



EP Permit ref: B22/11
Variation ref: PPC 20/14

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 **Xaarjet Ltd**
Science Park
Cambridge
CB4 0XR

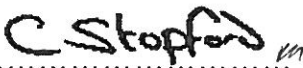
Huntingdonshire District Council ("the Council"), in the exercise of the powers conferred upon it by regulation 20 of the Environmental Permitting (England and Wales) Regulations 2010 as amended¹ ("the 2010 Regulations") hereby gives you notice as follows-

The Council has decided to vary the conditions of permit reference B22/11 granted under regulation 13(1) of the 2010 Regulations in respect of the operation of the installation at

Xaarjet Ltd
1 Hurricane Close
Huntingdon
PE29 6XX

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


.....
Head of Community Services
An authorised officer of the Council

Date: 23 January 2015

¹ SIXXX

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Schedule 1

Variation to the conditions of the permit	Date(s) on which the variation is to take place
<i>Delete all non-Solvent Emission conditions from permit</i>	23 January 2015

Signed on behalf of Huntingdonshire District Council

..........
Head of Community Services
An authorised officer of the Council

Date: 23 January 2015

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Schedule 2

Permit reference B22/11 as varied by this notice

(Insert amended or full consolidated permit).

PERMIT

**Pollution Prevention and Control Act 1999
Environmental Permitting (England and Wales) Regulations 2010 as amended**

Permit Reference: B22/11
As varied by: PPC20/14

Huntingdonshire District Council (the regulator) hereby permits Xaarjet Ltd Science Park Cambridge CB4 0XR to operate a surface cleaning process as defined in Schedule 14 to the EP Regulations, and as described below in accordance with the following conditions which shall apply forthwith.

Address of permitted activity: Xaarjet Ltd
1 Hurricane Close
Huntingdon
PE29 6XX

Location plan can be seen on B22/11 (a) Location plan

Description of Activity

Xaar produce high quality inkjet printer heads for use in OEM printers.

All print heads are tested using inks and before shipment are required to be cleaned; some of the inks used are solvent based and therefore require a solvent to carry out this process.

The main surface cleaning operation is a closed cycle pressure that collects the returned solvents for recycling in other processes. Whilst a high proportion of the used solvent is collected there is an amount that is classified as fugitive. Other significant solvent use for the process is for individual cleaning of components using decanted bottles and wipes. All the surface cleaning operations are undertaken in a clean room which air is extracted through a stack and is regularly monitored for emission values.

Solvents are delivered to site in IBC and are decanted into the closed cycle cleaning equipment or individual bottles as required. Any waste solvents are stored in drums until disposal and used wipes are stored in sealed bags.

Conditions

1. Any waste gases extracted from solvent cleaning activities shall not exceed 75 mg carbon/Nm³
2. Waste gases extracted from solvent cleaning activities shall be:
 - (a) Tested annually using an appropriate manual extractive testing method.
 - (b) At least three readings must be obtained during each measurement exercise.

3. VOC levels in condition 1 shall be considered complied with if, in one monitoring exercise:
 - (a) The average of all the readings does not exceed the emission limit values, and
 - (b) None of the hourly averages exceeds the emission limit value by more than a factor of 1.5. The hourly average of the 30 minute readings.
4. The introduction of dilution to air to achieve emission concentration limits shall not be permitted.
5. The operator fugitive emissions shall not exceed 20% of their solvent input.
6. The operator shall submit their fugitive emissions results to the regulator on an annual basis. Further guidance on determining fugitive emissions can be found at B18/14(b) Solvent calculations.
7. Any breaches of emissions limits set out in conditions 1 & 5 and the operator shall:
 - (a) Notify the regulator.
 - (b) Identify the cause of the breach.
 - (c) Take corrective action.
 - (d) Re-test to demonstrate compliance.
8. All appropriate precautions shall be taken to minimise emissions during start-up and shut-down.
9. The operator shall submit their organic solvent consumption to the regulator on an annual basis. Further guidance on determining solvent consumption can be found at B18/14(b) Solvent calculations.
10. In the event that there is a substantial change with the installation the operator shall:
 - (a) Notify the regulator by applying for a substantial change variation
 - (b) Re-verify compliance limitsThe definition of substantial change can be found in B18/14(c) Definition of substantial change.
11. In cases of non-compliance causing immediate danger to human health, or threatening to cause an immediate significant adverse effect upon the environment, operation of the activity must be suspected.
12. Solvents that, because of the VOC content, have the materials designation of:
Hazard statement: H340, H341, H350i, H351, H360D or H360F
Risk Phrase: R40, R45, R46, R49, R60, R61 or R68
Shall not be used for surface cleaning activities

Signed:

..... *C. Stopford*
Head of Community Services

Date:

23 January 2015

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.

