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Making a Difference

PERMIT NUMBER: EPR/A/1/99.V5

West Lindsey District Council hereby permit Brayford Plastics Ltd.,

To Operate an Schedule B Printing Activity

at

Horncastle Lane, Dunholme, Lincoln LN2 3QF

Under The Provisions of

THE POLLUTION PREVENTION AND CONTROL ACT 1999

**ENVIRONMENTAL PERMITTING (ENGLAND AND WALES) REGULATIONS
2010**

**SECRETARY OF STATES PROCESS GUIDANCE NOTES PG6/17(11) AND
ASSOCIATED STATUTORY GUIDANCE**

[Consolidated permit issued with Variation Notice EPR/A/1/99.V5]

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

WEST LINDSEY DISTRICT COUNCIL

ENVIRONMENTAL PERMITTING (ENGLAND AND WALES) REGULATIONS 2010

POLLUTION PREVENTION AND CONTROL ACT 1999

PERMIT TO OPERATE A PRINTING OF FLEXIBLE PACKAGING ACTIVITY

PERMIT NUMBER: EPR /A/1/99.V5

Operator	Brayford Plastics Limited
Installation Address	Horncastle Lane, Dunholme, Lincoln, LN2 3QF
Grid Reference	499223 378344
Registered Office	Horncastle Lane, Dunholme, Lincoln, LN2 3QF

Brayford Plastics Limited is hereby permitted by West Lindsey District Council to carry on a printing activity under Section 6.4(B)(a)(iv) and Section 7 of the Environmental Permitting Regulations (England and Wales) 2010 and other activities as described below within the installation boundary as marked red on the attached plan reference Appendix 3 and in accordance with the following conditions.

Provenance	Relevant Dates
Date original EPA application made	14 January 1998
Amendment Name Change	9 August 2007
Variation:	18 March 2011 19 October 2011

Potential Releases

The activity has the potential to release volatile organic compounds (VOC), carbon monoxide (CO) and nitrogen oxides (NO_x) to air.

Statutory Guidance

This permit has been based on the following statutory guidance notes, published by the Department of Environment, Farming and Rural Affairs (DEFRA) :-

"Printing of Flexible Packaging" ref PG 6 /17 (11)

This can be obtained from the web link:

<http://www.defra.gov.uk/environment/airquality/lapc/pgnotes/default.htm>

Scope

- i. The 'permitted activities' comprise the whole operation including the treating, handling and storage of any materials used in and products and wastes produced by the activities.
- ii. All pollutant concentrations shall be expressed at reference conditions of 273K and 101.3kPa, without correction for water vapour content.

This permit consists of 25 numbered pages including an explanatory note. The following plans are attached and form part of the permit.

Appendix 1 Solvent Management Diagram
Appendix 2 Regional location plan
Appendix 3 Location plan showing boundary in red
Appendix 4 Plan of Print Room
Glossary of Terms
Explanation Notes

Description of the Installation

The installation as a whole produces flexible packaging for the commercial industry using flexographic printing presses.

The main activity steps within the installation are printing, raw material and finished product storage and waste storage.

The printing activity operated at Brayford Plastics Limited is defined as the flexographic printing of polyethylene sheets using solvent borne inks. The activity involves the use of liquid flexographic printing inks and organic solvents, which include IMS99, Ethyl Acetate and Normal Propanol.

The activity involves the application of liquid inks in organic solvent solution onto flexible packaging material, in one 8 colour Windmoller Miraflex and one Windmoller and Holscher Primaflex CM8 Col flexographic printing presses. The printing activity takes place in the Print Room as shown in area B, Appendix 4.

Emissions from the printing presses are vented to atmosphere via abatement plant designed to remove and destroy Volatile Organic Compounds (VOCs). The VOC abatement plant is a MegtecTM System, which utilises a combination of adsorption and catalytic oxidation technologies as shown in area D, Appendix 4.

Liquid inks are received in metal drums and are stored in the Ink Store, as shown in area A, Appendix 4.

Empty solvent drums and solvent drums containing contaminated inks and solvents are sealed and stored prior to collection by specialist waste contractors as shown in area A, Appendix 4.

Contaminated rags and empty ink drums are stored in empty solvent drums, prior to collection by specialist waste contractors as shown in area C, Appendix 4.

As a whole the installation falls within Sections and 6.4(B)(a)(iv) and Section 7 of the Environmental Permitting (England and Wales) Regulations 2010. It is therefore a defined SED activity as well as the other identified activities.

Incineration of VOC

Emissions from the activity are ducted directly to a Megtec™ VOC abatement system capable of complying with emission limit values (ELV) as shown in area D, Appendix 4. The abatement is based on a combination of two technologies, Adsorption and Catalytic oxidation.

The Megtec™ is considered to represent BAT in terms of VOC abatement.

