



Permit with introductory note

North East Lincolnshire Council Environmental Permitting Regulations 2010 (as amended)

Installation address

**Associated British Ports
The Quays and Jetties of Immingham Dock
Immingham
North East Lincolnshire
DN40 2LZ**

Permit Ref no: EP/20090003/V2

Introductory note

This introductory note does not form a part of the Permit

The following Permit is issued under Regulation 13 of the Environmental Permitting (England and Wales) Regulations 2010 (S.I.2010 No. 675) (“the EP Regulations”) to operate an installation carrying out one or more of the activities listed in Part 2 to Schedule 1 of those Regulations, to the extent authorised by the Permit.

The permit includes conditions that have to be complied with. It should be noted that aspects of the operation of the installation which are not regulated by those conditions shall be subject to best available techniques, 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 condition within the permit.

Techniques include both the technology used and the way in which the installation is designed, built, maintained, operated and decommissioned.

Confidentiality

The Permit requires the Operator to provide information to North East Lincolnshire Council. The Council will place the information onto the public registers in accordance with the requirements of the EP Regulations. If the operator considers that any information provided is commercially confidential, it may apply to North East Lincolnshire Council to have such information withheld from the register as provided in the EP Regulations. To enable North East Lincolnshire Council to determine whether the information is commercially confidential, the Operator should clearly identify the information in question and should specify clear and precise reasons.

Variations to the permit

Your Attention is drawn to the Variation Notification Procedure condition in the permit. This Permit may be varied in the future. If at any time the activity or any aspect of the activity regulated by the following conditions changes such that the conditions no longer reflect the activity and require alteration, the Regulator should be contacted.

Surrender of the permit

Where an Operator intends to cease the operation of an installation (in whole or in part) the regulator should be informed in writing, such notification must be made as specified in regulation 24(3) of the EP regulations.

Transfer of the permit or part of the permit

Before the Permit can be wholly or partially transferred to another person, a joint application to transfer the Permit has to be made by both the existing and proposed holders, in accordance with Regulation 21 of the EP Regulations. A transfer will be allowed unless the Authority considers that the proposed holder will not be the person who will have control over the operation of the installation or will not ensure compliance with the conditions of the transferred Permit.

Responsibility under workplace health and safety legislation

This Permit is given in relation to the requirements of the EP regulations. It must not be taken to replace any responsibilities you may have under Workplace Health and Safety legislation.

Appeal against permit conditions

Right to Appeal

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

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"

Anyone who is aggrieved by the conditions attached to a Permit can appeal to the Secretary of State for the Environment, Food and Rural Affairs. Appeals must be made in accordance with the requirements of Regulation 31 and Schedule 6 of the EP Regulations.

Appeals should be received by the Secretary of State for Environment, Food and Rural Affairs. The address is as follows:

The Planning Inspectorate
Environmental Team, Major & Specialist Casework
Room 4/04 – Kite Wing
Temple Quay House
2 The Square, Temple Quay
BRISTOL
BS1 6PN
Tel: 0117 372 8726
Fax: 0117 372 8139

Please Note

An appeal brought under Regulation 31 (1) (b) and Schedule 6, in relation to the conditions in a permit will not suspend the effect of the conditions appealed against; the conditions must still be complied with.

In determining an appeal against one or more conditions, the Act allows the Secretary of State in addition to quash any of the conditions not subject to the appeal and to direct the local authority either to vary any of these other conditions.

End of introductory note

**Permit issued under the Environmental Permitting Regulations 2010
(as amended)**

Permit

Permit ref no: EP/20090003/V2

North East Lincolnshire Council (the Regulator) in exercise of its powers under Regulation 13(1) of the Environmental Permitting Regulations 2010 (S.I. 2010 No. 675) hereby permits.

