

PPC Permit ref: PPC 2/02

Variation ref: PPC 09/06

Variation Notice

From: Huntingdonshire District Council

Council ("the Council")

To: ⁽¹⁾

The Company Secretary, Aggregate Industries UK, Head Office, Bardon Hill, Coalville,
Leicestershire LE67 1TL

The Council, in the exercise of the powers conferred upon it by Regulation 17 of the Pollution Prevention and Control (England and Wales) Regulations 2000⁽²⁾ ("the 2000 Regulations") hereby gives you notice as follows:-

The Council has decided to vary the conditions of permit ref. PPC 2/02 granted under Regulation 9(1) of the 2000 Regulations in respect of the operation of the installation/mobile plant at:-

Bardon Concrete, Cement Batching Plant
Second Drove
Meadow Lane
St Ives PE27 4YQ

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 22 of the 2000 Regulations or Section 41 of the Environment Act 1995⁽³⁾].~~

Dated 21 March 2007

Signed



Designation Head of Environmental & Community Health Services

An authorised officer of the Council

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

(2) S.I. 2000 No. 1973 to which there are amendments not relevant to this variation notice.

(3) 1995 c.25.

Schedule 1

Variation to the conditions of the permit	Date(s) on which the variation is to take place
<p>The process description is amended and replaced by that contained within Schedule 2 to this Notice.</p> <p>All conditions are deleted and replaced by those contained within Schedule 2 to this Notice.</p>	<p>The variations are to have immediate effect.</p>

Dated 21 March 2007

Signed

Designation Head of Environmental & Community Health Services

An authorised officer of the Council

Schedule 2

Permit reference PPC 2/02
and variation notices

as varied by this notice

(Insert amended or full consolidated authorisation).

Huntingdonshire

district council

POLLUTION PREVENTION AND CONTROL ACT 1999
POLLUTION PREVENTION AND CONTROL (ENGLAND AND WALES)
REGULATIONS 2000 SI 2000/1973 (AS AMENDED)

Permit 02/02

(i) Name and Address of Operator

Aggregate Industries UK
Head Office
Bardon Hill
Coalville
Leicestershire LE67 1TL

Company Registration No. 245717

(ii) Address of Permitted Installation

Bardon Concrete - Cement Batching Plant
Second Drove
Meadow Lane
St Ives
Cambridgeshire
Cambridgeshire PE27 4YQ

Marked in red on the
Attached drawing
Reference number 02/02/A

Huntingdonshire District Council (the Regulator) hereby permits Aggregates Industries (the Operator) to operate a permitted bulk cement activity as described below, in accordance with the following conditions, which are based upon guidance from the Secretary of State in process guidance note PG 3/1(04).

Description of Activity

The activity is prescribed for Local Authority Pollution Prevention and Control under Section 3.1 of Schedule 1 to the Pollution Prevention and Control (England and Wales) Regulations 2000, SI 2000/1973 (as amended). It consists of the production of wet batched ready mixed concrete using aggregates, cementitious materials and water.

The attached drawing reference number 02/02/B shows a schematic layout of the installation and consists of:

- Batching Office
- Aggregate Storage Bays
- Loading Shovel
- Two Loading Hoppers
- 1 Cement Silo
- 1 Pulverised Fuel Ash Silo
- Weigh Hopper
- Screw Auger
- Loading Area Under Plant

Cement and Pulverised fuel Ash (PFA) are delivered to the site by bulk tankers and are discharged pneumatically to the silos via flexible hosing with sealed couplings. The tanker driver and the plant foreman visually monitor deliveries. Both silos are fitted with audible and visual high level indicator alarms. The silos are also fitted with pressure relief valves and filters bags to reduce dust emissions to atmosphere. The filter bags are fitted with reverse jets to prevent build-up of cementitious material. The notice shown in drawing reference 02/02/C is displayed at the tanker delivery point.