The Megtec™ is optimised to maximise VOC destruction and should have > 95% VOC destruction efficiency and minimise combustion gas releases. As such CO and NOx releases will be minimised by the unit's telemetry systems. The Megtec™ is fully interlocked and includes internal alarm systems to monitor unit efficiency.

As a critical piece of equipment in demonstrating compliance with the permit, the operation of the Megtec™ is encompassed by an annual service contract and by site planned maintenance contract.

Thermal incineration of waste gases is the chosen means of demonstrating compliance for activity.

It is noted that there is both direct association and technical connection to the printing activities, in that all solvent material produced by the printing activities (with the exception of fugitive emissions) is then subsequently incinerated in the Megtec™. The Megtec™ is therefore regulated within this permit.

CONDITIONS

1. The permitted installation shall consist only of that plant and equipment detailed on pages 4 and 5. No other relevant plant or equipment shall be used without the prior written consent of West Lindsey District Council.
2. No printing press shall be used unless the Megtec™ and LEV are operational and at the correct operating parameters unless there are unavoidable failures of the device.

Any bypass of the abatement plant, through emission stacks shall be deemed an emergency and steps shall be taken to stop the activity (or part thereof). West Lindsey District Council shall be immediately notified of any breakdown of the Megtec™ or the LEV/ductwork system, which is likely to last more than 24 hours. In such a case, the Council will agree a written timetable schedule for the necessary repair work, which thereafter must be strictly adhered to by Brayford Plastics Ltd.

3. There shall be no visible emissions from the permitted installation.
4. Emissions from the permitted installation, other than steam or condensed water vapour, shall be free from persistent mist and free from persistent fume.
5. Emissions from final point of discharge to atmosphere serving the Megtec™ shall not exceed the following concentrations of the substances and chemicals listed in Table 1 below:

Table 1 – Permissible emission limit concentrations

Pollutant	Concentration
Carbon Monoxide	100mgm ⁻³
VOC*	50mgm ⁻³
Nitrogen Oxides	100mgm ⁻³

*Volatile Organic Compounds, (as Carbon)

6. The concentrations of the substances listed in condition 5 shall be expressed at reference conditions. 273K, 101.3kPa, without correction for water vapour content and the results of the monitoring shall be expressed in milligrams per cubic metre (mg/m³) and averaged over 15 minutes unless otherwise stated.
7. There shall be no offensive odour emitted from the installation detected beyond the installation boundary as perceived by an officer of West Lindsey District Council.

- 8 No piece of plant or equipment mentioned in condition 1 above (or any replacement used for the same purpose), shall be operated with an emission point direct to atmosphere unless specifically allowed within this permit or specifically agreed in writing with West Lindsey District Council.
- 9 The introduction of dilution air to achieve compliance with emission limit values (ELV) shall not be permitted.

In the event that an emission stack can be demonstrated to be compliant with condition 5 above, dilution air may be added to render harmless a visible or odorous emission.

- 10 The installation shall be observed for visible emissions at least once per day, or more often as may be prescribed in writing by West Lindsey District Council, from a point providing an unimpeded view of the emissions points for the installation. In the event of visible emissions being observed, immediate action shall be taken to (determine the cause of) and resolve the malfunction responsible for the emission, and, if necessary, action shall be taken to abate the emission.

Contingency arrangements shall be instigated to prevent or reduce to a minimum any further visible emissions caused by the malfunction. West Lindsey District Council shall be notified of any such occurrence as soon as practicable.

The results of the observations shall be recorded in the logbook (required to be kept by condition 12), along with details of remedial action taken.

- 11 A daily assessment shall be made for odour emissions from the installation while the activity is operating. The assessment shall be made at a point at or beyond the installation boundary where such an emission is most likely to be detected, taking into account the wind direction, source of odour, nearest neighbour, etc. The assessment must be made by a responsible person who has been instructed to carry out these duties. A record of all olfactory assessments shall be entered into the logbook required to be kept in accordance with condition 12. The records shall include a subjective assessment of the nature and severity of any odour detected.

If offensive odour emissions are detected, immediate action shall be taken to determine the cause of the emission and to resolve the malfunction responsible for the emission. Contingency arrangements shall be instigated to prevent or reduce to a minimum any further odour emissions caused by the malfunction. West Lindsey District Council shall be notified of any such occurrence as soon as practicable.

- 12 A logbook shall be established and maintained which contains a record of all visual and olfactory observations made in accordance with conditions 10 and 11 and the results of the monitoring programme carried out in accordance with conditions 13 and 14. The records shall include the time and date of the observations, the location from which the observations were made, the wind direction, the weather conditions, the likely source of the emissions to air, details of any corrective action taken, and the name and position within the Company of the person undertaking the observations. The logbook shall be kept available for inspection by an authorised officer from West Lindsey District Council at the premises occupied by the Company, and the records shall be retained for at least two years. The logbook may be paper based or electronic

The results of all continuous monitoring shall be recorded in the logbook and retained for at least two years. These results shall be made available for inspection by an authorised officer of West Lindsey District Council on request. All results from periodic monitoring exercises shall be retained for at least two years from the date of the same. The logbook shall also include any other information or documentation as may be required to be kept by other conditions within this permit.

