

PERMIT TO OPERATE A PART B INSTALLATION

POLLUTION PREVENTION & CONTROL ACT 1999

Environmental Permitting (England and Wales) Regulations 2010 (as amended)

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| Permit Reference Number: | IPPC/2012/54 |
| Date of Original Permit Issue: | 7th February 2012 |
| Date of Model Permit Issue: | 13th February 2014 |
| (i) Name and address of operator: | AW Repair Group Limited Plot 32, Commercial Way Sleaford Enterprise Park East Road, Sleaford Lincolnshire, NG34 7EQ |
| Address of permitted installation: (outlined on attached plan, and including the location of spray booth(s), areas for storage of organic solvent containing materials and wastes). | AW Repair Group Limited Plot 32, Commercial Way Sleaford Enterprise Park East Road, Sleaford Lincolnshire, NG34 7EQ |

The installation boundary and key items of equipment mentioned in permit conditions are shown in the plan attached to this permit.

The above named company is permitted to operate a vehicle refinishing installation subject to compliance with the conditions specified within this document.

Signed.....
Mark Taylor

Date:..... 13/02/2014

Head of Environment and Public Protection (*authorised to sign on behalf of the Council*)

Permit Conditions

Non-VOC emissions

| Table 1: The following non-VOC emission limits shall apply: | | | | | |
|--|--------------------|---|-----------------------------|--|----------------------|
| Row | | Source | Emission Limits/ Provisions | Type of Monitoring | Monitoring Frequency |
| 1 | Particulate Matter | From spray booths | 10mg/Nm ³ | By guarantee supplied by the spray booth constructor (see B3 of the application) | None required. |
| 2 | Sulphur dioxide | All processes/ activities | 1% wt/wt sulphur in fuel | Certification by supplier on first delivery | None required |
| | | All processes/ activities using gas oil as defined in the Sulphur Content of Certain Liquid Fuels Directive (1999/32/EC). | 0.1% wt/wt sulphur in fuel | | |
| All emissions shall be determined at the standard reference conditions of 273.15K and 101.3kPa, without correction for water vapour content. | | | | | |

1. The introduction of dilution air to achieve emission concentration limits shall not be permitted. Dilution air may be added for waste gas cooling or improved dispersion where justified, but this must not be considered when determining the mass concentration of the pollutant in the waste gases.
2. The operator shall implement a maintenance schedule a copy of which shall be made available to the regulator upon request.
3. Dusty wastes shall be stored in closed containers.
4. Dry sweeping of dusts and dusty wastes shall not be used.
5. The operator shall keep records of inspections, tests and monitoring in relation to the provisions of the table above. In such cases:
 - a. current records shall be kept on site and made available for the regulator to examine
 - b. records shall be kept by the operator for at least two years
6. The operator shall notify the regulator at least 7 days before any periodic monitoring exercise to determine compliance with the abrasive blasting particulate emission limit values. The operator shall state the provisional time and date of monitoring, pollutants to be tested and the methods to be used.
7. Within 8 weeks of the completion of monitoring activities, the results of non-continuous emission testing shall be forwarded to the regulator.
8. In the event of any adverse results from any monitoring activity in relation to the provisions of the above table, the operator shall investigate as soon as the results are obtained/received. The operator shall:

- a. identify the cause and take corrective action;
 - b. record as much detail as possible regarding the cause and extent of the problem;
 - c. record the action taken by the operator to rectify the situation;
 - d. re-test to demonstrate compliance as soon as possible; **and**
 - e. notify the regulator.
9. In the case of abnormal emissions, or malfunction or breakdown leading to abnormal emissions, the operator shall:
- a. investigate immediately and undertake corrective action;
 - b. adjust the process or activity to minimise those emissions; **and**
 - c. promptly record the events and actions taken;
 - d. notify the regulator without delay, if the emission is likely to have an effect on the local community.

