

EP Permit ref: B09/94

Variation ref: PPC 14/11

Variation Notice

From: Huntingdonshire District

Council ("the Council")

To: (1)

David Smith St Ives Ltd
Marley Road
St Ives
PE27 3EX

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 B09/94 granted under [regulation 10(2) of the Pollution Prevention and Control (England and Wales) Regulations 2000] [regulation 13(1) of the 2010 Regulations] in respect of the operation of the installation/~~mobile plant~~ at:

David Smith St Ives Ltd
Marley Road
St Ives
PE27 3EX].

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 June 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

(3) 1995 c.25.

Delete words in square brackets which do not apply.

EP Permit ref: B09/94
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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 June 2011

Signed on behalf of Huntingdonshire District

Council

Dated 10 June 2011

Signed



Designation Head of Environmental & Community Health Services

An authorised officer of the Council

EP Permit ref: B09/94
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Schedule 2

Permit reference B09/94 as varied by this notice and
~~variation notices~~ PPC 14/11
[and]

(Insert amended or full consolidated permit).

PERMIT

Pollution Prevention and Control Act 1999

Environmental Permitting (England and Wales) Regulations 2010

Permit Reference: B09/94
As varied by: EPA19/99, PPC15/08

Huntingdonshire District Council (the regulator) hereby permits David Smith St Ives Ltd Marley Road St Ives Huntingdon, Cambs PE27 3EX 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: David Smith St Ives Ltd
Marley Road
St Ives
PE27 3EX

Location plan can be seen on B09/94 (a) Location plan

Description of Activity

The process consists of the manufacture of timber products for the building industry including the treatment of timber. Timber off cuts and sawdust from the process are used to fuel a central heating boiler at the factory.

The range of products manufactured includes roof trusses, staircases, doors and linings. Roof trusses are produced in units 4 and 5 from raw materials stored on a hard standing to the west of unit 5 where completed trusses are also stored. All materials used in this part of the process are softwood.

Units 1, 2, 3 and parts of 4 and 5 are utilised by the remaining product groups. The raw materials are stored on the racks within unit 4 and operators select the appropriate materials, cut them to length and then place them on trolleys, which are pushed into units 1 and 2 for final machining and assembly. All the wood processing machines are connected to the dust extraction system. Stairs, doors and joinery products are manufactured mainly from softwood but small amounts of hardwood are utilised.

The dust extraction system is designed to separate the particulate matter from the transport air and is then returned to the factory. This is achieved by the use of multiple filters. Each filter is connected to a transport fan run which delivers particulate matter to a boxcart or storage silo via a cyclone and returns the excess air to the main filter to ensure a closed loop.

The particulate matter stored is delivered to the boiler and burner by the way of an automated feed system controlled by reference to the operating temperature within the boiler. The hot water or hot air is used to heat fresh air for supply to the factory or, in the summer, the unwanted heat is dissipated to the external air. The combustion process includes a multi-cyclone grit arrester. The grit arrester separates most of the solid particles from the flue gases which are discharged to the external air through a double skinned self supporting 10m chimney.

The final part of the process is timber treatment. The majority of the timber that passes through the treatment plant is associated with roof trusses, the remainder is used for joinery. A preservative is used with solvent content of 1.5%. The preservative is delivered to site by bulk tanker and stored in a fixed chemical storage tank.

The equipment used in the treatment is a purpose built vessel. This operates on a double vacuum cycle. Timber is loaded into the vessel which is then sealed. Air is extracted to create a vacuum around the timber and vessel is flooded with preservative. When the vacuum is released the chemical is drained back into the bulk storage tank. A further vacuum is created within the vessel to remove all excess preservative to the storage tank and the vessel is re-opened. The timber is removed from the vessel and placed in a bunded area to air dry. Any preservative that drips from the timber is collected in trays and is returned to the bulk storage tank. The treatment cycle is automatically controlled.