- 13 Emissions from the final point of discharge to atmosphere serving the MegtecTM shall be sampled for concentrations of the substances listed within table 1, prescribed by condition 5, on an annual basis.

All Sampling shall be carried out in accordance with recognised standards as agreed with West Lindsey District Council prior to monitoring taking place. The date of sampling shall be notified to West Lindsey District Council at least 7 days prior to the sampling taking place. Results shall be expressed in accordance with the requirements of condition 5 and the results of monitoring to be supplied to West Lindsey District Council within 28 days of completion of the monitoring. Further, monitoring reports shall be submitted to West Lindsey District Council in either paper or electronic format.

- 14 The MegtecTM System shall be operated and maintained in accordance with the manufacturers' recommendations.

The MegtecTM Thermal Oxidiser shall be continuously monitored for temperature. Fresh air routed through the secondary side of Heat Exchanger shall be heated prior to entering the adsorber for regeneration to a minimum of 177°C (450 K). The Catalytic Oxidiser shall be heated to a minimum of 288°C (561 K).

The Megtec™ shall to be fitted with an audible and visual alarm to be triggered in the event that the device ceases to operate within this temperature range.

Any sounding of an alarm to be recorded in the logbook required to be kept in accordance with condition 12.

Note: To meet this condition, printing or cleaning printing presses with organic solvents is not permitted when the Megtec™ system is below the above-mentioned temperature, during start up or shutdown.

- 15 The continuous monitor shall be calibrated every 12 months (or more frequently if necessary) in accordance with manufacturers' instructions.
- 16 The operator shall construct an inventory of solvent use within the installation. The inventory shall be carried out by recording:
 - (i) The mass of solvent contained in inks, coatings, diluents and cleaners in the initial stock (I_S) at the start of the accounting period, plus
 - (ii) The mass of solvent contained in inks, coatings, diluents and cleaners in the purchased stock (P_S) during the accounting period
 - (iii) Minus the mass of solvent contained in inks, coatings, diluents and cleaners in the final stock (F_S) at the end of the accounting period

Then Total Solvent Input (I_1) = $I_S + P_S - F_S$

The inventory shall specifically and separately identify any VOCs carrying any of the R-Phrases as prescribed within the Solvent Emissions (England and Wales) Regulations 2004.

Further, having calculated total solvent Input (I_1), the operator shall then calculate solvent consumption by subtracting from the Input figures any solvent that is sent out for recovery.

Hence: C (consumption) = $I_1 - O_8$

The inventory and consumption data shall be submitted to West Lindsey District Council on 1st April and 1st September for the preceding 6 months solvent use (see appendix1).

- 17 The raw materials used in the installation and all waste materials produced from the activities therein shall be handled with care to prevent or reduce to an absolute minimum any emissions to air.

- 18 Spillages of liquids and finely divided materials shall be cleaned up immediately. Liquid spillages shall be contained and cleaned up by the use of a suitable absorbent material. Spillages of finely divided or powdery materials shall be with an industrial grade vacuum cleaner or by wet cleaning methods; dry sweeping shall not be permitted. Vehicular movement of powdery materials using uncovered containers shall be prohibited unless the material is thoroughly damped to prevent wind entrainment.
- 19 All raw materials and waste materials shall be delivered only into the storage and waste storage as shown respectively in areas A and C, Appendix 4.
- 20 Drums and containers containing liquid materials, whether full, partly full or empty, shall be stored in a secure, well-ventilated storage area. All full, partly full or empty drums and containers shall be kept tightly closed to prevent any emissions to air.
- 21 Mixing of inks with solvents should be carried out in covered or enclosed mixing vessels or within areas where LEV extraction is present which is ducted to suitable abatement plant, if required to meet the emission limits stipulated in condition 5.
- 22 In order to demonstrate BAT and minimise fugitive emissions, the emissions from the emptying of mixing vessels and from the transfer to printing machines shall be adequately contained to minimise emissions of fugitive VOCs, by the use of closed transfer systems. This may be achieved by the use of enclosed mobile containers, containers with close-fitting lids, or, enclosed containers with pipeline delivery. Programmable scales shall be used during the mixing and preparation of inks to reduce solvent usage.
- 23 Application of cleaning solvents shall either be:
 - From a contained device or automatic system when applied directly on to machine rollers.
 - Dispensed by piston type dispenser or similar contained device, when used on wipes.
 - Via the use of Pre-impregnated wipes which shall be held within an enclosed container prior to use.

Solvent Wipes and other items contaminated with solvent shall be placed in a suitably labelled metal bin fitted with a self-closing lid. Bins shall be emptied at least daily. Special bins that allow air to circulate beneath and around them to aid cooling shall be used for materials that may undergo spontaneous combustion.

