



**PERMIT NUMBER: EPR/A/3/99.V2**

**West Lindsey District Council hereby permits Wm Morrison Supermarket Plc  
To Operate an Schedule B Unloading of Petrol into storage at Petrol Stations  
at Heapham Road South, Gainsborough, DN21 1XY**

**Under The Provisions of**

**THE POLLUTION PREVENTION AND CONTROL ACT 1999**

**ENVIRONMENTAL PERMITTING (ENGLAND AND WALES) REGULATIONS 2010  
SECRETARY OF STATES PROCESS GUIDANCE NOTES PG 1/14(13) AND  
ASSOCIATED STATUTORY GUIDANCE**

**[Consolidated permit issued with Variation Notice PERMIT NUMBER:  
EPR/A/3/99.V2]**

**West Lindsey District Council  
Public Protection Services  
Marshall's Yard  
Gainsborough  
Lincs DN21 2NA**

## **Introduction**

*At the time of publication, a simplified permitting system has been in place for a number of years for four sectors: small waste oil burners, petrol stations, dry cleaners, and vehicle refinishing activities.*

*PG 1/14(13) applies to the whole of the UK. It is issued by the Secretary of State, the Welsh Government, the Scottish Government and the Department of the Environment in Northern Ireland (DoE NI) to give guidance on the conditions appropriate for the control of emissions into the air from unloading of petrol into storage, and from filling of vehicle petrol tanks, at service stations. It is published only in electronic form and can be found on the Defra website. It supersedes PG1/14(06) and NIPG 1/14(06). This guidance document is compliant with the Code of Practice on Guidance on Regulation page 6 of which contains the "golden rules of good guidance".*

*This is one of a series of statutory notes giving guidance on the Best Available Techniques (BAT). The notes are all aimed at providing a strong framework for consistent and transparent regulation of installations regulated under the statutory Local Air Pollution Prevention and Control (LAPPC) regime in England and Wales, Scotland and Northern Ireland. The note will be treated as one of the material considerations when determining any appeals against a decision made under this legislation. Further guidance on the meaning of BAT can be found for England and Wales, Scotland, and Northern Ireland.*

*In general terms, what is BAT for one installation in a sector are likely to be BAT for a comparable installation. Consistency is important where circumstances are the same. However, in each case it is, in practice, for regulators (subject to appeal) to decide what are BAT for each individual installation, taking into account variable factors such as the configuration, size and other individual characteristics of the installation, as well as the locality (e.g. proximity to particularly sensitive receptors).*

## WEST LINDSEY DISTRICT COUNCIL

### POLLUTION PREVENTION AND CONTROL ACT 1999 ENVIRONMENTAL PERMITTING (ENGLAND AND WALES)(AMENDED) REGULATIONS 2010

PERMIT REF. **EPR/A/3/99.V2**

<b>Operator:</b>	<b>Wm Morrison Supermarket Plc</b>
<b>Installation Address:</b>	Heapham Road South, Gainsborough, DN21 1XY
<b>Grid Reference:</b>	483358/389003
<b>Registered Office:</b>	Wm Morrison Supermarket Plc, Hilmore House, Gain Lane, Bradford BD3 7DL

Wm Morrison Supermarket Plc is authorised by West Lindsey District Council to operate the activity listed in Schedule 1 Section 1.2 (B), unloading of petrol into stationary storage tanks at the above service station subject to the following conditions.

The installation boundary outline in red, and key items of equipment mentioned in permit conditions are shown on Plans A and B, Appendix 1, attached to this permit.

Provenance	Relevant Date
Application received	17 April 1998
Authorisation issued	26 January 1999
Revised Permit for PRVII	13 July 2009
Revised (Model Permit)	21 May 2014

### **Process Description**

The stationary technical unit comprises of the following, delivery and vapour return hoses, vapour recovery system, tank vapour release point, storage tanks and 8 nozzles for dispensing petrol within the process boundary marked red on Plan A, Appendix 1.

The unloading of petrol from a mobile tanker into two stationary petrol storage tanks, identified as Tanks 1, and 2, , on the attached Plan B (Appendix 1). All tanks have equal capacities of 53m<sup>3</sup>. Tanks 3 and 4 are used for the storage of diesel and on site, and, as such, these tanks are not covered by the requirements of this Permit.

### **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 01427 676676 during office hours or out of hours 01427 613960.

### **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.

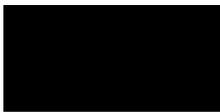
### **Best available techniques**

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.