Conditions

	Pollutant	Source	Emission limit	Type of monitoring	Monitoring frequency
1	Total particulate matter	Whole site	No visible emissions	Visual assessment	Three times a day
2	Total particulate matter	Arrestment plant	No visible emissions	Visual assessment	Three times a day
3	Smoke	Combustion process	No visible smoke ⁽¹⁾	Visual assessment	Three times a day including start up
4	Total particulate matter	Combustion process	200 mg/m ³	Manual extractive monitoring ⁽²⁾	Annual ⁽³⁾
5	VOC	Combustion process	20 mg/m ³	Manual extractive monitoring ⁽²⁾	Annual ⁽³⁾
6	Carbon Monoxide	Combustion process	350mg/m ³	Manual extractive monitoring ⁽²⁾	Annual ⁽³⁾

(1) Not exceeding Ringlemann Shade 1 as described in BS 2742:1969. Except for a maximum of 15 minutes on start up from cold when emissions shall not exceed Ringlemann Shade 2

(2) In accordance with the relevant monitoring standard as defined in Process Guidance Note 1/12(04) or subsequent versions.

(3) Monitoring frequency may be reduced if it meets the requirements in Process Guidance Note 1/12(04) or subsequent versions.

7. The operator shall keep records of inspections, tests and monitoring, including all non-continuous monitoring, inspections 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
8. Adverse results from any monitoring or maintenance 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
9. 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
10. 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
11. Where in the opinion of the regulator, there is evidence of airborne dust/particulate matter from the process off the 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.
12. There shall be no offensive odour beyond the site boundary, as perceived by the regulator.
13. All potentially dusty materials, including wastes, shall be stored in silos or suitably closed containers.
14. All potentially odorous materials shall be stored in suitable closed containers or bulk storage vessels.
15. Storage silos and fixed containers shall be equipped with interlocked high-level alarms. The correct operation and use of alarms shall be checked in accordance with the preventative maintenance schedule.
16. The activation of alarms shall be recorded.
17. A filter maintenance programme showing the timetable for replacement of filter media shall be submitted to the regulator for approval.

18. Where process exhausts are fitted with a suitable continuous indicative monitoring device attached to data logging equipment the data can be used as an alternative to the filter maintenance programme to instigate the replacement of filter media.
19. Details of filter media replacement shall be recorded.
20. Filter media shall be replaced as follows:
 - (a) As necessary to ensure no visible emission from the process
 - (b) In accordance with the approved filter maintenance programme or if data-logging equipment is being used when the results show an unacceptable deterioration in filter efficiency.
 - (c) Routine replacement every 4 years or sooner if required
21. Displaced and transport air from automated handling systems shall be vented to suitable arrestment plant.
22. Transfer points shall be enclosed and ducted to suitable arrestment plant.
23. All spillages shall be cleared as soon as possible by vacuum cleaning, wet methods or other appropriate techniques. Dry sweeping of dusty spillage shall not be permitted.
24. Process vents shall not be fitted with any restriction at the final opening such as a plate, cap or cowl, with the exception when such a device forms an integral part of the correct operation of arrestment plant, for example, in the case of a cyclone.
25. The operator shall provide a list of key plant and shall have written procedures for its maintenance including dealing with its failure, in order to minimise any adverse effects.
26. A record of such maintenance shall be made available for inspection.
27. 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, so that plant breakdowns can be rectified rapidly.
28. Training of all staff with responsibility for operating the process shall include:
 - (a) Awareness of their responsibilities under the permit, in particular notifications to the regulator, bag breakage, arrestment plant failure, bag inspection and start-up shutdown procedures
 - (b) Minimising emissions on start-up and shutdown
 - (c) Action to minimise emissions during abnormal conditions
29. 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 of the environment. These documents shall be made available to the regulator on request.
30. 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.

31. 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:

A handwritten signature in black ink, appearing to read 'Sina Khan', written over a dotted line.

