

EP Permit ref: B05/93

Variation ref: PPC 14/12

Variation Notice

From: Huntingdonshire District

Council ("the Council")

To: ⁽¹⁾

LaFarge SPV Ltd
Granite House
Granite Way
Syston
Leicester, Leicestershire, LE7 1PL

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⁽²⁾ ('the 2010 Regulations') hereby gives you notice as follows-

The Council has decided to vary the conditions of permit reference B05/93 granted under regulation 13(1) of the 2010 Regulations in respect of the operation of the installation/mobile plant at

LaFarge Readymix Huntingdon
19 Alms Close
Blackstone Road
Stukeley Meadows Industrial Estate
Huntingdon
PE29 6DY

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].]

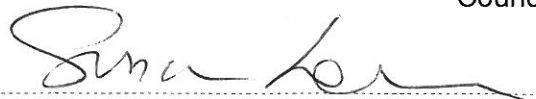
~~[You are hereby required to pay by no later than the sum of £ the fee prescribed in respect of a variation notice in the relevant charging scheme made under regulation 65 of the 2010 Regulations [and/or section 41 of the Environment Act 1995 for LA IPPC only where there are separate charges in relation to water discharges⁽³⁾].~~

Signed on behalf of Huntingdonshire District

Council

Dated 19 October 2012

Signed



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 2010/675, as amended

(3) 1995 c.25.

Delete words in square brackets which do not apply.

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Schedule 1

Variation to the conditions of the permit	Date(s) on which the variation is to take place
Transfer permit to new operator	19 October 2012
Vary all permit conditions to comply with latest process guidance note.	19 October 2012

Signed on behalf of Huntingdonshire District

Council

Dated 19 October 2012

Signed



Designation Head of Environmental and Community Health Services

An authorised officer of the Council

EP Permit ref: B05/93
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Schedule 2

Permit reference B05/93
~~variation notices~~

as varied by this notice ~~and~~

~~[and~~

]

(Insert amended or full consolidated permit).

PERMIT

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

Permit Reference: B05/93
As varied by: EPA2/99 & PPC08/09

Huntingdonshire District Council (the regulator) hereby permits Lafarge SPV Ltd, Granite House, Granite Way, Syston, Leicester, Leicestershire, LE7 1PL to operate a concrete batching plant as defined in Part 2 of Schedule 1 to the EP Regulations Section 3.1, and as described below in accordance with the following conditions which shall apply forthwith.

Address of permitted activity: LaFarge Readymix Huntingdon
19 Alms Close
Blackstone Road
Stukely Meadows Industrial Estate
Huntingdon
PE29 6DY

Location plan can be seen on B05/93 (a) Location plan

Description of Activity

The production of wet batched ready mixed concrete using aggregates, cement, water and admixtures. The installation consists of a batch control cabin, aggregate storage bays, ground feed hopper, aggregate fixed conveyor, aggregate storage bins, cementitious material silos, cement and aggregate weigh hoppers, batch conveyors, mixing unit and loading chute.

The internal transfer of cementitious materials from the silos to the weigh hopper is achieved by a combination of air slide and sealed screw conveyor. From the weigh hopper, the cement passes by gravity feed to the plant mixer which also receives the admixtures and water. Cementitious material can include pulverised fuel ash, slag, ground limestone powder anhydride binder and lime. The concrete is loaded to collection vehicles by gravity feed.

Conditions

Emissions and monitoring

	Pollutant	Source	Emission limit/provision	Type of monitoring	Monitoring frequency
1	Particulate matter	Whole process	No visible across site boundary	Operator observations	At least daily
2	Particulate matter	Silo inlet and outlets	No visible emissions	Operator or driver observations. Including start and finish times	Every delivery

3. All new silos shall be designed to emit less than 10mg/m³ from their inlets and outlets.
4. Any monitoring display required for compliance with the permit shall be visible to operating staff at all times. Corrective action shall be taken immediately if any periodic monitoring result exceeds a limit in Table 1, or if there is a malfunction or breakdown of any equipment which might increase emissions. Monitoring shall be undertaken or repeated as soon as possible thereafter and a brief record shall be kept of the main actions taken.
5. All plant and equipment capable of causing, or preventing, emissions and all monitoring devices shall be calibrated and maintained in accordance with the manufacturer's instructions. Records shall be kept of such maintenance and made available to the regulator upon request.

Silos

6. Bulk cement shall only be stored within the bulk cement silos
7. Dust emissions from loading or unloading road tankers shall be minimised back venting to a delivery tanker fitted with an on-board or a truck-mounted relief valve and filtration system and by connecting transfer lines first to the delivery inlet point and then to the tanker discharge point, and by ensuring delivery is at a rate which does not pressurise the silo.
8. Silos and bulk containers of dusty materials shall not be overfilled and there shall be an overfilling alarm.
9. When loading silos which were new after Jun 2004, deliveries must automatically stop where overfilling or over-pressurisation is identified.

Aggregates delivery and storage

10. Dusty materials (including dusty wastes) shall only be stored in suitably enclosed containers and shall be subject to suppression and management techniques to minimise dust emissions.