Signed:



Date: 28 May 2014

**Mrs L Beevers Regulatory Team Manager**

Authorised by West Lindsey District Council to sign on their behalf

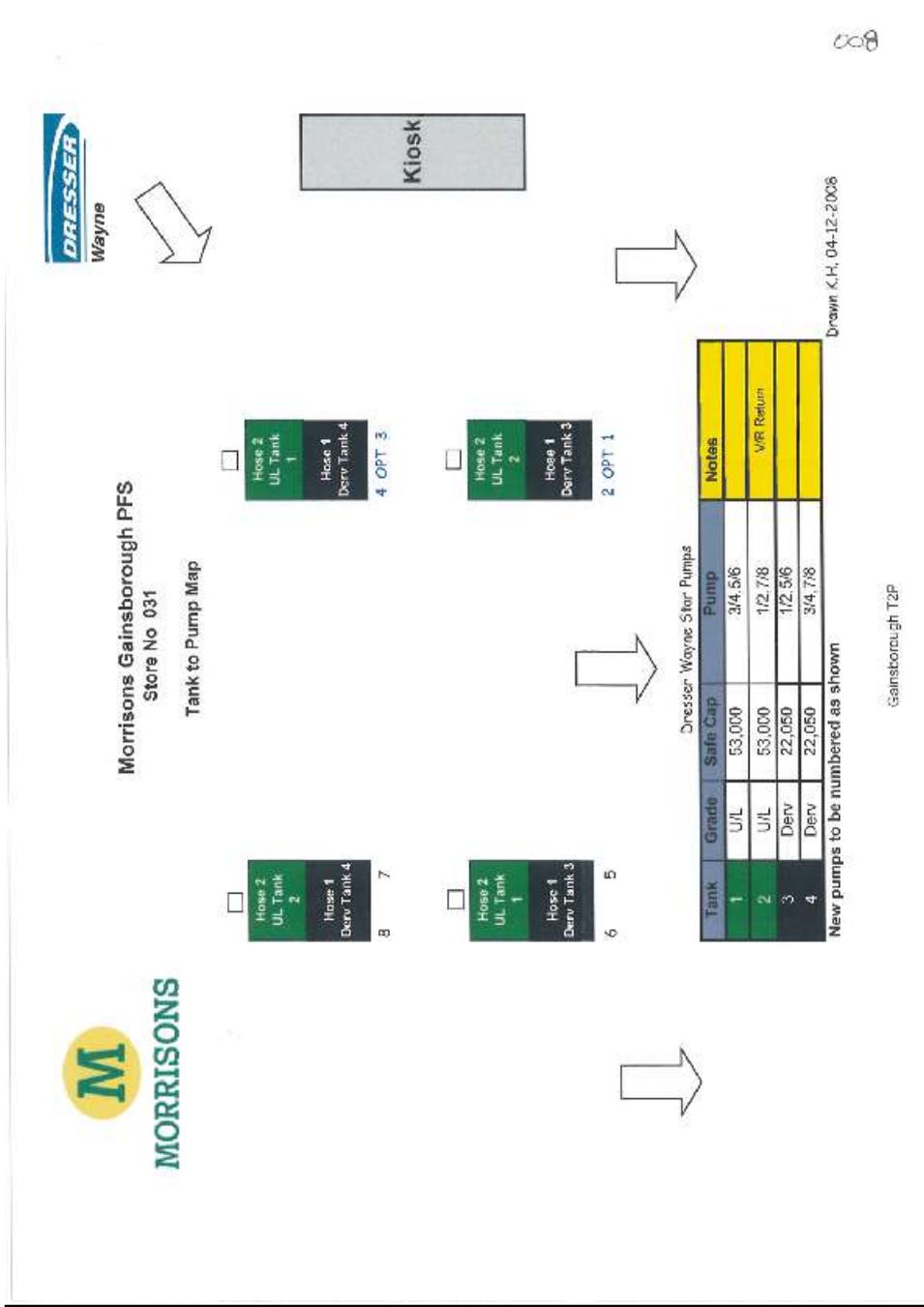
For the purpose of this Permit, the Local Authority shall mean:-

Public Protection Services  
Guildhall,  
Marshall's Yard  
Gainsborough Lincs DN21 2NA

Telephone number: 01427 676676  
Fax Number: 01427 675170  
Out of Hours Tel No 01427 613960



Appendix 1 Plan A Boundary outlined in red



**Appendix 1 Plan B**

## **Explanatory Note**

This note does not comprise part of the Permit but contains guidance relevant to the permit.

### **Inspections**

Regular inspections will be made by officers of Council (without prior notice), in order to check and ensure full compliance with this permit.

### **BAT (Best Available Techniques) and Implied General BAT Conditions**

Best Available Techniques (BAT) is defined in regulation (3(1) of the Pollution Prevention and Control (England and Wales) Regulations 2000 (the Regulations), as 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 that is not 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, under economically and technically viable conditions, taking into consideration the cost and advantages, whether or not the techniques are used or produced inside the United Kingdom, as long as they are reasonably accessible to the operator;
- (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.

Under Regulation 12(10 – 11), there is also an implied (residual) duty on the operator to use BAT to prevent or reduce emissions, even if not covered by a specific condition of this permit. This is intended to cover the most detailed level of plant design and operation, where the operator will be in the best position to understand the pollution control means for an installation practice. Implied BAT can also cover more basic ‘unconditioned’ aspects, such as bonfires, the keeping of essential spares, and good housekeeping for example.

