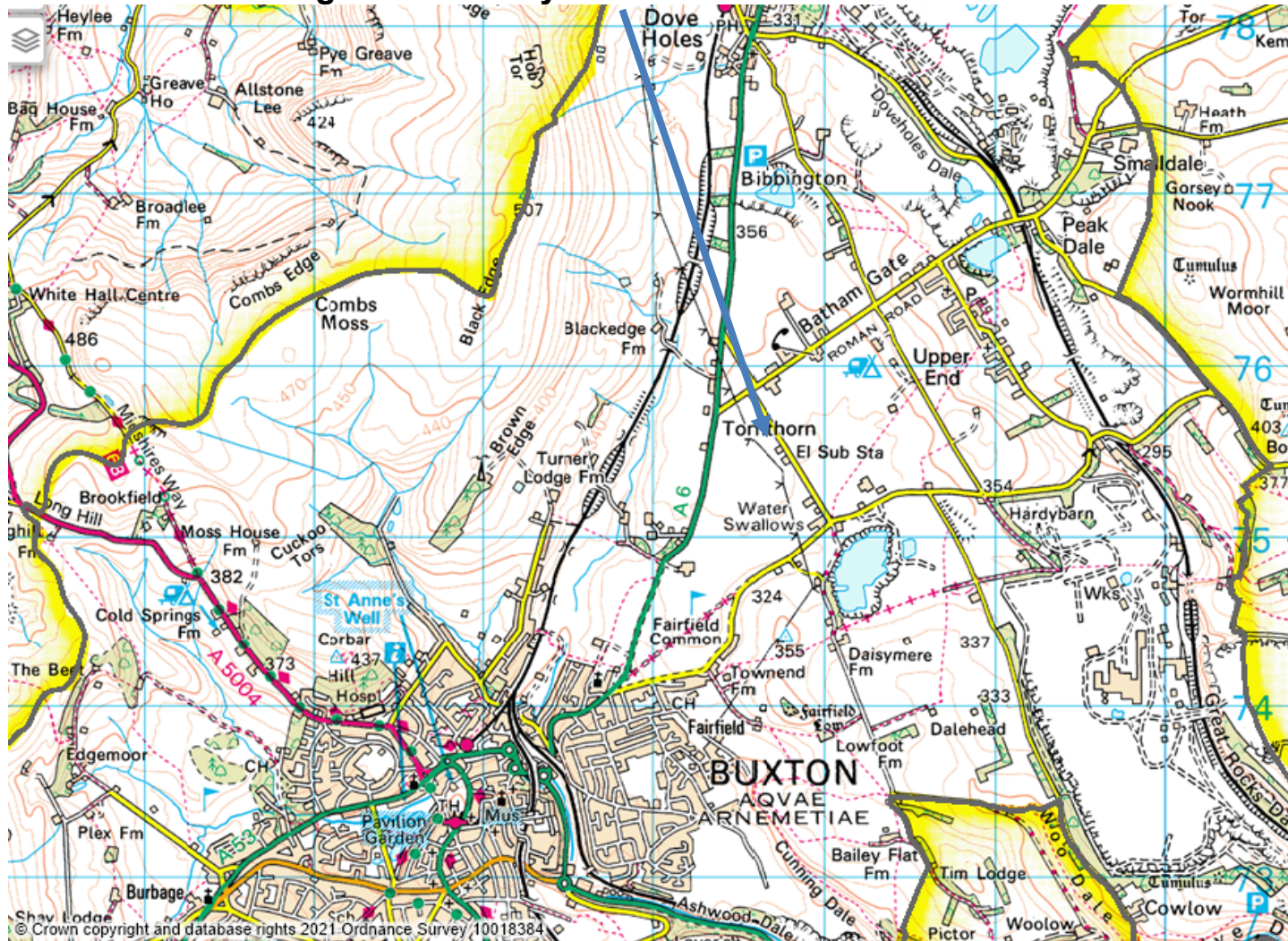
Particulate matter arrestment systems

- 5.30 The particulate matter arrestment systems specified in Table 1, shall be in use when the part of the process it serves is operating. Any failure of any arrestment system which is designed to be running prior to, and during, any conveying, transfer, processing or manufacturing operations, shall be rectified before operations are continued or recommenced.
- 5.31 The Operator shall have a written procedure for dealing with the failure of arrestment plant specified in Table 1, in order to minimise any adverse effects. Essential spares and consumables shall be either held on site or shall be available from guaranteed suppliers at short notice.
- 5.32 Particulate matter arrestment plant fitted with reverse jets for filter cleaning, shall be inspected at least once a month, cleaned and repaired as necessary.
- 5.33 Particulate matter arrestment plant fitted with mechanical shakers shall be inspected at least once a week, cleaned and repaired as necessary. The equipment shall also be checked for defects in the air flow or the cam shakers.