Belt conveying

11. Where necessary all dusty materials, including wastes, shall be conveyed. All transfer points shall be fitted with suitable dust control technique.

Loading, unloading and transport

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

Roadways and transportation

13. All areas where there is regular movement of vehicles shall have a consolidated surface capable of being cleaned, and these surfaces shall be kept clean and in good repair. Quarry haul roads are excluded from this provision.
14. Vehicles shall not track material from the site onto the highway.

Techniques to control fugitive emissions

15. The fabric of process buildings shall be maintained so as to minimise visible dust emissions.

Records and training

16. Written or computer records of all tests, monitoring, maintenance and breakdowns shall be kept by the operator for at least 24 months. They and a copy of all manufacturers' instructions shall be made available for examination by the Council.
17. 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.

Best available techniques

18. 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.
19. 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:



Head of Environmental and Community Health Services

Date:

19 October 2012

GENERAL NOTES

1 Enforcement

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.

2 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.

3 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.

4 Appeal

You have the right of appeal against this permit within 6 months of the date of the decision. You will normally be expected to pay your own expenses during an appeal.

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

5 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.

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.

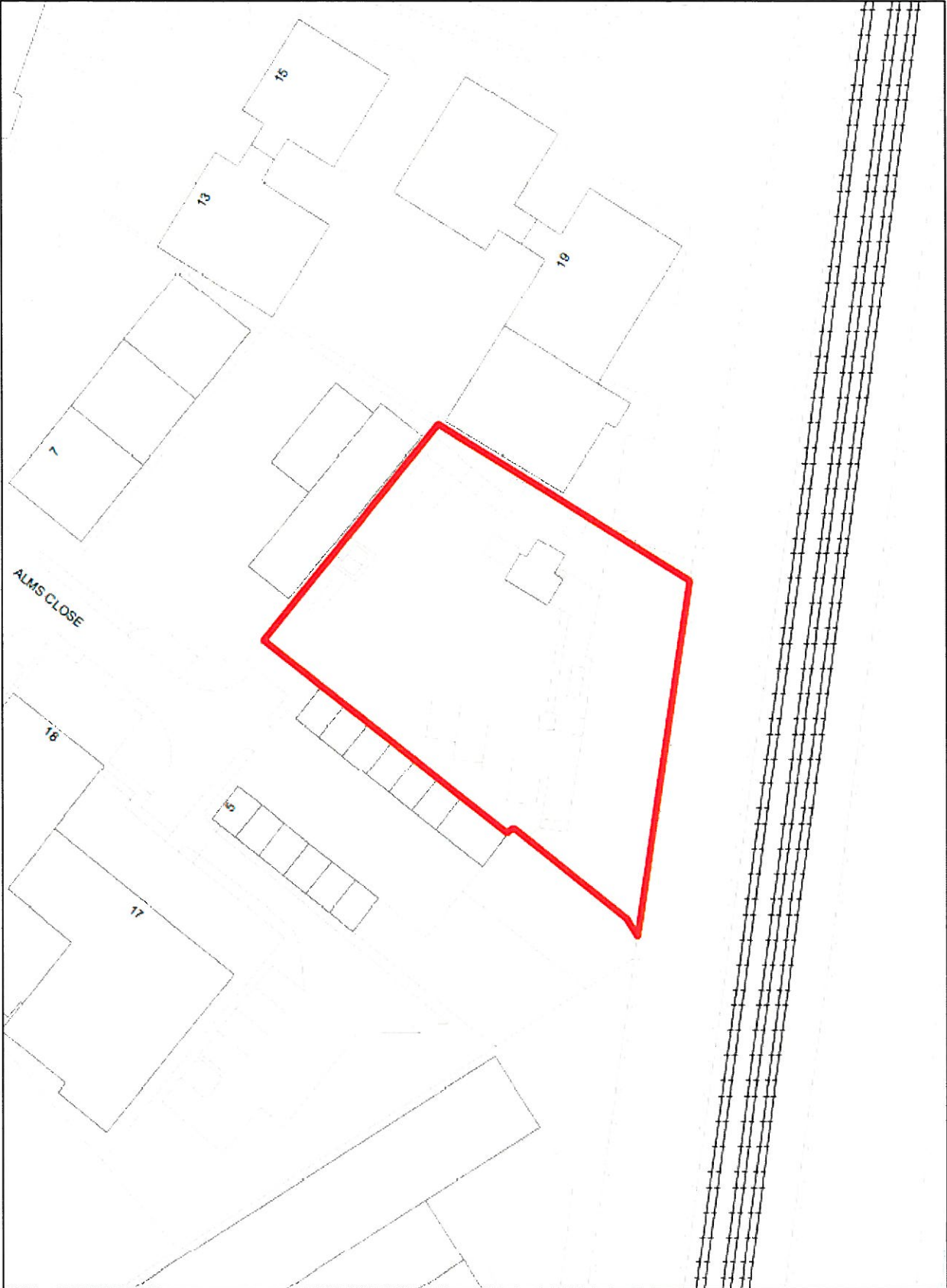
7 Other Legal Requirements

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.

B05/93(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, available at <http://www.defra.gov.uk/environment/quality/industrial/las-regulations/guidance/>.

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.