The aggregates, sand and gravel, are damp when delivered to the site by bulk tipper lorries and are stored in the aggregate bays adjacent to the concrete plant. The aggregates are transferred to two loading hoppers via a loading shovel. The weigh hopper is situated below the cement silo. It is gravity fed from the cement silo and screw fed by the PFA silo. Once weighed the cement and PFA are discharged into a screw auger. This delivers the cement/PFA into the back of lorries at the same point as the aggregates. Water is pipe fed into the lorries via a metering system. There is a spray bar situated at the point of delivery to the lorries. This provides a water spray to minimise dust emissions. A mechanical sweeper visits the site as and when the yard surface requires sweeping.

CONDITIONS

Emission Limits

- 1 All emissions to air, other than steam or water vapour, shall be colourless and free from persistent mist. All emissions to air shall be free from persistent fume and free from droplets.
- 2 Emissions from combustion activities shall in normal operation be free from smoke and in any case shall not exceed Ringelmann Shade 1, as described in British Standard BS2742:1969.

Monitoring, Sampling and Measurement of Emissions

- 3 The operator shall carry out daily visual assessments of emissions and remedial action shall be initiated where any visual emissions are observed. Visual monitoring shall take place during all deliveries of cement, in accordance with condition 9 below.
- 4 In the case of silo failure or malfunction, the cause shall be identified and the problem rectified before further deliveries take place.
- 5 Where the regulator identifies off-site deposition of dust from the process, the regulator may request dust monitoring to be carried out. In this case the operator shall undertake a monitoring exercise to identify the source and confirm the extent of the deposition. The monitoring shall be by a method agreed by the regulator.
- 6 The results of all monitoring and inspections shall be recorded in a log book. This shall be retained by the operator for a minimum of two years and made available to the regulator for inspection. Adverse results shall be investigated immediately and in all cases shall be recorded in the log book. The operator shall ensure that the cause has been identified and corrective action taken, and that this action is recorded in the log book.

Materials Handling

- 7 Bulk cement and other cementitious materials shall be stored in silos. Silos shall be vented to suitable arrestment plant, for example bag filters. Arrestment plant fitted to silos shall be of sufficient size to avoid over-pressurisation during delivery. The arrestment plant shall be kept clean.

Visual assessment of emissions from arrestment plant to the silo shall be undertaken periodically during all bulk deliveries, particularly during the first and last five minutes. The start and finish times of all deliveries shall be recorded in the log book. Storage silos shall be fitted with audible or visual high-level alarms to warn of overfilling. The correct operation of such alarms shall be checked regularly.

- 8 Seating of pressure relief valves on silos shall be checked at least once a week or before a delivery takes place, whichever is the longer interval. Immediately it appears that the valve may have become unseated, the delivery shall cease and no further delivery shall take place. The valve shall be examined and re-seated if necessary. Tanker drivers shall be informed of the correct procedure to be followed.

- 9 All filter bags shall be inspected at the frequency specified below:

- Filters fitted with reverse air jets - at least once month
- Filters fitted with mechanical shakers - at least once a week
- Filters requiring manual shaking - at least once a day, except where there is no delivery on any given day, in which case inspection shall be made before the next delivery.

If defects or significant blinding are detected, corrective action shall be taken promptly and before another delivery occurs. Operators shall record in the log book any cases where deliveries are made prior to corrective action being taken.

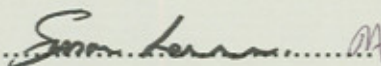
Persistent mal-operation of the arrestment plant may result in a requirement for more regular checks and it may be necessary to investigate the proper operation of the plant. Conversely, it may be appropriate to reduce the above inspection frequencies for filters fitted with reverse jets or with mechanical shakers where operating experience has demonstrated satisfactory operation of the arrestment plant. Reduced inspection frequency may also be appropriate where pressure drop sensors are used to monitor any of the above-mentioned types of filters; such monitors shall be inspected regularly to check their proper operation.