VOC emissions

10. Surface preparation and painting operations shall be carried out using only coating materials, which are placed on the market for use in vehicle refinishing bodyshops (as identified by a label on the container containing the following information -a description of the product by identification of the contents as a subcategory of Directive 2004/42/CE, the relevant VOC limit values in g/l as referred to in Annex II of Directive 2004/42/CE and the maximum content of VOC in g/l of the product in a ready to use condition "). For information, the individual bodyshop products that are covered by this permit are listed in Appendix 3 of Process Guidance Note 6/34 (11).
11. The products used in coating shall be prepared and applied in accordance with the suppliers' instructions. Under no circumstances shall the product be thinned with more than the supplier's stated quantity or percentage of thinner. For information, the maximum, application-ready VOC contents for individual categories of products are listed in Appendix 4 of Process Guidance Note 6/34 (11).
12. All paint spraying operations shall be carried out in a totally enclosed booth under negative pressure, to prevent fugitive emissions of VOCs.
13. Spray applied coatings shall be applied to passenger cars using high transfer efficiency spray guns (a system capable of achieving a transfer efficiency of at least 65%)..
14. Spray applied coatings shall be applied to commercial vehicles using one of the techniques in Condition 3.5 of PGN 6/34 (11) or using airless spraying equipment.
15. All spray guns and equipment cleaning shall be carried out in an automatic, totally-enclosed equipment cleaning machine or any other equipment cleaning machine which can achieve comparable or lower emissions. The cleaning machine shall be provided with the minimum of exhaust ventilation that is necessary to prevent the fugitive emission of organic solvent vapour when the machine is opened for introduction or removal of equipment, or for the changing of cleaning solvent.
16. All spray gun testing and sprayout following cleaning shall be carried out in either an equipment cleaning machine with the extraction running or into a chamber which is provided with extraction which is running in accordance with a written procedure a copy of which shall be made available to the regulator upon request. The operator shall inform the council in writing of any significant changes to the written procedure.
17. Cleaning solvents shall be dispensed by a piston type dispenser or similar contained device, when used on wipes.
18. Pre-impregnated solvent wipes shall be held within an enclosed container prior to use.

19. Solvent contaminated wipes and other wastes shall be handled in accordance with a written procedure a copy of which shall be made available to the regulator upon request. The operator shall inform the council in writing of any significant changes to the written procedure.
20. Organic solvent containment and spillage equipment shall be readily available in all organic solvent handling areas.
21. All solvent containing coatings, thinners and related materials and equipment cleaning materials shall be stored:
 - a. in the containers in which they were supplied, with the lid securely fastened at all times other than when in use;
 - b. within spillage collectors, of suitable impervious and corrosion-proof materials and capable of containing 110% of the largest container;
 - c. away from sources of heat.
22. All solvent containing wastes shall be stored:
 - a. in suitable sealed containers with a securely fastened lid, and labelled so that all that handle them are aware of their contents;
 - b. within spillage collectors, of suitable impervious and corrosion-proof materials and capable of containing 110% of the largest container;
 - c. away from sources of heat.
23. Cleaning operations involving organic solvents shall be reviewed every two years, to identify opportunities for reducing VOC emissions. This will include identification of cleaning steps that can be eliminated or alternative cleaning methods. The regulator shall be provided with a report on the conclusions of the review, within eight weeks of it being completed.
24. Spares and consumables, particularly those subject to continual wear shall be held on site, or shall be available at short notice from guaranteed suppliers, so that spraybooth and abrasive blasting plant breakdowns can be rectified rapidly.
25. Waste solvents and waste coatings shall be recycled off site. Copies of receipts of waste materials sold for recycling shall be kept for three years.

Visible and odorous emissions

26. All releases to air, other than condensed water vapour, shall be free from persistent visible emissions.
27. All emissions to air shall be free from droplets.
28. There shall be no offensive odour beyond the site boundary, as perceived by the regulator.
29. Emissions from combustion processes shall in normal operation be free from visible smoke and in any case shall not exceed the equivalent of Ringelmann Shade 1, as described in British Standard BS 2742:1969.

General Conditions

30. All emissions of particulates shall be emitted from each spraybooth via a flue terminating at a minimum height of 3 metres above the roof ridge height of any building within 15 metres of the base of the flue.

