

Permit with introductory note

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

Installation address

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

Permit Reference: EP/20090004

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.

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 (England and Wales)
Regulations 2007**

Permit

Permit Number: EP/20090004

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

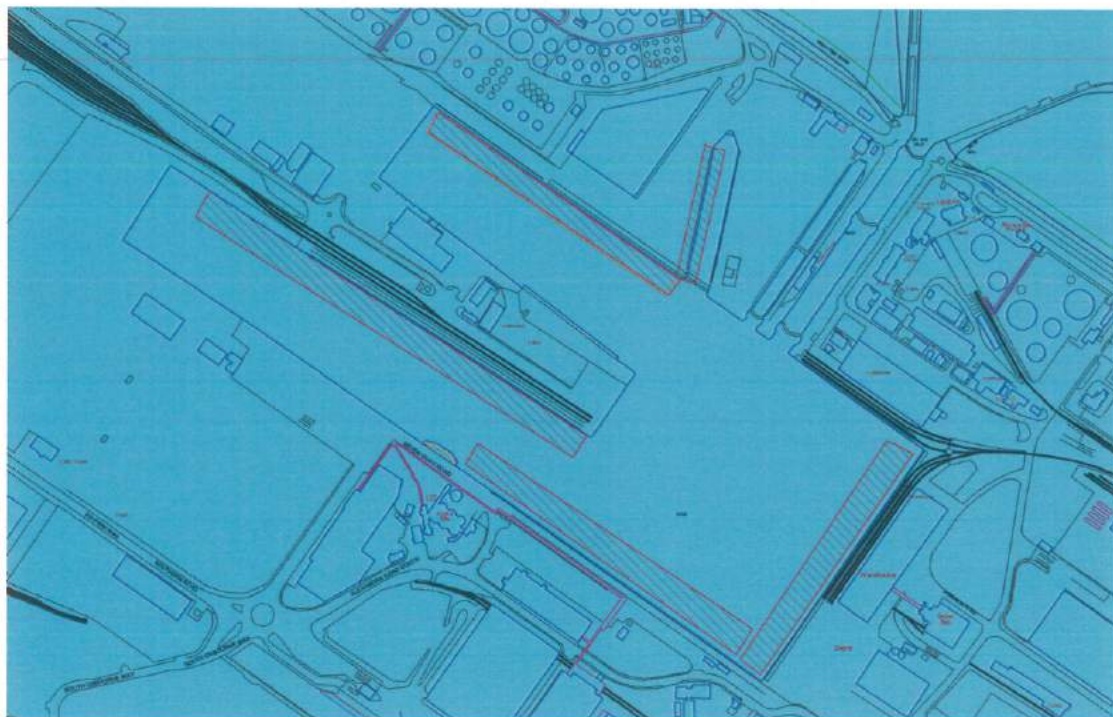
A Variation Notification Procedure

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



DESCRIPTION OF AUTHORISED PROCESS

The process consists of the loading and unloading of gypsum based products at quay side of Immingham Docks. Gypsum is unloaded from vessels within the docks and transported by vehicles. Water suppression is provided for the control of fugitive dust emissions together with a vehicle wheel wash. All vehicles entering and leaving the dock and storage area will be sheeted.

CONDITIONS

Monitoring, investigations and recording

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

- kept on site
- kept by the operator for at least two years; and
- made available for the regulator to examine

Any historical records kept off-site should be made available for inspection within one working week of any request by the regulator.

Adverse results from any monitoring activity (both continuous and non-continuous) should be investigated by the operator as soon as the monitoring data has been obtained/ received. The operator should:

- identify the cause and take corrective action
- 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
- re-test to demonstrate compliance as soon as possible; and
- notify the regulator

Visible and odorous emissions

All releases to air, other than condensed water vapour, should be free from persistent visible emissions.

All emissions to air should be free from droplets.

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

Visual and olfactory assessments of emissions should be made frequently, and at least once a day during operations. The time, location and result of these assessments should be recorded.

Where, in the opinion of the regulator, there is evidence of airborne dust from the process off the site, the operator should 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.

The monitoring may either be by a British Standard method or by a method agreed with the regulator. In these situations, determination of wind direction may be required. Once the source of the emission is known, corrective action should be taken without delay.