Associated British Ports ("the operator"),

Whose registered office is

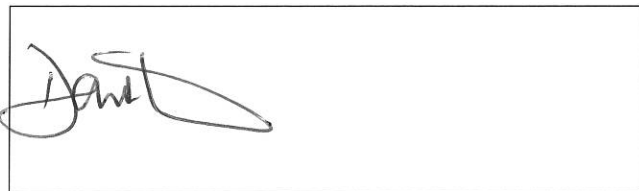
**Associated British Ports
Aldwych House
71-91 Aldwych
London
WC2B 3LL**

To operate an installation at

**Associated British Ports
The Quays and Jetties of Immingham Dock
Immingham
North East Lincolnshire
DN40 2LZ**

to the extent authorised by and subject to the conditions of this Permit and within the boundary identified in condition C

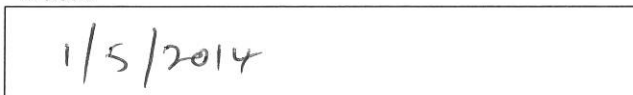
Signed



David Moore
Interim Assistant Director Economy

Authorised to sign on behalf of
North East Lincolnshire Council

Dated



CONDITIONS

Extent and limit of the installation

A Variation Notification Procedure

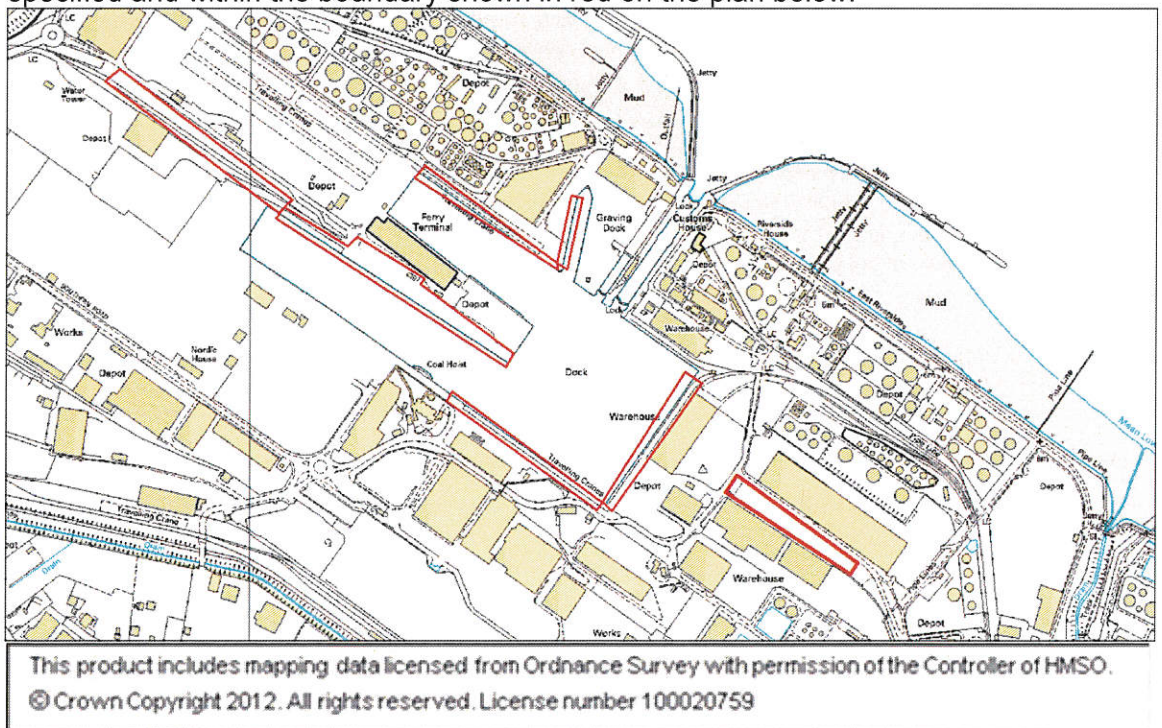
If the operator proposes to make a change in operation of the installation, he must, at least 14 days before making the change, notify the regulator in writing. The notification must contain a description of the proposed change in operation. It is not necessary to make such a notification if an application to vary this permit has been made and the application contains a description of the proposed change. In this condition 'change of operation' means a change in the nature or functioning, or an extension, of the installation, which may have consequences for the environment.