6. General Operations

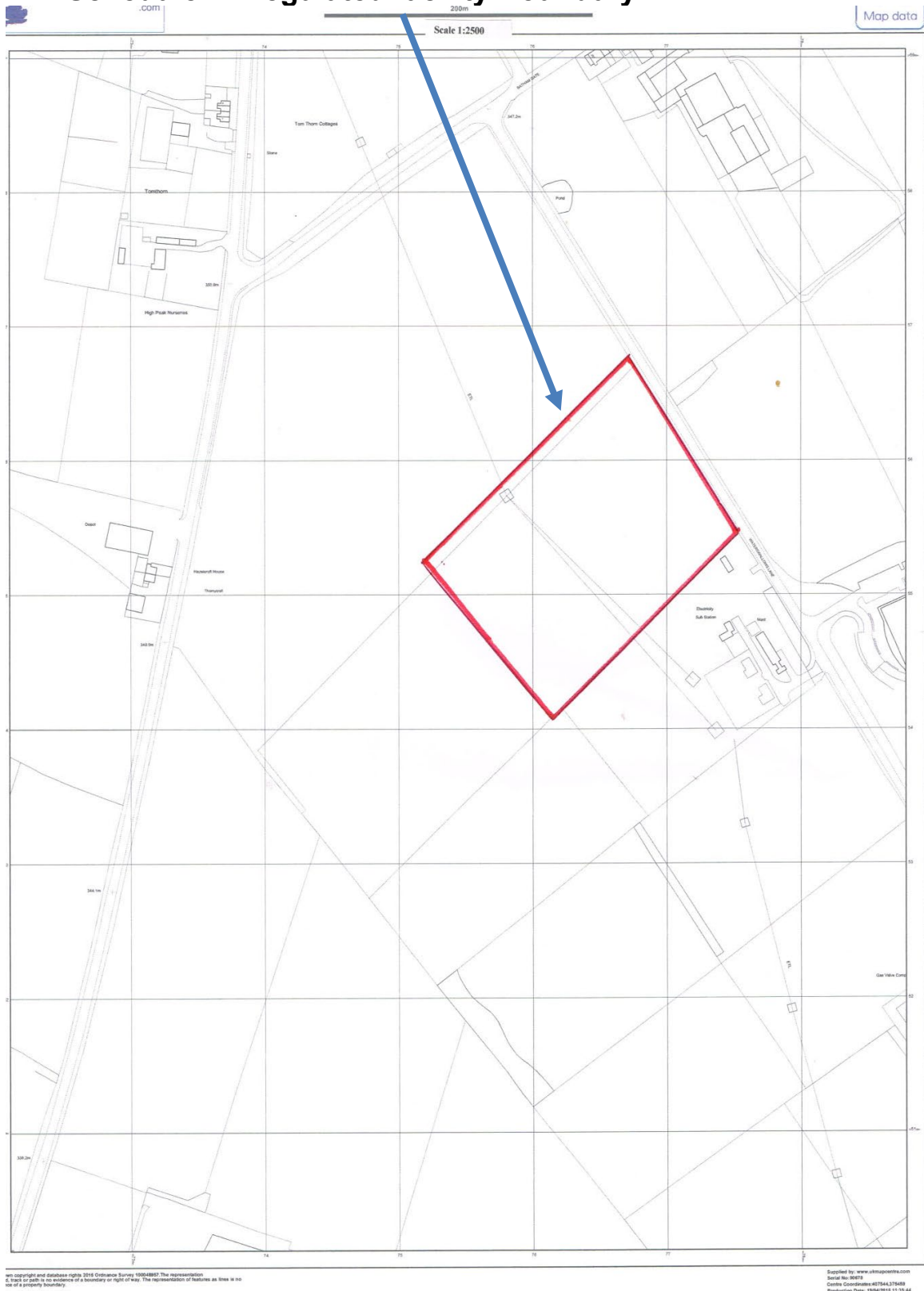
- 6.1 Effective preventative maintenance shall be employed on all plant, yard areas, conveyors, process buildings and equipment concerned with the control of emissions to air, including continuous monitors and alarm systems in accordance with a written maintenance programme. This shall be achieved using maintenance methods laid down by the manufacturers of the equipment or through maintenance methods specifically written by the operators of the equipment.
- 6.2 The installation shall be operated according to the precepts of an Environmental Management System.
- 6.3 The Operator shall maintain a statement of training requirements for each operational post. The Operator shall ensure staff at all levels whose functions could impact on air emissions receive the necessary formal training and instruction in their duties relating to control of the process and emissions to air. The training will be carried out using the appropriate instructions from the manufacturer's handbook, and shall be recorded according to the requirements of the installations environmental management system. Training shall include:
 - a. Awareness of their responsibilities under the permit;
 - b. Steps that are necessary to minimise emissions during start-up and shutdown; and
 - c. Actions to take when there are abnormal conditions, or accidents or spillages that could, if not controlled, result in emissions.
- 6.4 A copy of this permit shall be kept at the installation and all relevant staff shall be made aware of its content, be told where it is kept and be accessible to them.
- 6.5 The Operator shall keep records of inspections, tests, maintenance and monitoring, including all non-continuous monitoring, inspections, servicing, calibration and visual assessments. Records shall be:
 - a. held in paper or electronic form,
 - b. clear and legible;
 - c. either kept on site or accessible on site;
 - d. kept by the Operator for at least two years; and,
 - e. made available for the Regulator to examine.
- 6.6 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.
- 6.7 If the Operator proposes to make a change in operation of the installation, they 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.