- 10 Care shall be taken during the delivery from tankers to avoid venting of air to silos at a rate that is likely to result in over-pressurisation of the silos. Particular problems may arise during the release of air from tankers at the end of deliveries and care shall therefore also be taken to avoid over-pressurisation of silos when venting air from tankers at this stage. In order that fugitive emissions are minimised during the charging of silos, care shall be taken to ensure that the transfer lines are securely connected to the tanker discharge point and the silo delivery inlet point. Tanker drivers shall be informed of the correct procedures to be followed during deliveries.
- 11 Other materials that may generate airborne dust emissions, for example crushed rock or coarse aggregate, shall be delivered, stored and handled so as to minimise dust emissions. This may be achieved by dampening or covering.
- 12 The transfer of cement, other than delivery to site storage, shall be by air slide, elevator, screw feeder, enclosed chain en-mass conveyor, gravity or pneumatic means. Internal transport of other dusty materials shall be carried out so as to prevent or minimise dust emissions. Where conveyors are used, they shall be of sufficient capacity to handle maximum loads and shall be provided with protection against wind-whipping. All discharges of material shall be designed to minimise free fall at all times.
- 13 Truck mixers shall be loaded in such a way as to minimise airborne dust emissions, for example by loading with wet pre-mixed materials. If they are loaded with dry materials, local dust control measures shall be provided.
- 14 The packing of cement into bags shall be carried out using purpose-designed plant fitted with extraction for displaced air ducted to arrestment plant.
- 15 All spillages that may give rise to dust emissions shall be cleaned up promptly, normally by wet handling. Dry handling of dusty spillages shall not be permitted. Major spillages shall be dealt with using, for example, a vacuum cleaning system. Particular attention shall be paid to preventing and cleaning up deposits of dust on external support structures in order to minimise wind entrainment of deposited material.

General

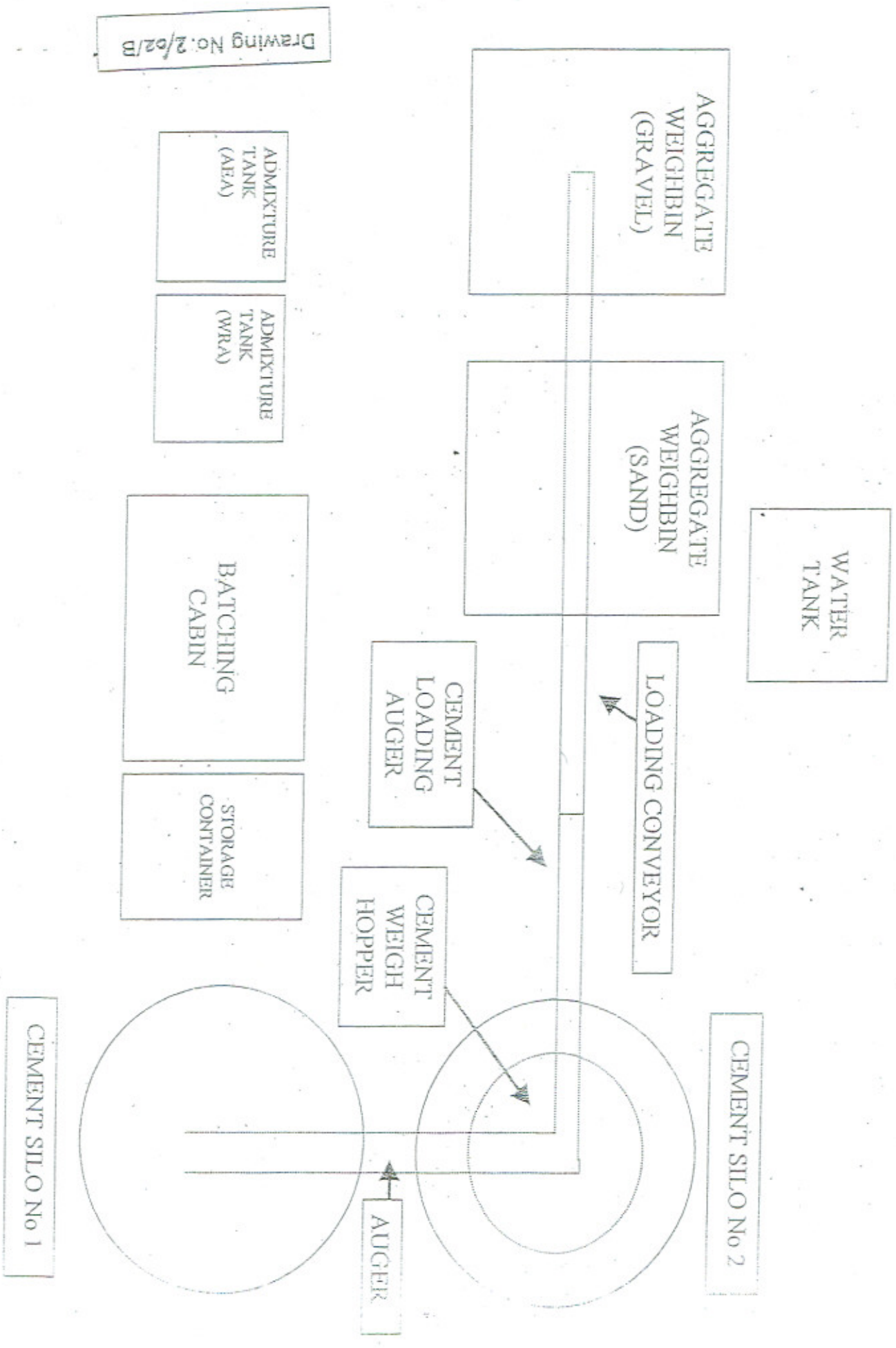
- 16 Proper use of equipment, proper supervision of process operations and adequate preventative maintenance shall be employed on all plant and the equipment concerned with the control of emissions to air. Essential spares and consumables shall be made available on site within 24 hours of request.
- 17 Any malfunctions or breakdowns, which cause abnormal emissions above that authorised by this permit, shall be remedied promptly and activities suspended until such time.
- 18 All malfunctions or breakdowns, which cause abnormal emissions shall be recorded in the log and the regulator is to be informed immediately if there is likely to be an effect on the local community.
- 19 Staff at all levels shall receive the necessary formal training and instruction in their duties relating to control of the process and emissions to air, particularly with regard to start-up, shut down and abnormal conditions.
- 20 Roadways in normal use and any other area where there is regular movement of vehicles shall be hard-surfaced and kept clean, in order to prevent or minimise dust emissions. Where necessary wheel cleaning facilities shall be provided and used by vehicles before leaving the site.
- 21 Good housekeeping shall be practiced at all times.

