

Permit with introductory note

**Environmental Permitting (England and Wales)
Regulations 2007**

Installation address

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

Permit Reference: EP/20090003

Contact Details:

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Introductory note

This introductory note does not form a part of the Permit

The following Permit is issued under Regulation 12 of the Environmental Permitting (England and Wales) Regulations 2007 (S.I.2007 No. 3538) ("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/mobile plant in relation to any aspect of the operation of the installation/mobile plant which is not regulated by any other condition within the permit.

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

Brief description of the installation regulated by this permit

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 2007.

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 Henderson Dry Dock. Coal, coke, petroleum coke is discharged from vessels via grabs to quayside hoppers directly into 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 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.

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

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 (England and Wales) 2007

Permit

Permit Number: EP/20090003

North East Lincolnshire Council (the Regulator) in exercise of its powers under Regulation 13(1) of the Environmental Permitting Regulations 2007 (S.I. 2007 No. 3538) hereby permits.

Associated British Ports ("the operator"),

Whose registered office is

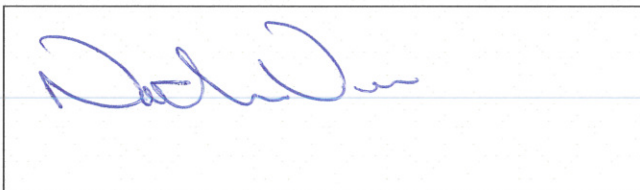
Associated British Ports
Aldwych House
71-91 Aldwych
London
WC2B 3LL

To operate an installation at

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

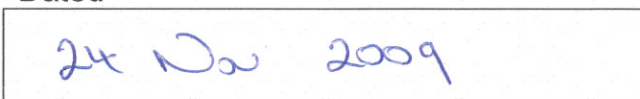
to the extent authorised by and subject to the conditions of this Permit and within the boundary identified in condition C

Signed



Nathan Vear
Acting Neighbourhood and Environmental Improvement Manager
Authorised to sign on behalf of
North East Lincolnshire Council

Dated



CONDITIONS

Extent and limit of the installation

A Variation Notification Procedure

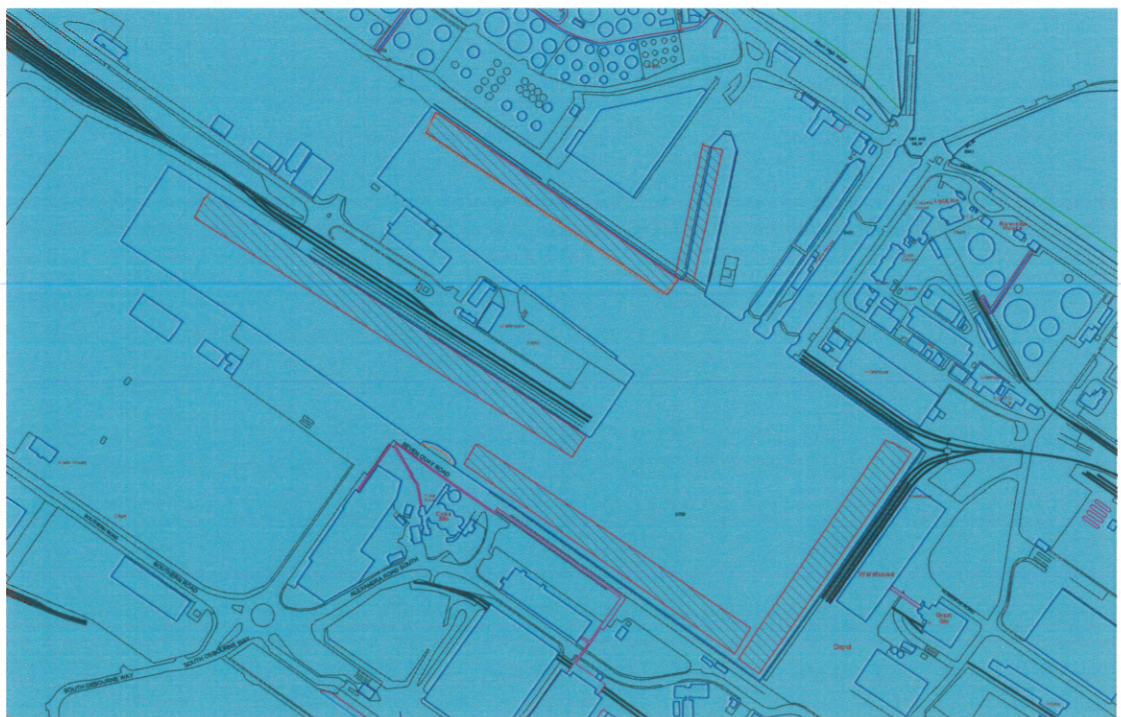
If the operator proposes to make a change in operation of the installation, he must, at least 14 days before making the change, notify the regulator in writing. The notification must contain a description of the proposed change in operation. It is not necessary to make such a notification if an application 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 2007.

