Huntingdonshire
DISTRICT COUNCIL

EP Permit ref: B13/12
Variation ref: PPC 23/14

Huntingdonshire District Council
The Environmental Permitting (England and Wales) Regulations 2010 as amended, Regulation 20 [and Regulation 18 *in relation to consolidated permits*]

Variation Notice

To **Mick George Limited**
Second Drove
Meadow Lane
St Ives
Huntingdon
PE27 4YQ

Huntingdonshire District Council ("the Council"), in the exercise of the powers conferred upon it by regulation 20 of the Environmental Permitting (England and Wales) Regulations 2010 as amended[1] ("the 2010 Regulations") hereby gives you notice as follows-

The Council has decided to vary the conditions of permit reference B13/12 granted under regulation 13(1) of the 2010 Regulations in respect of the operation of the mobile plant at

Crusher Type: **Kleeman Mobicat MC110Z**
Plant Number: **PL548**
Serial Number: **K004-0234/4111000251**

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

Signed on behalf of Huntingdonshire District Council

..... Date: 25 February 2015
Head of Community Services
An authorised officer of the Council

[1] SIXXX

EP Permit ref: B13/12
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Schedule 1

Variation to the conditions of the permit	Date(s) on which the variation is to take place
Add conditions relating to directly associated activities to permit	25 February 2015

Signed on behalf of Huntingdonshire District Council

.....

Date: 25 February 2015

Head of Community Services
An authorised officer of the Council

EP Permit ref: B13/12
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Schedule 2

Permit reference B13/12 as varied by this notice.

(Insert amended or full consolidated permit).

Huntingdonshire
DISTRICT COUNCIL

PERMIT

Pollution Prevention and Control Act 1999

Environmental Permitting (England and Wales) Regulations 2010 as amended

Permit Reference: B13/12

Huntingdonshire District Council (the regulator) hereby permits Mick George Limited Second Drove Meadow Lane St Ives Huntingdon PE27 4YQ to operate a mobile crushing and screening process as defined in Part 2 of Schedule 1 to the EP Regulations Section 3.5 Part B(c), and as described below in accordance with the following conditions which shall apply forthwith.

Crusher type: Kleeman Mobicat MC110Z
Plant number: PL548
Serial number: K004-0234/4111000251

Description of Activity

The reduction in size of bricks, tiles or concrete, and other mineral products as designated by regulation, by crushing or grinding. The activity includes the screening of demolition material prior to crushing and any other pre-treatment and also the construction of stockpiles of crushed and screened material.

Materials fed by the loading shovel into the feed hopper are crushed and/or screened ready for stockpiling on site or loading into delivery vehicles.

Potential emissions of particulates are from stockpiles both before and after processing as well as the crushing and sorting of material.

Conditions

Asbestos

1. Asbestos shall not be crushed or screened.

Notifications

2. The operator shall, before the mobile plant is operated, notify the regulator who issued the permit:
    a. Where and when the mobile plant is expected to start operating.
    b. The serial numbers of the mobile plant involved.

Emissions and monitoring

3. The following emission requirements and methods and frequency of monitoring shall be complied with.

	Substance	Source	Emission limit/ provisions	Type of monitoring	Monitoring frequency
(a)	Particulate matter	Whole process	No visible emissions crossing the construction site boundary	Recorded operator observations	On start up and on at least two more occasions each day

Maintenance

4. All plant and equipment capable of causing, or preventing, emissions shall be maintained in accordance with the manufacturer's instructions.

Aggregates delivery and storage

5. Dusty materials (including dusty wastes) shall be subject to suppression and management techniques to minimise dust emissions.

Crushers and screening units

6. Crushers shall be totally contained or fitted with a water suppression system over the crusher aperture

7. Where the use of water as a method of dust suppression is necessary in order to meet the emission limits, it shall be used. In such circumstances, if water of the required pressure is not available for use on the suppression system, then the process shall not operate.

8. Deposits of dust on external parts of the plant shall be cleaned off at the end of each working day in order to minimise the potential for wind entrainment.

9. Processed materials likely to generate dust shall be conditioned with water prior to internal transfer.

Belt conveying

10. All dusty materials, including wastes, shall be conveyed. All transfer points shall be fitted with a chute.

Loading, unloading and transport

11. No potentially dusty materials (including wastes) or finished products shall arrive on or leave the site other than by use of enclosed or sheeted vehicles.

Roadways and transportation

12. Vehicles shall not track material from the site onto the highway.

Records and training

13. Written or computer records of all tests, monitoring and maintenance shall be kept by the operator for at least two years.

14. Staff at all levels shall receive the necessary training and instruction to enable them to comply with the conditions of this permit. Records shall be kept of relevant training undertaken.

15. Records shall be kept of operator inspections, including those for visible emissions, training and maintenance.

16. All records shall be made available for inspection by the regulator upon request.

Best available techniques

17. 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.

18. 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.

Directly Associated Activity

Where the mobile plant incorporates directly associated waste activity listed in Part 1 of Schedule 3 to the Environmental Permitting Regulations 2010 as amended:

19. Fugitive emissions of substances (excluding odour, noise and vibration) from the storage of crushed material shall not cause pollution.

20. All liquids, whose emission to water or land could cause pollution, shall be provided with secondary containment, unless the operator has used other appropriate measures to prevent, or where that is not practicable, to minimise leakage and spillage from the primary container.

21. Emissions from the waste operations shall be free from noise and vibration at levels likely to cause pollution outside the site, as perceived by an authorised officer of the local authority, unless the operator has used appropriate measures, to prevent or where that is not practicable, to minimise, the noise and vibration.