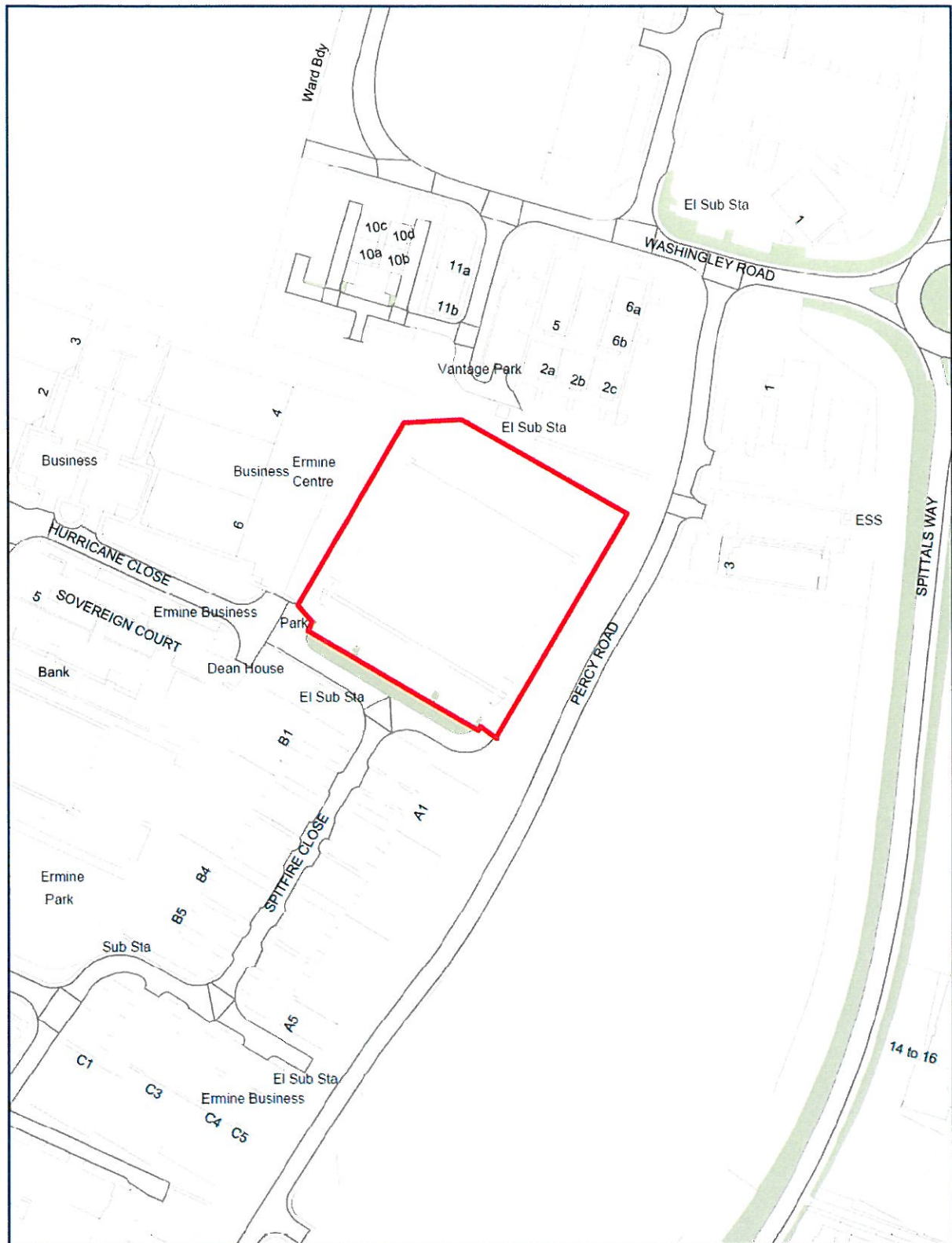
6 Other Legal Requirements

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.

B22/11 (a) Location plan



0 0.02 0.04 0.08 Kilometers

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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.

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 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 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.