Abnormal events

The regulator needs to be notified about certain events, whether or not there is related monitoring showing an adverse result, and the operator should respond to problems which may have an adverse effect on emissions to air.

In the case of abnormal emissions, malfunction or breakdown leading to abnormal emissions the operator should:

- investigate and undertake remedial action **immediately**
- adjust the process or activity to minimise those emissions; and
- promptly record the events and actions taken

The regulator should be informed without delay:

- if there is an emission that is likely to have an effect on the local community; or
- in the event of the failure of key abatement plant, for example, bag filtration plant or scrubber units.

Control techniques

Sources of particulate matter	Control technique
Stockpiles	Containment Suppression <ul style="list-style-type: none"> • water and/or suppressants • well positioned spray guns • sufficient coverage by sprays Reduced drop heights <ul style="list-style-type: none"> • use of variable height conveyors • use of chutes Covering <ul style="list-style-type: none"> • below ground or covered stock bins • dust covers • housing Appropriate siting <ul style="list-style-type: none"> • away from residential areas • away from other sensitive locations • utilisation of natural screening
Loading and unloading processes	Containment <ul style="list-style-type: none"> • within buildings

	<p>Reduced drop heights</p> <ul style="list-style-type: none"> • use of variable height conveyors • use of chutes
Conveyors, conveyor transfer points	<p>Containment</p> <ul style="list-style-type: none"> • wind boards <p>Appropriate siting</p> <ul style="list-style-type: none"> • away from site boundary especially if near residential or other sensitive receptors
Roadways	<p>Suppression</p> <ul style="list-style-type: none"> • water and/ or suppressants • well positioned spray guns • sufficient coverage by sprays <p>Site and process design</p> <ul style="list-style-type: none"> • reduction of vehicle movement
External operations	<p>Appropriate siting</p> <ul style="list-style-type: none"> • away from site boundary especially if near residential or other sensitive receptors <p>Wind dynamics management</p> <ul style="list-style-type: none"> • use of fencing, bunding, profiling ect
Lorries and rail wagons	<p>Covering</p> <ul style="list-style-type: none"> • dust covers • storage containers

Techniques to control emissions from contained sources

The processes should be designed and operated in such a way that any substances released to air have the minimum impact on the environment. As a general principle, there should be evidence that the releases of prescribed substances will be prevented. If emissions of prescribed substances cannot be prevented then they should be minimised and rendered harmless. An operator should review the available techniques, and be able to demonstrate that the selection of process controls and arrestment equipment represents BAT/BATNEEC.

Best available techniques are required to control dust emissions, for example from reception and storage of potentially dusty materials, internal transportation (whether in vehicles, front loaders or on conveyors), processing, loading and unloading.

Potential fugitive emissions, which are those from sources as buildings, roads and other surfaces also, need to be controlled.

The main principals for preventing dust emissions are **containment** of dusty process, **collection** of dust in arrestment plant and **suppression** of dust using water. Arrestment and suppression techniques need to be properly designed, used and maintained, in order to be effective. Protection of external sources, such as stockpiles, from wind whipping is necessary. There are various methods that may be used to this end.

Stockpiles and ground storage

In the event that stockpiles are situated externally consideration should be given to the siting of stockpiles, based upon such factors as the prevailing winds, sheltered positions, proximity of neighbours and site operations. A method of stockpiling should be employed which minimises dust emissions e.g. profiling. Loading to and from stockpiles should be carried out in such a manner as to minimise wind-borne dust e.g. taking place at sheltered points. Minimisation of drop height is very important in stockpiling to reduce wind whipping of particulates. When necessary to control dust emissions from stockpiles limiting the height of stockpiles may be of use. Other possible controls include wind breaks on stock piles, bunding or fencing around the pile. Periodic conditioning with water, according to weather conditions, may be an appropriate measure. Installation of fixed water sprays should be considered for long term stocking areas, if appropriate. When using storage bays, storage height should be lower than the external walls of the bays unless suppression is provided to control emissions.

Sweeping, wetting or sealing are all techniques that may be used to reduce dust emissions from roads. The technique that should be used depends upon the type of road under consideration.

