

EP Permit ref: B19/93

Variation ref: PPC 12/09

## Variation Notice

From: Huntingdonshire District

Council ("the Council")

To: (1)

Grace Construction Products Ltd  
Ajax Avenue  
Slough  
Berkshire  
SL1 4BH

The Council, in the exercise of the powers conferred upon it by regulation 20 of the Environmental Permitting (England and Wales) Regulations 2007 <sup>(2)</sup> ('the 2007 Regulations') hereby gives you notice as follows-

The Council has decided to vary the conditions of permit reference B19/93 granted under [regulation 10(2) of the Pollution Prevention and Control (England and Wales) Regulations 2000] [regulation 13(1) of the 2007 Regulations] in respect of the operation of the installation/~~mobile plant~~ at:

Darex UK Ltd  
5 Cromwell Road  
Eynesbury  
St Neots  
PE19 1QL

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 ~~and by variation notices ref~~ is set out in Schedule 2].]

~~[You are hereby required to pay by no later than the sum of £~~  
~~the fee prescribed in respect of a variation notice in the relevant charging scheme made under~~  
~~regulation 65 of the 2007 Regulations [and] [or] section 41 of the Environment Act 1995 for~~  
~~LA-IPPC only where there are separate charges in relation to water discharges<sup>(3)</sup>.]~~

Signed on behalf of Huntingdonshire District

Council

Dated 21st October 2009

Signed



JA

Designation Head of Environmental and Community Health Services

An authorised officer of the Council

(1) The operator at the address shown on permit / application.

(2) SI 2007/3538

(3) 1995 c.25.

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### Schedule 1

Variation to the conditions of the permit	Date(s) on which the variation is to take place
Vary all permit conditions	21st October 2009

Signed on behalf of Huntingdonshire District

Council

Dated 21st October 2009

Signed



MA

Designation Head of Environmental and Community Health Services

An authorised officer of the Council

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## **Schedule 2**

Permit reference B19/93 as varied by this notice and  
~~variation notices~~

(Insert amended or full consolidated permit).

# PERMIT

## Pollution Prevention and Control Act 1999

### Environmental Permitting (England and Wales) Regulations 2007

#### Permit Reference No: B19/93

Huntingdonshire District Council (the regulator) hereby permits Grace Construction Products Ltd Ajax Avenue Slough SL1 4BH to operate a coating manufacturing process as defined in Part 2 of Schedule 1 to the EP Regulations Sections 6.5 Part B (a)(i) and 6.7 Part B (a)(i), and as described below in accordance with the following conditions which shall apply forthwith.

Address of permitted activity: Darex UK Ltd  
5 Cromwell Road  
Eynesbury  
St Neots  
PE19 1QL

#### Description of Activity

The production of a dispersion of rubber in solvent which is used extensively throughout the food industry as a sealant for containers and various minor products also used primarily in the can making industry. The location of the installation can be seen on the attached drawing B19/93(a) Location plan.

The process can be divided into two sections. The first section takes place in the rubber compounding room, known as the Banbury Building. Rubbers and other materials are used in various formulations according to the required mix. The constituents are mixed mechanically in a single water cooled Banbury mixer in which the rubber mixture reaches a temperature of 100°C. A coarse rubber mass is produced which is then transferred to a 2 roll mill situated immediately beneath the Banbury mixer where further mixing and compounding takes place. Carbon black is used in the process but is either pre-mixed with the rubber ingredients before delivery to site or is introduced to the Banbury mixer in plastic bags designed to disintegrate under heat to minimise the release of carbon black dust.

The rubber compound is removed from the 2 roll mill in the form of strips which are fed to a chipper to be cut into small strips. From the chipper, the strips are fed along a covered conveyor system which transfers them to the next part of the process in the solvent plant.

When the rubber strips are transferred to the solvent plant they are fed to one of the 3 mixers, with a fourth mixer used solely for acetone-based products. Various solvents are used for the manufacture of liquid fluxes, nozzle dousing fluids and tab lubricants.