- 24 Where cleaning solvents are decanted into other containers they shall be contained in self-closing containers.
- 25 Where fixed equipment is cleaned in-situ, it shall be kept enclosed whilst cleaning is carried out. At all times during the cleaning operations the LEV and the incinerator shall be fully operational.

Where equipment is cleaned off-line (such as screens, plates, drums, rollers and ink trays) it shall be carried out in enclosed cleaning systems. Enclosed cleaning systems shall be sealed to prevent emissions whilst in operation, except during purging at the end of the cleaning cycle. Purging of any cleaning systems in use shall only be through the fully operational LEV and incinerator

- 26 Residual ink contained in parts of the press shall be removed prior to cleaning.
- 27 The final efflux velocity of all emissions to air from any contained source must not be less than 15 m/sec.
- 28 Regular cleaning and effective preventative maintenance in accordance with the manufacturer's instructions shall be employed on all plant and equipment concerned with the emission, capture, transport and control of emissions to atmosphere. Such cleaning and maintenance procedures shall be updated from time to time as may be necessary to account for changes in working practice or plant and machinery or solvents used.

Spares and consumables, in particular, those subject to continual wear, shall be held on site, or shall be available at short notice so that plant breakdowns can be rectified rapidly.

- 29 Staff at all levels shall receive the necessary formal training and instruction in their duties relating to control of the activity and emissions to air. In order to minimise rise of emissions, particular emphasis should be given to control procedures during start-up and shut down and abnormal conditions. Records shall be kept which detail all relevant training provided to staff, the records shall be made available for inspection by an authorised officer from West Lindsey District Council. Records of training shall be retained for two years.
- 30 If there is any intention to change any aspect of the installation from that described on pages 3 and 4 of this permit, or any other aspect which may affect the substances or concentration of substances set out in condition 5 being emitted to air, West Lindsey District Council shall be notified of the proposed changes at least 4 weeks before the changes take place.

31 Any malfunction which results in emissions to atmosphere which are likely to cause an adverse effect on the local community shall be reported to West Lindsey District Council, and a record shall be made of the incident within the log book required by condition 12.

32 If so required by West Lindsey District Council, the operator shall prepare a list of all emission points, and related pollutant emissions to atmosphere. The operator shall provide details (where known) of the emissions of those pollutants to atmosphere as a result of any sampling that may be carried out (see condition 14 (above)). Where sampling is not carried out, the operator shall prepare an estimate of the emissions to atmosphere based on data collected in accordance with conditions 16 and 34.

Where sampling is carried out, no correction for atmospheric pressure or water vapour need be made.

If so required by West Lindsey District Council, the operator shall also submit for each point of emission to atmosphere details of stack height, volume flow rate and stack diameter, as well as the height, width and length of the building to which the stack (or stacks) are attached.

If so required by West Lindsey District Council, the results shall be tabulated and submitted in Microsoft Excel format and shall be sent to the following email address (or another to be specified by West Lindsey District Council): Such information shall be submitted as and when requested by West Lindsey District Council.

33 The total emissions of VOCs, which are not vented through the abatement equipment, shall not exceed 20% of the solvent inputs.

34 Based on the data compiled for condition (16), the operator shall calculate the percentage of fugitive emissions applicable to the installation.

To demonstrate compliance with fugitive emission values required in condition (34) above, the operator shall determine the fugitive emissions (F) from the activity using the following:

$$F = I_1 - O_1 - O_5 - O_6 - O_7 - O_8$$

Or

$$F = O_2 + O_3 + O_4 + O_9$$

Definitions of the outputs ("Os" are shown in Appendix 1. Each can be

determined by direct measurement of the quantities or, an equivalent calculation can be made by other means, for instance by using the capture efficiency of the activity. The Fugitive Emission value as a percentage of the Solvent Input (I) is determined by

Fugitive Emission Value = $100 \times F/I$
Where the Solvent Input (I) = $I_1 + I_2$

Fugitive emission values must be determined for the activity, and must be repeated when any equipment or activity modification is carried out (see Appendix 1).

- 35 At no time shall the operator introduce any substance or preparation into the installation that is labelled with the risk phrase of R45, R46, R49, R60 or R61, without the prior written consent of West Lindsey District Council.
- 36 If the operator proposes to make a change in operation of the installation, he must, at least 14 days before making the change, notify West Lindsey District Council 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.