B Best Available Technique

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 installation which is not regulated by any other condition in this permit.

C The Permitted Installation

The operator is authorised to carry out the activities and/or associated as specified and within the boundary shown in red on the plan below:-



Process using coal, coke, coal product and petroleum coke as prescribed by Section 3.5 Part B of Schedule I of the Environmental Permitting (England and Wales) Regulations 2010 (as amended).

Activity description

The loading and unloading of coal, coke, petroleum coke and other coal products from quays no.1, 2, 3, 3e, 4, 5, 6, 7, 8, 9, 10 Henderson Quay and the Henderson Dry of Immingham Docks. Coal, coke, petroleum coke is discharged from vessels to sheeted tipper bodied lorries. After loading all vehicles leaving the site pass through a wheel and under body wash prior to leaving the site. Vehicles entering and leaving the site shall also be sheeted.

When conditions are such that fugitive dust emissions are observed water will be used to spray roadways, hard standings and any temporary stockpiles.

Emission Limits

1. There shall be no visible emissions or accumulations of particulate matter arising from the process beyond the process boundary shown by the red line on Condition C, the site plan.
2. The operator shall prevent the release of particulate emissions from the site that are harmful, offensive or detrimental to the amenity of the neighbourhood.

Monitoring

3. Visual monitoring for fugitive dust emissions shall be carried out at start up of operations and thereafter at 4 hourly intervals by the site supervisor during the unloading and loading of materials. The time, date and result of the visual assessment shall be recorded. Where any visible emissions of particulate matter are observed, the activity responsible shall cease immediately. It shall not be re-commenced until action has been taken to ensure that Condition 1 of this permit can be met. Any such events shall be recorded in the site log detailed in Condition 9.
4. The Operator shall monitor the stockpiles, vehicle routes and any materials handling on a continuous basis during normal site operations and necessary remedial action carried out to prevent fugitive dust emissions.
5. Arrangement shall be made to provide 24 hour cover to instigate the measures contained in Condition 4.
6. Wind speed and direction information covering the quays area to be maintained, information shall be kept on site and available for inspection by an Authorised Officer of the Authority.
7. All machinery shall be examined prior to use for any build-up of dusty materials. If any such build-up is found it shall be removed immediately.
8. When an escape of dust is observed or when any malfunction or breakdown likely to lead to an escape of dust is found the operator shall:
 - Investigate and undertake remedial action immediately;
 - the responsible activity shall cease immediately; and
 - promptly record the events and actions taken in the site log as required by condition 9 of this permit.
 - The regulator should be informed without delay if there is an emission that is likely to have an effect on the local community

9. The operator shall keep records of inspections, tests and monitoring of all weather forecasts and visual assessments within the site log. Records should be :
 - Kept on site
 - Kept by the operator for at least two years; and
 - Made available for the regulator to examine.
10. If any records are kept off-site they should be made available for inspection within one working week of any request by the regulator.
11. Particulate monitoring shall be undertaken using either British Standard deposit gauges, sticky slides or another method approved in writing by the regulator. The monitoring exercise shall be undertaken as required by the regulator in writing. All proposed monitoring schemes shall be submitted in writing to the Regulator within one month of receipt of request by the Regulator for approval. The monitoring scheme shall include details of the location of monitoring equipment and shall record wind speed and direction. Subsequent to the first monitoring scheme any changes in method will require approval in writing by the Regulator.