21 March 2007

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Head of Environmental and Community Services





Drawing No. 2/02/B

CEMENT SILO No 1

CEMENT SILO No 2



NOTICE FOR CEMENT TANKER DRIVERS

1. The operator must obtain permission from the plant foreman before discharging.
2. The operator must be in attendance while the discharge is in operation.
3. Discharge must stop immediately when the alarm sounds.
4. Discharge must stop in the event of an emission.
5. Discharge must not recommence until authorisation is given by the Plant Foreman.

GENERAL NOTES

1 Implied Conditions

It should be noted that regulation 11 provides that, the installation shall be operated in such a way that -

- (i) all the appropriate preventative measures are taken against pollution, in particular through application of the best available techniques (BAT)¹; and
- (ii) no significant pollution is caused.

¹The interpretation of best available techniques is found in Section 3 of the Regulations

2 Review of Conditions

The regulator will ensure that the permit remains up to date in line with the requirements set out in regulation 12. 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.

The regulator may at any time undertake a review of the conditions in this permit under regulation 15. 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 27.

4 Transfer of Permit

The permitted operator who wishes to transfer the permit to a person who proposes to carry out the activity in the holder's place may do so in accordance with regulation 18. 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 22, and shall contain the operator's and the proposed transferee's contact details.

5 Notification of Proposed Change of Operation

The permitted operator who wishes to make a change in the activity under regulation 16 must notify the enforcing authority at least 14 days before making the change. Such notifications shall be in writing and shall contain a description of the proposed change in the operation of the installation.