Any information required by this permit to be sent to West Lindsey District Council shall be sent to:

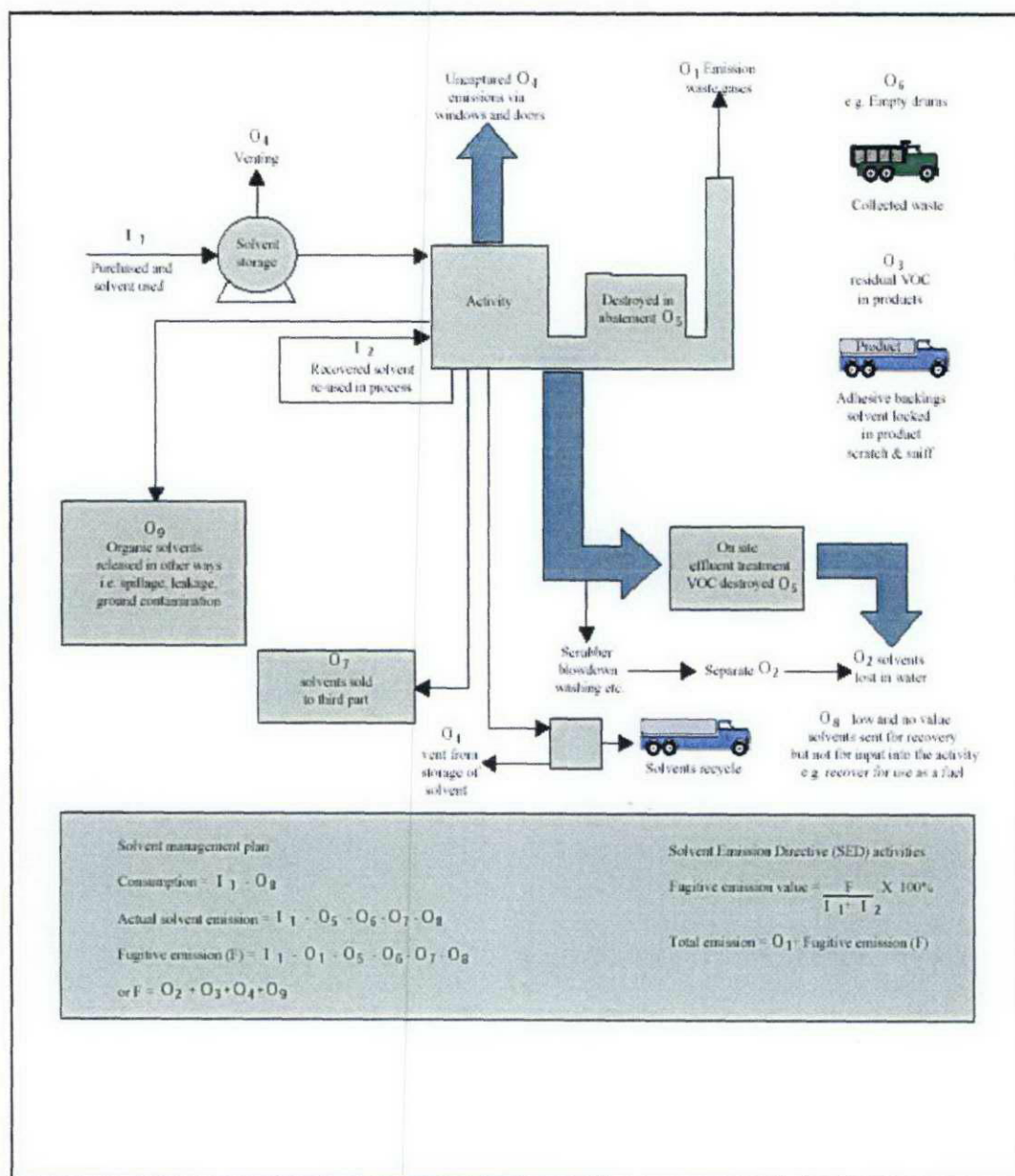
Public Protection Services
West Lindsey District Council
Guildhall, Marshall's Yard
GAINSBOROUGH
Lincolnshire DN21 2NA

Telephone Number: (01427) 676676
Fax Number: (01427) 675170
'Out of Hours' Tel. No. (01427) 613960

Signed: *[Signature]*

Dated: *13 March 2012*

Mrs L Beevers, Team Leader, (Environmental Protection), authorised by West Lindsey District Council to sign on their behalf



Appendix 1: Solvent Management Diagram

The following definitions provide a framework for the Solvent Management Plan to be compiled;

Inputs of Organic solvents (**I**):

I₁ The quantity of organic solvents or their quantity in preparations purchased which are used as input into the activity in the time frame over which the mass balance is being calculated

I₂ The quantity of organic solvents or their quantity in preparations recovered and reused as solvent input into the activity. (The recycled solvent is counted every time it is used to carry out the activity.)

Outputs of Organic solvents (**O**):

O₁ Emissions in waste gases

O₂ Organic solvents lost in water, if appropriate taking into account waste water treatment when calculating **O₅**

O₃ The quantity of organic solvents which remains as contamination or residue in products output from the activity.

O₄ Uncaptured emissions of organic solvents to air. This includes the general ventilation of rooms, vents and similar openings.

O₅ Organic solvents and/or organic compounds lost due to chemical or physical reactions (including for example those which are destroyed, e.g. by incineration or other waste gas or waste water treatments, or captured, e.g. by adsorption, as long as they are not counted under **O₆**, **O₇** or **O₈**).