Control Techniques

12. A high standard of house keeping shall be maintained.
13. No product shall be unloaded onto the quayside unless meeting the requirements stated within Condition 14.
14. The following coal, coke, petroleum coke products may be loaded directly onto the quay under the following conditions:
 - Foundry coke that due to its size will not pass through the quayside hoppers may be loaded directly to lorries or quayside. If quayside, the product must be removed and not stockpiled on the quayside.
 - Coal briquettes may be delivered to dock side no more than 48 hours prior to loading. The stockpiles to be sheeted when not being worked.
 - Welsh Anthracite Duff consisting solely of Anthracite whose particle size is 10mm or less; and from the South Wales Coalfields may be discharged to quayside. No stockpiles shall remain on the quayside after the discharge is completed.
 - Petroleum Coke may be loaded from the quayside.
 - No stockpiling of product on the quayside prior to loading apart from the product stored within the purpose built storage bund as shown by the blue line in Appendix 1 (storage bund location). For the purpose of this permit "medium term" storage shall mean for a maximum of a two month period.
15. The storage bund shall have consolidated surface which shall be kept in good repair.
16. The stockpile areas shall be clearly delineated to deter vehicles from running over coal at the stock edge.
17. The product stored within the storage bund area as stated in Condition 14 shall be maintained in a sufficiently damp condition so as to prevent wind

entrained dust emissions. A fixed water suppression system shall be used where the water must be able to spray over the whole stockpile area.

18. Unused stocking areas shall be cleaned or regularly wetted until brought back to use.
19. Any temporary quayside stockpiles shall be maintained in a sufficiently damp condition so as to prevent any fugitive dust emissions. Stockpiles shall be progressively compacted and profiled as they are formed.

Roadways and vehicles

20. Roadways and other areas where there is regular movement shall be kept clean.
21. Vehicles shall not be overfilled
22. All lorries leaving site / quay shall exit via an effective under-vehicle washing facility. This requirement shall be included in all contracts for road haulage.
23. Details of any changes to the under body and wheel wash facilities shall be forwarded to North East Lincolnshire Council for approval prior to use.
24. Exhaust emissions from mobile plant shall be directed upwards away from the running surface.
25. Vehicles not concerned with product handling or maintenance shall not be allowed access to working areas.
26. The on-site speed limit for all vehicles shall be 15mph.
27. All road going vehicles carrying coal, coke, petroleum coke or other coal products or empty vehicles having been used for carrying the above products and having the potential to cause dust emissions off the site shall be either fully sheeted or of an enclosed body type. A requirement to sheet vehicles shall be included in all contracts for road haulage.
28. The operator must ensure that all loaded vehicles leaving the quay show no obvious damage to the vehicle that would result in the spillage of product and that tailgates must be fully closed. Where contractors are performing any part of the process they shall not operate on site unless they have been trained in accordance with the requirements for employees detailed above. Alternatively they must work under the supervision of an employee.

Loading and unloading

29. The loading and unloading of road vehicles and trains shall be carried out so as to minimise the generation of airborne dust.
30. High pressure water sprays shall be used when necessary around receiving hoppers to minimise visible dust emissions.
31. Grabs shall have tight fitting jaws and be of a suitable design for materials discharged.

32. When loading ships, chutes or other techniques, such as soft loading should be used to minimise drop heights.
33. Sufficient water shall be available on site to operate all dust suppression equipment.
34. No product shall be worked unless the moisture content of the product is sufficient to prevent fugitive dust emissions to prevent a breach in Condition 1 and 2 of this Permit.

Training

35. All staff whose functions could impact on air emissions from the activity shall receive appropriate training on those functions. This should include:
 - awareness of their responsibilities under the permit;
 - steps that are necessary to minimise emissions;
 - actions to take when there are abnormal conditions, or accidents or spillages that could, if not controlled, result in emissions.
 - The operator shall maintain a statement of training requirements for each post with the above mentioned functions and keep a record of the training received by each person. These documents should be made available to the regulator on request.

Maintenance

36. The operator shall have the following available for inspection by the regulator:
 - a written maintenance programme for all pollution control equipment
 - a record of maintenance that has been undertaken.

End of Permit

Appendix 1 – Location of storage bund