D. Schedule 1: Regulated Facility Location

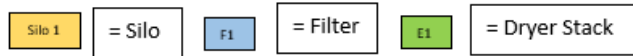


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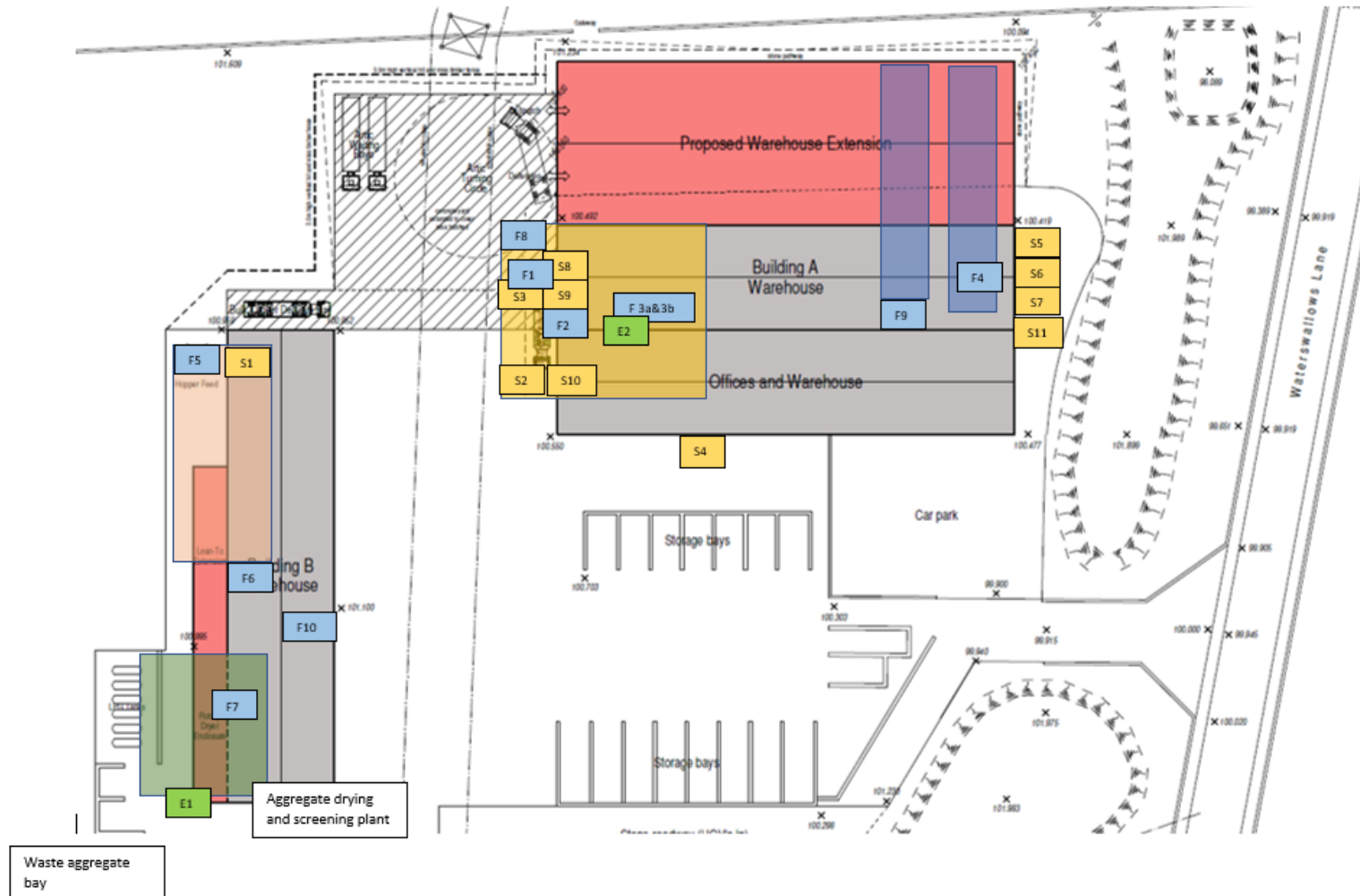
E. Schedule 2: Regulated facility Boundary