The permitted operator who wishes to vary the conditions of the permit under regulation 17(2) must make an application to the regulator. Such application shall be made in accordance with paragraph 1 of Part 1 of Schedule 7 and shall be accompanied by any fee prescribed in respect of the application under regulation 22; and paragraphs 2 and 3 of Part 1 of Schedule 7 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 22. 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.)

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 / or previous variations. In cases where a consolidated permit is not included this variation notice must be read in conjunction with your permit document.

Offences

Failures to comply with a Variation Notice is an offence under regulation 32 of the 2000 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 12 months or both; or (ii) to a fine or imprisonment for a term not exceeding 5 years or both, depending on whether the matter is dealt with in Magistrates' or Crown Court.

Appeals

Under regulation 27 of the 2000 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 given under regulations 12(15) (directions to regulators), 36 (general directions to regulators), paragraph (4) of regulation 27 (Appeals), paragraph 14(6) of Schedule 4 (directions determining applications for permits) or 6(6) of Schedule 7 (directions determining variation of permits).

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 notice, which is the subject matter of the appeal. The Secretary of State 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 (see Schedule 8 of the 2000 Regulations, paragraph 1):

- written notice of the appeal;
- a statement of the grounds of appeal;
- a statement indicating whether the appellant wishes the appeal to be dealt with by written representations procedure or a hearing - a hearing must be held if either the appellant or enforcing authority requests this, or if the Planning Inspector or the Secretary of State decides to hold one.
- (appellants must copy the above three items to the local authority when the appeal is made)
- a copy of any relevant application;
- a copy of any relevant permit;
- a copy of any relevant correspondence between the appellant and the regulator; and
- a copy of any decision or notice, which is the subject matter of the appeal.

Appellants should state whether any of the information enclosed with the appeal has been the subject of a successful application for commercial confidentiality under regulation 31 of the 2000 Regulations, and provide relevant details. Unless such information is provided all documents submitted will be open to inspection.

Further guidance on commercial confidentiality can be found in Chapter 8 of the LA-IPPC and LAPPC manual.

Where to send your appeal documents

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

England:

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

Wales:

The Planning Inspectorate
Crown Buildings
Cathays Park
CARDIFF
CF10 3NQ

On receipt of an appeal and during the appeal process the main parties will be 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

Guidance from the Planning Inspectorate states that operator and regulator would normally be expected to pay their own expenses during an appeal. Where a hearing or enquiry is held as part of the appeal process, by virtue of Schedule 8, paragraph 4(10) of the 2000 Regulations, either the appellant or the local 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.

Commercial Confidentiality

An operator may request certain information to remain confidential i.e. not be placed on the public register. The operator must request the exclusion from the public register of commercially 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 amount of information excluded from the register should be kept to the minimum necessary to safeguard the operator's commercial advantage. It may assist the local authority if the information the operator considers to be commercially confidential is submitted in a way which will allow it to be easily removed should the claim be granted, for example on separate pages, marked 'claimed confidential'.

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 general principle is that information should be freely available to the public. Information that maybe considered commercially confidential is that which if it "were being contained within the register would prejudice to an unreasonable degree the commercial interests of an individual or any other person" (regulation 31(12) of the 2000 Regulations).

Local authorities will also take into account whether the information at issue could be obtained or inferred from other publicly accessible sources.

The local authority will determine this request within 28 days of the date of such an application and will issue a Determination Notice detailing their decision. The notice may specify a time period over which the information is to remain commercially confidential (if not specified, it will be four years beginning with the date of the determination). The operator may appeal to the Secretary of State within 21 days of the notification of the decision.

If the application is granted the local authority will place a statement on the public register stating that certain information has been withheld and stating the reasons why, plus whether this information is relevant to a permit condition, and whether the permit condition has been complied with.

The local authority may consider that certain areas of the information are commercially confidential, and others are not. If this is the case it will be stated in the determination notice. The operator may appeal against this in the normal manner.

Further guidance on commercial confidentiality can be found in Chapter 8 of the LA-IPPC and LAPPC manual.

National Security

Information may be excluded from the public register on 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, 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 has decided the matter.