### **Health and Safety at Work and Other Statutory Requirements**

This permit is issued under the Environmental Permitting (England and Wales) Regulations 2010, the responsibilities and duties you have under legislation for health, safety, and welfare in the workplace remain in force. Neither does the permit detract from any other statutory requirement including the need to obtain planning permission, hazardous substances consent, discharge consents from the Environment Agency, building regulations approval or a waste management licence.

### **Notification of Operation Changes**

Operators are advised that they may be liable to prosecution if they make a change to the operation **without approval**, which is such that either the operation (as changed) is not the

operation which is permitted, or a condition of the permit is not being complied with as a result of the change being made. Changes to an operation can be classified as 'change in operation' or 'substantial change in operation'.

### **Substantial change to all installations (Article 3(9) and 63) of Industrial Emissions Directive 2010/75/EC**

**'Substantial change'** means a change in the nature or functioning, or an extension, of an installation which may have significant negative effects on human health or the environment.

**Re-verify compliance:** following a substantial change, compliance must be re-verified

### **Substantial change to existing installations**

**'Existing installation'** means an installation in operation on 29 March 1999 or which was granted a permit before 1 April 2001 or the operator of which submitted a complete application for a permit before 1 April 2001, provided that that installation was put in operation no later than 1 April 2002:

A full explanation of the terms 'change in operation' and 'substantial change', together with an explanation of the notification procedures is contained in the following document:-

Secretary of State's Guidance - General Guidance Manual on Policy and Procedures for A2 and B Installations. That is all available from Her Majesty's Stationery Office (HMSO), Publications Centre, P.O. Box 276, London, 5W8 5BT. Telephone 0171 873 9090 or via Defra's Website <http://www.defra.gov.uk/publications/2011/05/12/pb13524-ep-general-guidance/>

## **ENFORCEMENT**

The operator will be liable to enforcement action where: -

- a) the operator fails to comply with or contravene a permit condition;
- b) a change is made to the installation operation without prior notification of the change to West Lindsey District Council;
- c) intentional false entries are made in any record required to be kept under the conditions of the permit;
- d) false or misleading statement is made, without reasonable excuse, in relation to the operation and permit.

### **Right to Review, Update or Vary this Permit**

This permit shall be subject to review at intervals not exceeding eight years from the date it is granted. It may also be reviewed and/or varied at the discretion of West Lindsey District Council in case of changes in law or accepted standards of technology. These reasons are not exclusive.

### **Annual Subsistence Charge**

The current annual subsistence charge for this operation per annum commencing on the 1st. April each year and shall be subject to any statutory revision of the charge.

### **Appeal against Permit Conditions.**

Anyone who is aggrieved by the conditions attached to a permit can appeal to the Secretary of State for the Environment. Appeals must be sent to the Secretary of State no later than **6 months** from the date of the decision (normally the date on the bottom of the permit). You will normally be expected to pay your own expenses during the appeal.

There are no charges for appealing and there is no statutory requirement to submit an appeal form. However, an appeal form has been prepared and is available for use on the Planning Inspectorate website. For an appeal to be valid, appellants (the person/operator making the appeal) are legally required to provide all of the following Regulations Schedule 6, paragraph 2(2)):

- Witten notice of the appeal
- statement of the grounds of appeal
- statement indicating whether the appellant wishes the appeal to be dealt with by written representations procedure or at a hearing - a hearing must be held if either the appellant or local authority requests this, or an appointed person or the Secretary of State/Welsh Ministers decide 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
- a copy of any decision or notice, which is the subject matter of the appeal.

Appeals relating to operations in England should be sent 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. Guidance on the appeals procedures can be found at [http://www.planningportal.gov.uk/uploads/pins/environmental\\_permitting\\_guidance\\_notes.pdf](http://www.planningportal.gov.uk/uploads/pins/environmental_permitting_guidance_notes.pdf)

At the same time, the notice of appeal and documents (a) and (e) must be sent to the Council, and the person making the appeal should inform the Secretary of State that this has been done. Further information can be found on the Planning Inspectorate website: <http://www.planningportal.gov.uk/planning/countryside/environmental/environmentalpermittin>  
g

### **Please note:**

An appeal will not suspend the effect of the conditions appealed against; the conditions must still be complied with.

In determining an appeal against one or more conditions, the Act allows the Secretary of State in addition to quash any of the other conditions not subject to the appeal and to direct the local authority either to vary any of these other conditions or to add new conditions.

You will be liable for prosecution if you fail to comply with the conditions of this permit. If found guilty, the maximum penalty for each offence, if prosecuted, in a Magistrates Court is £50,000 and/or 6 months imprisonment. In a Crown Court it is an unlimited fine and/or 5 years imprisonment.

Our enforcement of your permit will be in accordance with the [Regulators' Compliance Code](#)