The processing is of a batch nature. The charging of rubber chip to the appropriate mixer is carried out over a pre-determined time period during which the mixer cover is open. Agitation is constant throughout this charging phase, helping facilitate the dispersion process.

The mixer is then closed and agitation is continued then the rubber is dispersed/dissolved and the batch is transferred to one of seven bulk tanks.

Semi-finished product in the bulk tanks is cooled by passing through water cooled heat exchangers and homogenised to adjust the viscosity characteristics. Additional solvent is then added to adjust the compound to the required viscosity and total solids content, prior to packing into drums, 1 tonne intermediate bulk containers (IBC) or road tankers.

In addition the packing systems to drums, IBC's and road tankers are vapour balanced, as are the three underground solvent storage tanks for both storage to process and receipt into storage. There are also additional above-ground solvent storage tanks are installed within a bunded area adjacent to the solvent building.

For production of minor products, including the acetone solvent based compound product, there are six mixers installed in the south-west corner of the solvent building. The minor products are characterised by low volatility and low throughput.

## Conditions

	Pollutant	Source	Emission limit	Type of monitoring	Frequency of monitoring
1	Particulate matter	Banbury line	50mg/m <sup>3</sup>	Monitoring and recording	Continuous
2	Particulate matter	Carbon black activities within Banbury line	1% of total emissions	Monitoring and recording	Continuous
3	VOC	Consumption	Total used	Calculation <sup>(1)</sup>	Annual
4	VOC	Exhaust emissions	150mg/m <sup>3</sup>	Manual extractive	Bi-annual <sup>(2)</sup> <sup>(3)</sup>
5	VOC	Fugitive emissions	3% of organic solvent input	Calculation	One year after issue of permit and after any modifications.
(1) To be calculated against product produced. (2) Monitoring frequency may be reduced if it meets criteria laid out in PG note 6/28(04) Secretary of States Guidance for Rubber or subsequent versions. (3) At least 3 readings shall be obtained during each measurement exercise.					

6. Emissions monitoring in condition 4 shall be considered to be complied with if, in one monitoring exercise:
- (a) The average of all the readings does not exceed the emission limit values
  - (b) None of the hourly averages exceeds the emission limit value by more than a factor of 1.5.

7. Substances with the designated risk phrase materials R40, R45, R46, R49, R60 and R61 shall not be used as part of the process.
8. The operator shall keep records of inspections, tests and monitoring, including all non-continuous monitoring, inspections and visual assessments. In such cases:
  - (a) Current records shall be kept on site and made available for the regulator so examine.
  - (b) Records shall be kept by the operator for at least two years.
9. Adverse results from any monitoring activity shall be investigated by the operator as soon as the data has been 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, and the action taken by the operator to rectify the situation.
  - (c) Re-test to demonstrate compliance as soon as possible.
  - (d) Notify the regulator.
10. In the case of abnormal emissions, 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.
  - (c) Promptly record the events and actions.
11. In the case of abnormal emissions, malfunction or breakdown leading to immediate danger to human health the activity shall be suspended. The following criteria shall be taken into account.
  - (a) The toxicity of the substance being released.
  - (b) The amount released.
  - (c) The location of the installation.
  - (d) The sensitivity of the receptors.
12. The regulator shall be informed without delay:
  - (a) If there is an emission that is likely to have an effect on the local community.
  - (b) In the event of the failure of key plant.
13. The operator shall notify the regulator at least 7 days before any periodic monitoring to determine compliance with emission limit values.
14. A summary of the results of the first non-continuous testing shall be forwarded to the regulator within 8 weeks of the completion of the sampling. The summary shall include details of any breaches of emission limits. A full report following completion of the second non-continuous monitoring testing shall be forwarded to the regulator within 8 weeks.
15. A summary of the continuous monitoring shall be provided to the regulator at least once a year. The summary shall include details of any breaches of any emission limits.
16. There shall be no sustained offensive odour beyond the site boundary, as perceived by the regulator.