O₆ Organic solvents contained in collected waste.

O₇ Organic solvents or organic solvents contained in preparations, which are sold or are intended to be sold as a commercially valuable product.

O₈ Organic solvents contained in preparations recovered for reuse but not as input into the activity, as long as not counted in **O₇**.

O₉ Organic solvents released in other ways

Appendix 2: Regional location plan



Plan A

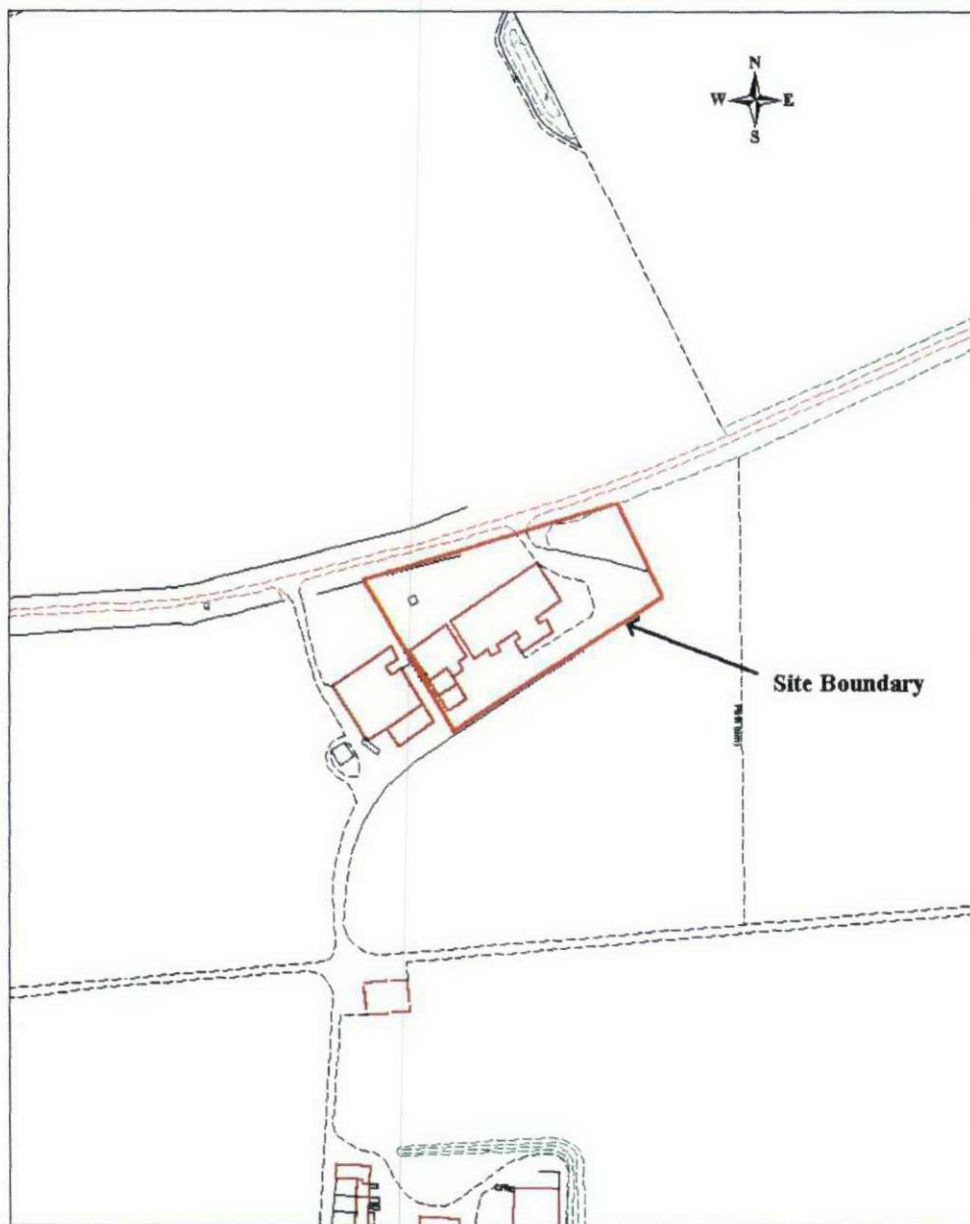


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Appendix 3: Location plan showing boundary in red