31. The activity shall operate in accordance with a structured environmental management system, whether by adopting published standards (ISO 14001 or the EU ECO management and Audit Scheme (EMAS) or by setting up an EMS tailored to the nature and size of the particular process.
32. Staff at all levels shall receive the necessary training and instruction. The training of all staff with responsibility for operating the activity shall include:
 - a. awareness of their responsibilities under the permit; in particular how to deal with conditions likely to give rise to emissions, such as in the event of spillage;
 - b. minimising emissions on start up and shut down; and
 - c. actions to minimise emissions during abnormal conditions.
33. A record of staff training and instruction, comprising the name of the trainee and the subject-matter of the training, shall be maintained by the operator and sent to the Council on the **1st April** - once a year.
34. A written record of all maintenance carried out in accordance with Condition 2 shall be made available for inspection by the regulator.

Best available techniques

35. 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.
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 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.

Right to Appeal

You have the right of appeal against this permit within 6 months of the date of the decision. The Council can tell you how to appeal and details are provided within the supplementary information attached.. You will normally be expected to pay your own expenses during an appeal.

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.

APPENDIX 1 : SUPPLEMENTARY NOTES

THE FOLLOWING SUPPLEMENTARY NOTES DO NOT COMPRISE PART OF THE PERMIT BUT CONTAIN GUIDANCE RELEVANT TO IT AND SHOULD BE READ IN CONJUNCTION WITH THE PERMIT:

SCOPE

The installation comprises not just any relevant unit carrying out a Part B activity listed in Schedule 1 to The Environmental Permitting (England and Wales) Regulations 2010 ("the Regulations"), (as ammended) but also directly associated activities which have a technical connection with that activity and could have an effect on pollution.

BEST AVAILABLE TECHNIQUES

The Best Available Techniques shall be used:

For the purposes of the Regulations, "best available techniques" means the most effective and advanced stage in the development of activities and their methods of operation which indicates the practical suitability of particular techniques for providing in principle the basis for emission limit values designed to prevent and, where practicable, generally to reduce emissions and the impact on the environment as a whole; and for the purpose of this definition:-

- a) "available techniques" means those techniques which have been developed on a scale which allows implementation in the relevant industrial sector, in the economically and technically viable conditions, taking into consideration the cost and advantages, whether or not the techniques are used or produced inside the United Kingdom, as long as they are reasonably accessible to the operator;
- b) "best" means, in relation to techniques, the most effective in achieving a high general level of protection of the environment as a whole;
- c) "techniques" includes both the technology used and the way in which the installation is designed, built, maintained, operated and decommissioned.

In considering BAT, the Local Authority would expect the operator to have regard to all relevant PPC sectoral or other technical guidance.

REFERENCES AND GUIDANCE USED

Legislation and Technical Guidance documents used in the preparation of this document:

- Pollution Prevention and Control Act 1999.
- The Environmental Permitting (England and Wales) Regulations 2010 (as amended).
- Secretary of State's Guidance – General Guidance Manual on Policy and Procedures for A2 and B installations.
- Secretary of States Guidance Notes- PG6/34 (11) (Revised June 2013) Statutory Guidance for re-spraying of road vehicles.

All publications are available directly from the HMSO

Ordering information:

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e-mail: book.orders@tso.co.uk

Fax: 0870 600 5533

online ordering: <http://www.tsoshop.co.uk/bookstore.asp>

INSPECTIONS AND POWERS OF ENTRY

Local Authority Officers (the Local Authority Inspectors) will conduct regular inspections to check and ensure full compliance with the Permit conditions and residual duties. These inspections may be carried out without prior notice.

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

OFFENCES AND ENFORCMENT

Action taken by the Local Authority against an operator will be guided by the Environmental Services enforcement policy. A copy of this can be forwarded on request, or is available from www.n-kesteven.gov.uk

If the Local Authority is of the opinion that you have contravened, or are contravening or are likely to contravene a Condition of the Permit it may serve an Enforcement Notice. Further details on Enforcement Notices are provided in regulation 36 of the Regulations.

If the Local Authority is of the opinion that the operation of an installation or mobile plant involves a risk of serious pollution it must, in certain circumstances, serve a Suspension Notice on the operator. Further details on Suspension Notices are provided in regulation 37 of the Regulations.

It is an offence to operate an installation or mobile plant covered by the Regulations without a Permit or in breach of the Conditions of that Permit.

It is an offence to fail to comply with the requirements of an Enforcement or Suspension Notice.