Head of Environmental and Community Health Services

Date:

10 June 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.

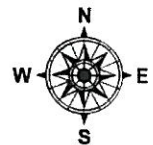
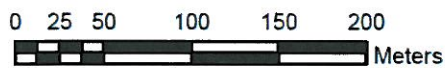
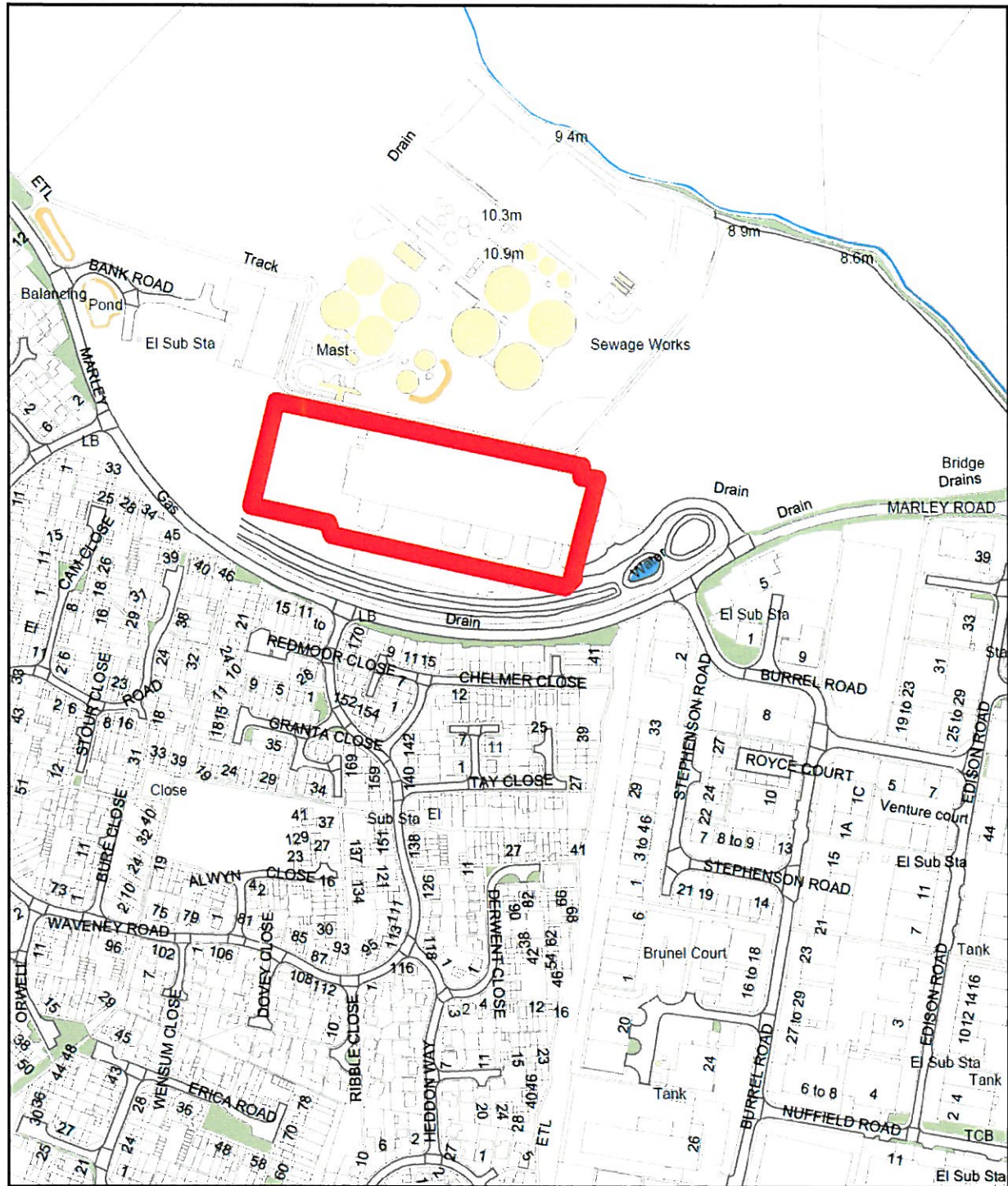
6 Other Legal Requirements

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.

B09/94 (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/quality/pollution/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(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 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 or 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.