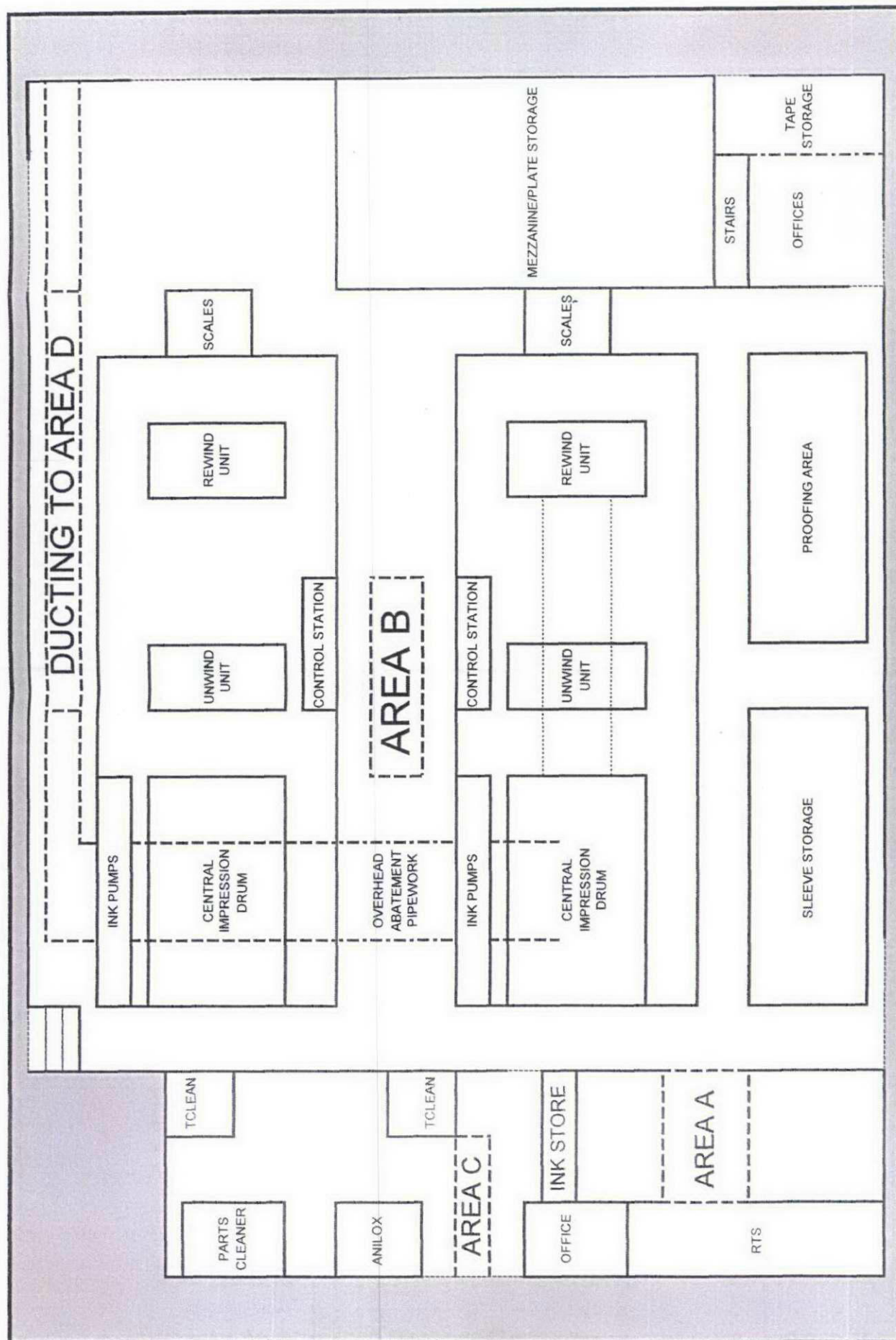


Plan B



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Appendix 4 - Layout of Print Room



Glossary of Terms/Definitions:

Activity	One or more stationary technical units falling within the defined sections of the Schedule 1 of the Pollution Prevention and Control (England and Wales) Regulations 2000 (as amended)
Catalytic Incineration	A method of destruction of VOC's designed using heat and the presence of a catalyst (typically Rodium or Platinum) to denature the VOC material. It is characterised by using much lower temperatures than thermal incineration.
Corona Treatment	Corona treatment is normally achieved using electrostatic charge to ionise air in contact with the substrate. The residual charge left over aids ink adhesion to the substrate. Corona treatment can produce Ozone.
ELV	Emission Limit Values, those values stipulated in the SED or in guidance for emission of particular pollutants to atmosphere.
EPA	Environmental Protection Act, the former pollution control regime, now redundant due to the implementation of PPC
Flexographic	A type of printing technique used specifically to print on a flexible substrate
Halogenated Organic solvent Ink	shall mean an organic solvent which contains at least one atom of bromine, chlorine, fluorine or iodine. per molecule means a preparation, including all the organic solvents or preparations containing organic solvents necessary for its proper application, which is used in a printing activity to impress text or images on to a surface
Installation LEV	One or more activities within a defined area comprising Local Exhaust Ventilation normally associated with small uncontained plant or equipment.
Organic solvent	means any VOC which is used alone or in combination with other agents, and without undergoing a chemical change, to dissolve raw materials, products or waste materials, or is used as a cleaning agent to dissolve contaminants, or as a dissolver, or as a dispersion medium, or as a viscosity adjuster, or as a surface tension adjuster, or a plasticiser, or as a preservative
Organic compound	means any compound containing at least the element carbon and one or more of hydrogen, halogens, oxygen, sulphur, phosphorus, silicon or nitrogen, with the exception of carbon oxides and inorganic carbonates and bicarbonates
PPC	Pollution Prevention and Control, the new pollution control regime replacing that under EPA.
Regulator	Means the Air and Water Team Council. When contacting West Lindsey District Council it is not sufficient to contact any other part of the council other than the Air and Water

Megtec™

Team at the address specified in the additional notes or at the telephone numbers provided.

