

EP Permit ref: B02/06

Variation ref: PPC 17/11

Variation Notice

From: Huntingdonshire District

Council ("the Council")

To: ⁽¹⁾

Sundown Products Limited
Station Road
Tilbrook
Huntingdon
PE28 3PA

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 B02/06 granted under regulation 13(1) of the 2010 Regulations in respect of the operation of the installation/~~mobile plant~~ at

Sundown Products Limited
Station Road
Tilbrook
Huntingdon
PE28 3PA

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 10 August 2011

Signed



Designation Head of Environmental & 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
Vary all permit conditions.	10 August 2011

Signed on behalf of Huntingdonshire District


Dated 10 August 2011



Council

Signed

Designation Head of Environmental & Community Health Services

An authorised officer of the Council 

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Schedule 2

Permit reference B02/06
~~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: B02/06

Huntingdonshire District Council (the regulator) hereby permits Sundown Products Ltd Station Road Tilbrook Huntingdon PE28 3PA to operate a timber process with associated waste wood burner as defined in Part 2 of Schedule 1 to the EP Regulations Section 6.6 and Section 1.1, and as described below in accordance with the following conditions which shall apply forthwith.

Address of permitted activity: Sundown Products Ltd
Chipping Plant
Station Road
Tilbrook
Huntingdon
PE28 3PA

Location plan can be seen on B02/06 (a) Location plan

Description of Activity

The manufacture of high quality flakes to be used as top quality horse bedding from pine logs.

Pine logs are delivered to site and stored in dedicated storage areas. The logs are loaded onto a logline by a wheeled loader and delivered to a debarker machine where the bark is removed and stored in a bunker. When there is sufficient bark in the bunker to fill a lorry, a lorry is ordered and the bark is loaded into the lorry using a wheeled loader.

Conveyors transport the debarked logs inside the building to the shaving machine, where they are planed into course shavings. The shavings are wet and the plant is inside an acoustic enclosure so fugitive dust is minimal.

The wet shavings are conveyed through a sieve, which removes the larger fragments then into a conveyor.

The shavings are fed into a rotating drum drier, the heat from the drier is provided by a sawdust fuelled burner with a maximum output of 6 MW. As the drier rotates, the shavings are continually lifted and dropped into an air stream, created by a fan, which carries the shavings to the end of the drier. The dry shavings drop into a conveyor and enter the dry shavings bunker inside the building via a covered conveyor.

The drier exhaust is expelled up an exhaust stack via a cyclone.

The sawdust used to fuel the sawdust burner is either produced during the shaving process or sourced from wood mills or other wood users. The sawdust is stored inside a building and arrives in bulk lorries.

The furnace fuel is dried in the drier depending on their moisture levels and stored in a silo before being used as fuel.

When the dry sawdust and shavings leave the drier they pass through a vacuum sieve. The shavings fall into the dry shavings bunker ready for bailing, the sawdust is transferred into the sawdust silo which is exhausted by the main bag filter.

The potential emissions from the site include dust and odours.

Conditions

	Pollutant	Source	Emission limit	Type of monitoring	Monitoring frequency
1.	Total particulate matter	Main process chimney	150mg/m ³⁽¹⁾	Manual extractive ⁽²⁾	Annual
2.	Total particulate matter	Main process chimney	150mg/m ³⁽¹⁾	Manual extractive ⁽²⁾	Continuous
3.	Total particulate matter	Whole site	No visible emissions	Visual observations	Daily
4.	Hydrogen Cyanide ⁽³⁾	Main process chimney	5mg/m ³⁽¹⁾	Manual extractive ⁽²⁾	Annual
5.	Chlorine (expressed as hydrogen chloride) ⁽⁴⁾	Main process chimney	100 mg/m ³⁽¹⁾	Manual extractive ⁽²⁾	Annual
6.	Carbon monoxide ⁽⁵⁾	Main process chimney	150mg/m ³⁽¹⁾	Manual extractive ⁽²⁾	Annual
7.	Carbon monoxide ⁽⁵⁾	Main process chimney	150mg/m ³⁽¹⁾	Manual extractive ⁽²⁾	Continuous
8.	Odour	Whole site	No offensive odour	Operator assessment down wind at nearest sensitive receptor	Daily
9.	Droplets, persistent mist and fumes	Main process chimney	No droplets No persistent mist No persistent fume	Visual observations	Daily