F. Schedule 3: Installation layout



Document Ref PAL/SP 003



**END OF
PERMIT
CONDITIONS**

G. Schedule 4: Interpretation

- i. References to the “**EP Regs**” or “**Environmental Permitting Regulations**” in this document relate to the [Environmental Permitting \(England and Wales\) Regulations 2016](#) and subsequent amendment Regulations. Words and expressions defined in the EP Regs shall have the same meaning when used in this Permit.
- ii. “**Regulator**” means the authority in whom functions are conferred by regulation 32, or by direction under regulation 33 of the Environmental Permitting (England and Wales) Regulations 2016 (as amended). For the purpose of this environmental permit this shall be taken to mean High Peak Borough Council. The ‘discharge of functions’ under the above Regulations shall be undertaken by an ‘Authorised Officer’. The Officer shall be authorised by High Peak Borough Council under Section 108(1) of the [Environment Act 1995](#) to exercise, in accordance with the terms of any such authorisation, any power specified in Section 108(4) or 109 of that Act.
- iii. The Regulator are statutorily obliged to include conditions in any Environmental Permit they issue which are designed to ensure that the process is operated using the best available techniques (BAT) to prevent and minimise emissions of prescribed substances and to render harmless any substance that may be emitted.
- iv. For Part B installations and mobile plant and small waste incineration plant ‘Best Available Technique’ shall have the same meaning as in Schedule 8 of the EP Regs.
- v. “**Facility**”, “**Installation**”, “**activity**” and “**directly associated activity**” have the same meaning as defined in the EP Regs.
- vi. “Regulated facility boundary” means the geographic extent of the facility regulated by this permit.
- vii. “**Operator**” has the same meaning as defined in the EP Regs.
- viii. “**Staff**” includes employees, directors or other officers of the Operator, and any other person under the Operator’s direct or indirect control, including contractors.
- ix. “**Log book**” refers to a record whether kept as hard copy or held electronically. Electronic records should be accessible at the regulated installation, or in the case of mobile plant at the company registered address or main operating address specified in the permit. Should an authorised Officer wish to inspect a log book which is held electronically, then such facilities and personnel as are necessary must be made available. Such facilities and personnel may be needed without advance notice being given.
- x. “Emissions” shall have the same meaning as given in the EP Regs.
- xi. “**Fugitive emission**” for the purpose of this permit means an emission of pollutants from any point other than from a stack or abatement equipment into the air (and for Part A2 facilities, into the ground or water (surface or ground)) and from a Solvent Emission facility as defined in the EP Regs.

- xii. **“High standard of housekeeping”** shall refer to the approved written housekeeping programme within the Environmental Management System.
- xiii. **“Monitoring”** Includes the taking and analysis of samples, instrumental measurements (periodic and continual), calibrations, examinations, tests and surveys.
- xiv. **“Annually”** means once a year
- xv. **“six monthly periodic monitoring”** means periodic monitoring in each six month period (January to June and July to December) with at least four months between sampling dates.
- xvi. **“Year”** means calendar year ending 31st December.
- xvii. Reference to the Environment Agency Technical guidance collection: Monitoring stack emissions: environmental permits, refers to the collection of four guidance documents published 19 December 2019, and last updated 07/03/2024 which is found here: <https://www.gov.uk/government/collections/monitoring-stack-emissions-environmental-permits>
 - a. Guidance for selecting a monitoring approach, last updated 13/12/2023
 - b. Techniques and standards for periodic monitoring, last updated 12/11/2022
 - c. Maximum uncertainty values for periodic monitoring, last updated 24/09/2021
 - d. Standards for continuous monitoring and sampling, last updated 07/03/2024
- xviii. **“Standard Conditions”** shall mean a temperature of 273.15 K and a pressure of 101.3 kPa.
- xix. References to **“Ringelmann”** refer to the relevant British Standards to compare the darkness of smoke with standard shades of grey:
 - e. [BS 2742C Ringelmann chart](#)
 - f. [BS 2742M Miniature smoke chart](#)
 - g. [BS 2742:2009 Use of the Ringelmann and miniature smoke charts](#)
- xx. **Other Statutory Requirements** - Compliance with this permit does not necessarily infer compliance with any other legislation, such as Health & Safety at Work or other Statutory requirements.

H. Footnotes

This section does not form part of the permit, but contains guidance relevant to it.

Statutory Guidance – Local Authority Pollution Control (DEFRA)

<https://www.gov.uk/government/publications/local-authority-pollution-control-general-guidance-manual>

National security and commercial confidentiality - All data and information submitted to the Regulator in relation to this Environmental Permit will be placed on the relevant public register in accordance with regulation 46(1) of the EP Regs, unless that information has been subject to a successful application for exclusion from the public register of information affecting national security or confidential information in accordance with regulations 47 and 48 of the EP Regs.

Submission of information or monitoring data – The Operator shall be aware of any conditions in this Environmental Permit requiring the periodic submission of information to the Regulator.

“Change in operation” means a change in the nature or functioning or an extension of the installation or mobile plant which may have consequences for the environment.