A type of abatement plant that typically uses the waste VOC material as the predominant fuel source.

R-Phrase

means the same as in Directive 67/548/EEC as follows:

R Phrase	Definition
R40	Limited evidence of carcinogenic effects
R45	May cause cancer
R46	May cause heritable genetic damage
R49	May cause cancer by inhalation
R60	May impair fertility
R61	May cause harm to the unborn

SED

Designated risk phrase material means the designation or label given to a coating or preparation (as a whole). The mere fact that a preparation or coating contains r-phase chemicals does not in itself always make a material r-phase. Solvent Emissions Directive or 'COUNCIL DIRECTIVE 1999/13/EC of 11 March 1999 on the limitation of emissions of volatile organic compounds due to the use of organic solvents in certain activities and installations'

STU

Stationary Technical Unit shall have the same meaning as in the Pollution Prevention and Control Regulations, but in summary shall mean, one machine used for the purpose of printing on flexible packaging or one machine used in connection with that activity. There must be at least 1 STU per activity, but it is possible to have multiple STU's still comprising only one activity.

Volatile Organic Compound (VOC)

shall mean any organic compound having at 293,15 K a vapour pressure of 0.01 kPa or more, or having a corresponding volatility under the particular conditions of use. For the purpose of the Solvents Emissions Directive, the fraction of creosote which exceeds this value of vapour pressure at 293.15 K shall be considered as a VOC.

Explanatory Notes

This note does not comprise part of this 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

Article 2(11) of the IPPC Directive defines "Best Available Techniques" as follows:

"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".

- "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 if the environment as a whole.

BAT (Best Available Techniques) is essentially the same as the BATNEEC (Best Available Techniques not entailing excessive costs) principle adopted by the former Environmental Protection Act 1990 regime.

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”.

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'.

A change in operation in Section 2(1) of the Act means " in relation to an installation or mobile plant, a change in the nature or functioning or an extension of the installation or mobile plant which may have consequences for the environment “.

A substantial change in Section 2(1) of the Act means" in relation to an installation or mobile plant, a change in operation which, in the opinion of West Lindsey District Council, may have significant negative effects on human beings or the environment". Any substantial change will be of a significant nature, which justifies requiring the operator to submit proposals as if for a new application, together with a full consultation process.

Under Regulation 16 (1) and 16(2) an operator of a permitted operation who wishes to make a change to the installation operation shall notify West Lindsey

District Council of the proposed change at least 14 days before making the change. This shall be made in writing and shall contain a description of the proposed change in the operation of the installation. Alternatively, the operator can apply to Council for a variation of the conditions of his permit under Regulation 17(2).

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. PB13524

That is all available from Her Majesty's Stationery Office (HMSO), Publications Centre, P.O. Box 276, London, SW8 5BT. Telephone 0171 873 9090 or via Defra's Website

<http://www.defra.gov.uk/publications/2011/05/12/pb13524-ep-general-guidance/>

Specifically for solvents, any change in the nominal capacity of the installation leading to an increase of emissions of VOCs of more than 10% or of emissions of any pollutant having a significant effect on human health or on the environment [see SED Box 3 in PG6/17 (11)] shall comprise a substantial change and the operator shall be required to submit a formal application to West Lindsey District Council.

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 six 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).

Appeals relating to operations in England should be sent to the Planning Inspectorate, Environmental Pollution Appeals, Room 14/18 Tollgate House, Houlton Street, Bristol BS2 9DJ.

Guidance on the appeals procedures can be found at http://www.planningportal.gov.uk/uploads/pins/environmental_permitting_guidance_notes.pdf

The appeal must be in the form of a written notice or letter stating that the person wishes to appeal and listing the condition(s) which is/are being appealed against. The following five items **must** be included:

- (a) a statement of the grounds of appeal;
- (b) a copy of any relevant application;
- (c) a copy of any relevant permit;
- (d) a copy of any relevant correspondence between the person making the appeal ("the appellant") and the Council;
- (e) a statement indicating whether the appellant wishes the appeal to be dealt with:-
 - (i) by a hearing attended by both parties and conducted by the

Planning Inspectorate or

- (ii) by both parties sending the Planning Inspectorate written statements of their case (and having the opportunity to comment on one another's statements).

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/environmentalpermitting>

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.