It is an offence to intentionally make a false entry in any records kept as required under a Condition of a Permit.

Further details on offences, and penalties liable to be imposed upon conviction of an offence are provided in Part 4 of the Regulations.

Directors, managers and other individuals within a company may be held personally liable for offences under the Regulations.

All personnel who are responsible for fulfilling any Condition of the Permit should be made aware of these facts.

HEALTH AND SAFETY

This Permit is given in relation to the requirements of The Environmental Permitting (England and Wales) Regulations 2010 (as amended). It must not be taken to replace any workplace responsibilities the operator has under Health & Safety legislation. Whenever emission limits quoted in this Permit conflict with occupational exposure limits set under the Health and Safety at Work Act 1974 to secure the health, safety or welfare of persons at work, the tighter limit should prevail.

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

OTHER STATUTORY REQUIREMENTS

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

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

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

SUBSISTENCE CHARGES

An annual subsistence charge will be payable in respect of the Permit in accordance with the relevant charging scheme made under Section 41 of the Environment Act 1995. A Copy of the current charging scheme will be forwarded on request to the Local Authority or are available from www.defra.gov.uk

Subsistence fees will become due on the 1st April each year. You should note that the operator is liable for the full subsistence fee for the year of operation. If the installation ceases during the year the operator is not entitled to a pro rata refund of any subsistence fees.

PUBLIC REGISTER

The Local Authority is required by regulation 46 of the Regulations to maintain a register containing information on all the installations in their district. The register must be available for inspection by the public, and copies of any entry can be taken. Registers will contain the information set out in Schedule 24 to the Regulations. This includes copies of applications, details of Local Authority determinations and monitoring information.

Regulation 55 allows information to be kept from public registers for reasons of national security. Details on how to make an application for exemption will be provided by the Local Authority on request. Operators should note that the information should not be excluded from any submission to the Local Authority. The Operator should notify the Local Authority that an exclusion has been or will be applied for.

Section 55 allows regulators to withhold information from the public registers as commercially confidential. Details on how to make an application for exemption will be provided by the Local

Authority on request. Note that the Regulations state information is commercially confidential "if its being contained in the register would prejudice to an unreasonable degree the commercial interests" of any person. Operators must clearly explain how this might arise. It will not be enough to say that they are concerned about public opposition, or to assert commercial prejudice without substantiation.

TRANSFER OF PERMITS

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

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

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

VARIATION TO PERMITS

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

- Change of operation of the installation.
- In response to the findings of a periodic review of conditions.
- In response to the findings of an inspection.
- New or revised sector guidance notes

SUBSTANTIAL CHANGE

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

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

APPEALS

If you are aggrieved by any of the Conditions of the Permit, the Local Authority both welcomes and suggests that the operator first contacts the Local Authority with a view to resolving any disagreements or misunderstandings that may have arisen. You should note however, that the deadline for making an appeal cannot be put back while any discussions are underway.

If the matter cannot be resolved by informal means or you wish to go directly to appeal, an appeal can be made against the Conditions in, or variations to, this Permit as per Part 7 of the Regulations. Appeals are made to the Planning Inspectorate who acts on behalf of the Secretary of State. Appeals against Conditions within a Permit must be submitted within 6 months of the date of issue of the permit. Appeals against variation notices must be submitted within 2 months of the date of issue of the notice. Appeals should be despatched on the day they are dated and sent to:

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

Tel: 0117 3728812
Fax: 0117 3726093

On receipt of an appeal and during the appeal process both main parties will be informed about the next steps, and will normally be provided with additional copies of each others representations. To withdraw an appeal, which may be done at any time, the appellant must notify the Planning Inspectorate in writing and copy the notification to the Local Authority.

LOCAL AUTHORITY CONTACT DETAILS

North Kesteven District Council
Environmental Protection Unit
P.O. Box 3
District Council Offices
Kesteven Street
Sleaford
Lincolnshire
NG34 7EF

Tel: 01529 414155 (answer phone outside office hours)
Fax: 01529 308394

For emergencies outside office hours tel: 07966 400999.

E-mail: environmentalprotectionteam@n-kesteven.gov.uk

Web: <http://www.n-kesteven.gov.uk>