17. Where in the opinion of the regulator, there is evidence of sustained offensive odour from the process off site; the operator shall make their own inspection and assessment and an odour management plan shall be developed and actioned.
18. The operator shall produce a list of key equipment and shall develop procedures for its use, including failures and a written maintenance plan. These procedures shall be made available to regulator on request.
19. A record of such maintenance shall be made available for inspection by the regulator.
20. Spares and consumables – in particular, those subject to continual wear – shall be held on site, or shall be available at short notice from guaranteed suppliers, so that plant breakdowns can be rectified rapidly.
21. Training of all staff with responsibilities for operating the process shall include:
  - (a) Awareness of their responsibilities under the permit; in particular how to deal with conditions likely to give rise to VOC emissions.
  - (b) Minimising emissions on start up and shut down.
  - (c) Action to minimise emissions during abnormal conditions.
22. The operator shall maintain a statement of training requirements for each operational post and keep a record of the training received by each person whose actions may have an impact on the environment. These documents shall be made available to the regulator on request.
23. All continuous monitoring readings shall be on display to appropriately trained operating staff.
24. Instruments shall be fitted with audible and visual alarms, situated appropriately to warn the operator of abatement plant failure or malfunction.
25. The activation of alarms shall be automatically recorded.
26. All continuous monitors shall be operated, maintained and calibrated in accordance with the manufacturers' instructions. The relevant maintenance and calibration shall be recorded, and such records made available for inspection by the regulator.
27. All new continuous monitoring equipment shall be designed for less than 5% downtime over any 3 month period.
28. All new VOC abatement equipment shall be designed to meet the specific standards as set out in PG note 6/28(04) Secretary of States Guidance for Rubber or subsequent versions.
29. All emissions monitoring shall be carried out in an approved manner.
30. The operator shall ensure that adequate facilities for sampling are provided on vents or ducts.

31. Empty bags which have contained carbon black shall be placed in a closed container immediately after emptying by a method which minimises the emission of particulate matter.
32. All dusty or potentially dusty materials, including wastes, shall be stored in silos, in confined storage areas, or in fully enclosed containers/packaging. Suitable precautions shall be taken to prevent wind whipping.
33. When delivery to a silo or bulk storage tank takes place, displaced air shall either be vented to suitable arrestment plant or back vented to the delivery tanker. All arrestment plant shall be of sufficient size to avoid pressurisation during delivery.
34. Bulk storage tanks for organic solvents and organic solvent containing liquids shall wherever practicable be back vented to the delivery tank during filling. Where this is impracticable, displaced air vents shall be sited in such a way as to prevent the arising of offensive odour beyond the site boundary.
35. Deliveries to silos from road vehicles shall only be made using tankers with an on-board (truck mounted) relief valve and filtration system. This means that venting air from the tanker at the end of a delivery will not take place through the silo. Use of alternative techniques may be acceptable provided that they achieve an equivalent level of control with regard to potential for emissions to air.
36. All potentially odorous materials, including wastes shall be stored and transferred by suitable methods in order to minimise emissions.
37. All fixed storage tanks shall be fitted with high-level alarms or volume indicators to warn of overfilling. Where practicable the filling systems shall be interlocked to the alarm system to prevent overfilling.
38. Connections to fixed storage tanks shall be within the bunded area and be locked when not in use.
40. 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.
41. 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: 21 October 2009  
Head of Environmental and Community Health 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 Notification of Proposed Change of Operation**

If the operator proposes to make a change in operation of the installation, they must, at least 14 days before making the change notify the regulator in writing. The notification must contain a description of the proposed change in operation. It is not necessary to make such a notification if an application to vary this permit has been made and the application contains a description of the proposed change. Change of operation means a change in the nature of functioning, or an extension, of the installation, which may have consequences for the environment.