10.	Smoke	Combustion processes	No exceed Ringlemann Shade 1 as described in British Standard BS 2742:1969	Visual observations	Daily
<p>1 The reference conditions for emission limits are 273K, 101.3kPa & 11% oxygen.</p> <p>2 Monitoring shall be undertaken in accordance with the appropriate British or equivalent standard as shown in the latest process guidance note.</p> <p>3 Only to be tested when melamine faced fuel source has been used.</p> <p>4 Only to be tested when painted and PVC coated fuels has been used.</p> <p>5 Only required when melamine faced fuels and painted & PVC coated fuels are used.</p>					

11. There shall be no visible emission of airborne dust from the process or its operations across the site boundary.

12. The main dryer outlet temperature shall not exceed 375°C.

13. Visual assessments of emissions from condition 3 shall be made from the following locations:

- (a) Yard and roadways
- (b) Process buildings
- (c) Main process chimney and abatement plant
- (d) Log stores
- (e) Installation boundary, downwind of process

14. Where, in the opinion of the regulator, there is evidence of airborne dust/particulate matter from the process off site, the operator shall make their own inspection and assessment, and where necessary undertake ambient monitoring with the aim of identifying those process operations giving rise to the dust/particulate matter.

15. Where, in the opinion of the regulator, there is evidence of offensive odour from the process off site, the operator shall make their own inspection and assessment, and where necessary undertake monitoring with the aim of identifying those process operations giving rise to the odour.

16. The operator shall keep records of inspections, tests and monitoring, including all non-continuous monitoring, inspections, calibrations and visual assessments. The records shall be:

- (a) Kept on site.
- (b) Kept by the operator for at least two years.
- (c) Made available for the regulator to examine.

17. In the case of abnormal emissions, malfunction or breakdown leading to abnormal emissions the operator shall:

- (a) Investigate and undertake remedial action immediately
- (b) Adjust the process or activity to minimise those emissions.
- (c) Promptly record the events and actions taken.

18. Adverse results from any monitoring activity, both continuous and non-continuous) shall be investigated by the operator as soon as the monitoring data has been obtained. 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.
19. 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 arrestment plant.
20. The operator shall notify the regulator at least 7 days before any periodic monitoring exercise to determine compliance with emission limit values.
21. The results of non-continuous emission testing shall be forwarded to the regulator within 8 weeks of the completion of the sampling.
22. Sampling points shall be designed to comply with the British or equivalent standards.
23. The operator shall provide a list of key plant and shall have a written procedure for dealing with its failure.
24. Wood dust shall not be stored outside process buildings unless in silos or enclosed containers.
25. Bulk storage tanks and silos containing dry materials shall be equipped with audible and/ or visual high level alarms, or volume indicators, to warn of overfilling. The correct operation of such alarms shall be checked in accordance with manufacturers' instructions.
26. All new or replacement silo filtration plant shall be designed to operate to an emissions standard of less than $10\text{mg}/\text{m}^3$ for particulate matter.
27. All new silos shall be fitted with an automatic system to cut off delivery in the event of over pressurisation or over filling. Use of alternative techniques may be acceptable provided that they achieve an equivalent level of control with regard to potential for emissions to air.
28. All cyclones shall have continuous indicative monitoring devices installed with visual and audible alarms which activate on cyclone malfunction.
29. All continuous monitoring readings shall be on display to appropriately trained operating staff.

30. Instruments shall be fitted with audible and visual alarms, situated appropriately to warn the operator of arrestment plant failure or malfunction.
31. The activation of alarms shall be automatically recorded. These records shall be made available to the regulator upon request.
32. All continuous monitors shall be operated, maintained and calibrated in accordance with the manufacturers' instructions.
33. All continuous indicative monitoring instruments shall be checked daily.
34. All new continuous monitoring equipments shall be designed for less than 5% downtime over any 3-month period.
35. The transportation and handling of dusty materials, including wastes, shall be done in a manner which avoids airborne dust.
36. Areas where there are regular vehicular movements shall have a consolidated surface which shall be kept in good repair.
37. All spillages shall be cleared up as soon as possible using methods to prevent any contaminates from leaving the site.
38. A written maintenance programme shall be made available upon request to the regulator with respect to pollution control equipment.
39. A record of such maintenance shall be made available for inspection.
40. Spares and consumables – in particular, those subject to continual wear – shall be held on site, or shall be available at short notice from guaranteed local suppliers.
41. Training of all staff with responsibility for operating the process shall include:
 - (a) Awareness of their responsibilities under the permit; in particular, notification to regulator, bag breakage, arrestment plant failure and bag inspection.
 - (b) Minimising emissions on start up and shut down
 - (c) Action to minimise emissions during abnormal conditions.
42. 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.
43. 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.

44. 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: 10 August 2011

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.

B02/06 (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.