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 via grabs to quayside hoppers directly into 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.

The following coal, coke, petroleum coke products may be loaded directly onto the quay under the following conditions:

1. 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 produce must be removed and not stockpiled on the quayside.
2. 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.
3. 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.
4. Petroleum Coke may be loaded from the quayside. No stockpiling of product on the quayside prior to loading.

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

1.0 Emission Limited

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

2.0 Site Layout and Plant

- 2.1 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.
- 2.2 All wheel wash facilities shall be provided with frost protection to -15°C to ensure constant operation.
- 2.3 Exhaust emissions from mobile plant shall be directed upwards away from the running surface.
- 2.4 All coal, coke, petroleum coke or other coal product being loaded/ unloaded shall be sufficiently damp to prevent any fugitive dust emissions.
- 2.5 Any temporary quayside stockpiles shall be maintained in a sufficiently damp condition so as to prevent any fugitive dust emissions.
- 2.6 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.
- 2.7 Sufficient water shall be available on all quays to operate all dust suppression equipment.
- 2.8 All lorries leaving the quays shall exit via the wheel and under body wash. This requirement shall be included in all contracts for road haulage.

3.0 Site Operations

- 3.1 No product shall be worked unless the moisture content of the product is sufficient to prevent fugitive dust emissions.
- 3.2 Vehicles not concerned with product handling or maintenance shall not be allowed access to working areas.
- 3.3 The on-site speed limit for all vehicles shall be 10mph.
- 3.4 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.

- 3.5 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.
- 3.6 Vehicle routes shall be inspected on a continuous basis during normal site operations and the necessary remedial action taken to prevent fugitive dust emissions.
- 3.7 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.
- 3.8 When an escape of dust is observed or when any malfunction or breakdown likely to lead to an escape of dust is found:
- ✚ the responsible activity shall cease immediately
 - ✚ an immediate investigation shall be carried out
 - ✚ prompt corrective action shall be taken
 - ✚ the results of the investigation and corrective action taken shall be entered in the site log required by condition 3.9.
- 3.9 A site log shall be kept available for examination by an authorised officer of the local authority at any time. Entries shall include:
- ✚ All weather forecasts and observations.
 - ✚ Any emissions of dust from site.
 - ✚ The control measures taken to prevent emissions of dust from site.
- 3.10 All records relating to conditions 3.8 and 3.9 shall be kept on site for a minimum of 2 years.
- 3.11 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 normal site operations. Where any visible emissions of particulate matter are observed, the activity responsible shall cease immediately. It shall not be recommenced until action has been taken to ensure that Condition 1 of this Notice can be met. Any such events shall be recorded in the site diary detailed in Condition 3.9.
- 3.12 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 within two months of the date of this Notice and at any other time as required by the regulator in writing. All proposed monitoring schemes shall be submitted in writing to the Regulator within one month of the date of this Notice 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.

- 3.13 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.
- 3.14 Effective preventative maintenance should be employed on all plant and equipment concerned with the control of emissions to air. In particular:
- ✚ A written maintenance programme should be provided to the regulator with respect to pollution control equipment;
 - ✚ A record of such maintenance should be made available for inspection by an authorised officer of the Authority; and
 - ✚ Spares and consumables – should be held on site, or should be available at short notice from guaranteed local suppliers, so that plant breakdowns can be rectified rapidly.
- 3.15 Staff at all levels need the necessary training and instruction in their duties relating to control of the process and emissions to air. The operator should maintain a statement of training requirements for each operational post and a record of the training received by each person should be made available for inspection by an authorised officer of the Authority.

End of Permit