## **6 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.

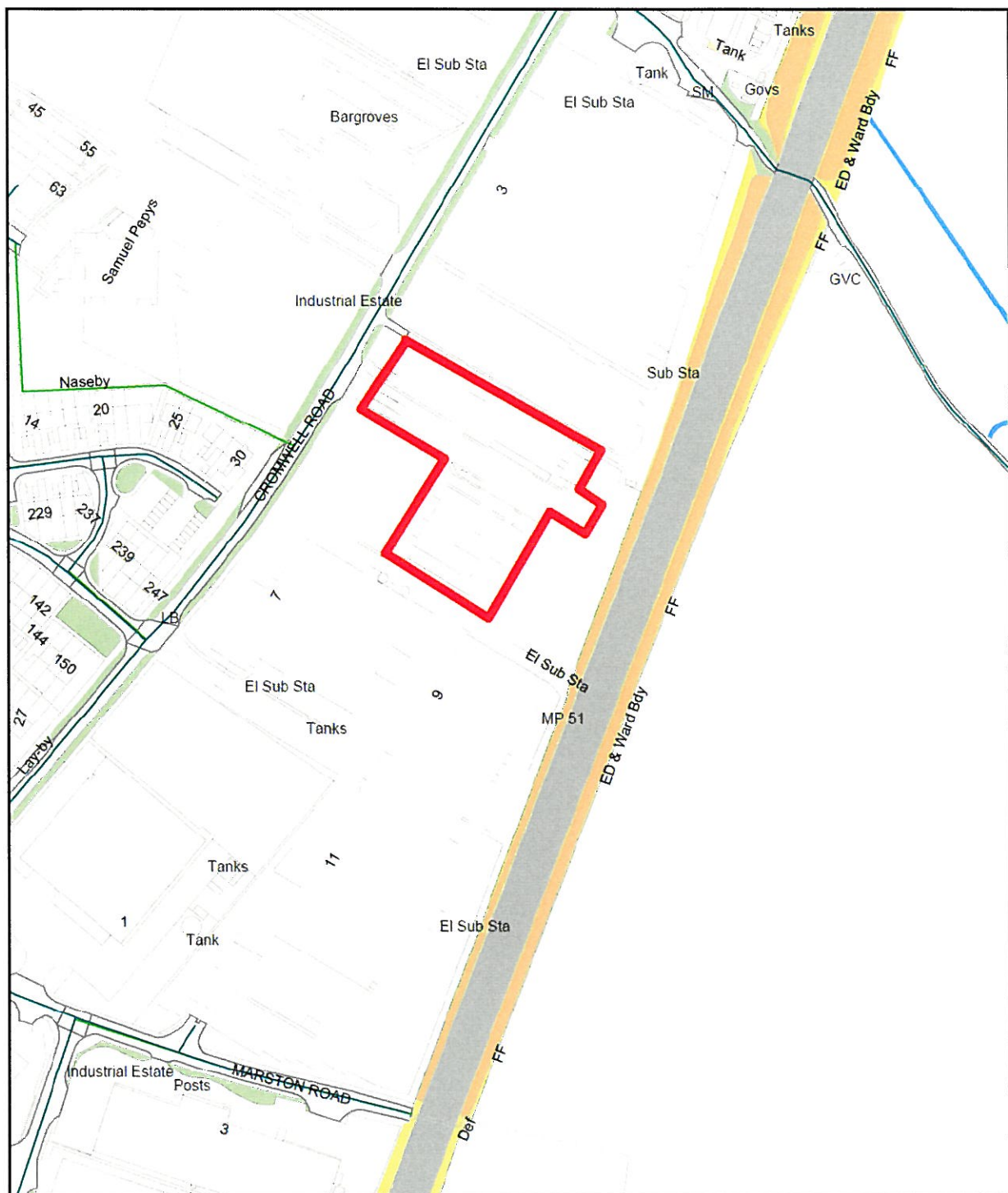
## **7 Other Legal Requirements**

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.

## **8 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.

# B19/93 (a) Location plan



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## 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 at <http://www.defra.gov.uk/environment/ppc/localauth/pubs/guidance/manuals.htm>.

### 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(1) (b) of the 2007 Regulations. A person guilty of an offence under this regulation could be liable to (i) a fine of up to £20,000 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 2007 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 or 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 of 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 2007 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 2007 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.