The change or extension shall be deemed to be a **“substantial change”** if the change in operation of an installation which in the Regulator's opinion may have significant negative effects on human beings or the environment and includes—

- (a) in relation to a Part A installation, a change in operation which in itself meets the thresholds, if any, set out in Part 2 of Schedule 1 of the EP Regs, and
- (b) in relation to a waste incineration plant or waste co-incineration plant for non-hazardous waste, a change in operation which would involve the incineration or co-incineration of hazardous waste.

“Variations” - The Operator must familiarise themselves with procedures or conditions relating to variations and changes in operation. The Operator may be liable to prosecution if they operate otherwise than in accordance with the conditions and plant described in this permit.

Reviews – The Regulator will periodically review this Environmental Permit. For Part A installations this shall be in accordance with Schedule 7 and in relation to Part B installation in accordance with Schedule 8 of the EP Regs.

Inspections will be made by Authorised Officers of the Regulator (with or without prior notice), in order to check and ensure full compliance with this permit. Inspection will be carried out in accordance with a risk assessment, and/or following from any complaints or applications.

An **annual subsistence fee** is payable in order to operate your installation/ mobile plant. An invoice will be issued annually by the Regulator which will include details of how to pay. You are reminded that failure to pay the subsistence fee may result in additional fees for late payment and/or the permit being suspended or even revoked. It is an offence to operate a regulated facility without a permit.

Risk Rating - Procedures and records shall be examined during inspections and will be referred to during the Department of Food and Rural Affairs (DEFRA) risk rating, carried out to determine the risk rating: LOW, MEDIUM or HIGH, which will determine the annual subsistence fee and the inspection frequency of the Regulator. Details of the risk rating can be found on the DEFRA website:

<https://www.gov.uk/government/collections/environmental-permitting-resources-for-local-authorities>

Transfer and Surrender – There is provision in the EP Regs to transfer or surrender an Environmental Permit either in full or in part. There are specified timescales, fees and other requirements that must be met and the Operator is advised to familiarise themselves with the procedures.

Enforcement - The Operator could be liable to **enforcement** action where:

- The Operator fails to comply with or contravenes any permit condition;
- A change is made to the installation/ mobile plant operation without prior notification of the change to the Regulator;
- Intentional false entries are made in any record required to be kept under the conditions of the permit;
- False or misleading statement is made.

A person guilty of an offence under the EP Regs could be liable to (i) a fine or imprisonment for a term not exceeding 12 months, or both; or (ii) to an unlimited fine or imprisonment for a term not exceeding 5 years, or both depending on whether the matter is dealt with in the Magistrates or Crown Court. Any enforcement action is taken with regards to the Regulator's Code: <https://www.gov.uk/government/publications/regulators-code>

Appeals:- Under regulation 31 and Schedule 6 of the EP Regs, Operators have the right to appeal against a decision to impose an environmental permit condition following either that person's application, a Regulator initiated variation or to take account of a partial transfer, revocation or surrender of an environmental permit. There are specified time periods in which to lodge an appeal. Appeals must be submitted to the Planning Inspectorate with the legally required information. Most appeals are decided by an Inspector from The Planning Inspectorate, delegated by the Secretary of State under Section 114 of the Environment Act 1995. However, if a case is particularly important or controversial, the Secretary of State may 'recover' it to make the decision. Operators are advised to familiarise themselves with the requirements of regulation 31 and Schedule 6 of the EP Regs. Procedures, guidance and appeal form are available on the Planning Inspectorate website and further guidance can be found in Section 30 of the General Guidance Manual:

<https://www.gov.uk/government/organisations/planning-inspectorate/services-information>
<https://www.gov.uk/government/publications/local-authority-pollution-control-general-guidance-manual>

An appeal will not stop conditions of this Environmental Permit coming into effect and you must comply with their requirements. On determination of an appeal, an Inspector can affirm or quash decisions, conditions and notices and can direct the Regulator to grant and vary conditions of a permit.