Signed: ..... Date: 25 FEBRUARY 2015

Head of Community Services

GENERAL NOTES

1 Variation

The regulator will ensure that the permit remains up to date in line with the requirements set out in Regulation 20(1) This may involve issuing a Variation Notice following amendment to the Secretary of State's Guidance Notes or following receipt of any direction from the Secretary of State.

2 Review of Conditions

The regulator may at any time undertake a review of the conditions in this permit under Regulation 34(1). Where significant pollution is encountered or where there are changes in BAT or where the operational safety of the activity requires other techniques to be used an immediate review shall be undertaken.

3 Appeal

The permitted operator can appeal in writing to the Secretary of State against the items listed in Regulation 31.

Appeals shall be addressed to:

The Planning Inspectorate
Environment Team, Major & Specialist Casework
Room 4/04 Kite Wing
Temple Quay House
2 The Square
Temple Quay
Bristol, BS1 6PN

4 Transfer of Permit

The permitted operator who wishes to transfer the whole or part of the permit to a person who proposes to carry out the activity in the holder's place may do so in accordance with Regulation 21. Both the operator and the proposed transferee shall jointly make an application to the regulator to effect the transfer. An application shall include the permit and any fee prescribed in respect of the transfer under Regulation 19 and shall contain the operator's and the proposed transferee's contact details.

5 Variation of Conditions of Permits

Under Regulation 20, the operator may apply to the regulator to vary the conditions contained within the permit. Such application shall be made in accordance with Part 1 of Schedule 5 and shall be accompanied by any fee prescribed in respect of the application under Regulation 19; and paragraphs 8 of Part 1 of Schedule 5 and paragraphs 5(3) and (4) of schedule 5 shall have effect with respect to such applications.

6 Other Legal Requirements

This permit is issued solely for the purpose of the Pollution Prevention and Control Act and its associated Regulations and the operator must ensure that he complies with all other statutory requirements.

7 Annual Subsistence Charge

The Secretary of State has drawn up a charging scheme under Regulation 19. Under this scheme Local Authorities are required to levy an annual subsistence charge related to the permit. The Local Authority will invoice for the amount due which is subject to annual review by the Department of the Environment Food and Rural Affairs.

Guidance for operators receiving a Variation Notice

(This guidance does not form part of the Variation Notice, but it is for the guidance of those served with the notice.) Further guidance can be found in the PPC General Guidance Manual.

Dealing with a Variation Notice

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

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

Offences

Failure to comply with a Variation Notice is an offence under regulation 38(2) of the 2010 Regulations. A person guilty of an offence under this regulation could be liable to (i) a fine of up to £50,000 or imprisonment for a term not exceeding 6 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.

Appeals

Under regulation 31 and Schedule 6 of the 2010 Regulations operators have the right of appeal against the conditions attached to their permit by a variation notice. The right to appeal does not apply in circumstances where the notice implements a direction of the Secretary of State/Welsh Ministers given under regulations 61 or 62 or a direction when determining an appeal.

Appeals against a Variation Notice do not have the effect of suspending the operation of the Notice. Appeals do not have the effect of suspending permit conditions, or any of the mentioned notices.

Notice of appeal against a Variation Notice must be given within **two months** of the date of the variation notification, which is the subject matter or the appeal. The Secretary of State/Welsh Ministers may in a particular case allow notice of appeal to be given after the expiry of this period, but would only do so in the most compelling circumstances.

How to appeal

There are no forms or charges for appealing. However, for an appeal to be valid, appellants (the person/operator making the appeal) are legally required to provide the Secretary of State or Welsh Minister with the following (see paragraphs 2(1) and (2) of Schedule 6 of the 2010 Regulations):

- written notice of the appeal
- a statement of the grounds of appeal;
- a copy of any relevant application;
- a copy of any relevant environmental 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; and
- a statement indicating whether the appellant wishes the appeal to be in the form of a hearing or dealt with by way of written representations.

Appellants should state whether any of the information enclosed with the appeal has been the subject of a successful application for confidentiality under regulation 48 of the 2010 Regulations, and provide relevant details – see below. Unless such information is provided all documents submitted will be open to inspection.

Where to send your appeal documents

Appeals should be despatched on the day they are dated, and addressed 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

Or for appeals in Wales:

The Planning Inspectorate
Crown Buildings
Cathays Park
CARDIFF
CF10 3NQ

If an appeal is made, the main parties will be kept informed about the next steps, and will also normally be provided with additional copies of each other's representations.

To withdraw an appeal – which may be done at any time - the appellant must notify the Planning Inspectorate in writing and copy the notification to the local authority who must in turn notify anyone with an interest in the appeal.

Costs

The operator and local authority will normally be expected to pay their own expenses during an appeal. Where a hearing or inquiry is held as part of the appeal process, by virtue of paragraph 5(6) of Schedule 6, either the appellant or the authority can apply for costs. Applications for costs are normally heard towards the end of the proceedings and will only be allowed if the party claiming them can show that the other side behaved unreasonably and put them to unnecessary expense. There is no provision for costs to be awarded where appeals are dealt with by written representatives.

Confidentiality

An operator may request certain information to remain confidential, ie not be placed on the public register. The operator must request the exclusion from the public register of confidential information at the time of supply of the information requested by this notice or any other notice. The operator should provide clear justification for each item wishing to be kept from the register. The onus is on the operator to provide a clear justification for each item to be kept from the register. It will not simply be sufficient to say that the process is a trade secret.

The test of whether information is confidential for the purposes of being withheld from the public register is complex and is explained, together with the procedures, in chapter 8 of the PPC General Guidance Manual.

National security

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