- Outside storage of gypsum should only be permitted subject to agreement with the regulator with regard to the position of stockpile, its size and dust control techniques to be employed. When stock piling on the quayside is necessary, the Stevedore will contact the Regulator.
- All stocks, including waste, should be stored in such a manner as to minimise wind whipping. Loading to and from all stockpiles should be carried out so as to minimise emissions to the air.
- All dusty materials should be stored in covered bunkers, containers or purpose-built silos. This clause should not be taken as prohibiting the deliberate weathering of gypsum.
- Storage areas should be kept in such a condition that they do not give rise to visible dust emissions.

- Storage areas where there is vehicular movement should have a consolidated surface which should be kept in good repair.

Conveying

There are various ways of keeping conveyor belts and the surrounding areas clean. For example, where chevron belts are used, catch plates may be fitted to contain dust falling from the underside of the belt at the turning point. From a health and safety perspective this is not always possible and hoses and sprinklers is possible alternative. New conveyors can be designed to minimise free fall at discharge points. A Chute, or similar equipment, at the point of discharge from a conveyor reduces dust arising. Arrestment plant might be a suitable control option if dusty emissions arise from conveyor transfer points. The conditions relating to conveyors should not be applied where material has been screened to remove particles under 3mm in size, unless visible dust emissions have been observed from the conveyors.

The following conditions should only be applied where emissions to the external environment are likely to arise:

- Where dusty materials are conveyed, conveyors should be enclosed to such an extent as to minimise the generation of airborne dust.
- Conveyors should be fitted with effective means for keeping the return belt clean and for collecting materials removed by this cleaning operation.
- Where chevron belts are used, catch plates should be fitted to contain dust falling from the underside of the belt at the turning point.
- Conveyor belts should not be overloaded.
- Where the design of the conveyor allows free fall of material to occur, techniques should be used at the point of discharge to minimise this, for example the use of a chute or similar equipment.

Loading and unloading

It is good practice to ensure that potentially dusty materials being delivered to the site are sheeted or held in closed containers before being admitted to the site. Gypsum, including recovered gypsum or plasterboard, should be received only in covered or contained lorries, vessels or wagons. Best practice ensures that loading and unloading of road vehicles and rail wagons are carried out so as to minimise the generation of airborne dust.

- Where dusty materials, including wastes, are loaded to or from lorries, vessels or rail wagons, means should be provided to minimise the generation of airborne dust (e.g. by minimising drop heights).

- Tankers carrying dusty materials should discharge only into silos fitted with an effective dust collecting system.
- After loading, vehicles should be sheeted or the load otherwise totally enclosed as soon as possible and before leaving the site, where the load is potentially dusty.

Roadways and vehicles

On some sites wheel-cleaning facilities may be useful to prevent dust being carried off the site. In designing a new process, consideration should be given to a site layout minimising vehicle movement on site.

Roadways in normal use and any other area where there is regular movement of vehicles should have a consolidated surface capable of being cleaned. They should be kept in order to prevent or minimise dust emissions. They should be kept in good repair.

Where necessary to prevent visible dust being carried off site, wheel-cleaning facilities should be provided and used by vehicles before leaving the site.

Ambient air quality management

Air quality

In areas where air quality standards or objectives are being breached or are in serious risk of breach and it is clear from the detailed review and assessment work under Local Air Quality Management that the Part B process itself is a significant contributor to the problem, it may be necessary to impose tighter emission limits. If the standard that is in danger of being exceeded is not an EC Directive requirement, then industry is not expected to go beyond BAT to meet it. Decisions should be taken in the context of a local authority's Local Air Quality Management action plan. For example, where a Part B process is only responsible to a very small extent for an air quality problem, the authority should not unduly penalise the operator of the process by requiring disproportionate emissions reductions. More guidance on this is provided in paragraph 360 of the Air Quality Strategy which gives the following advice:

"The approach from local authorities tackling air quality should be an integrated one, involving all strands of local authority which impact on air quality and underpinned by a series of principles in which local authorities should aim to secure improvements in the most cost-effective manner, with regard to local environmental needs while avoiding unnecessary regulation. Their approach should seek an appropriate balance between controls on emissions from domestic, industrial and transport sources and draw on a combination and interaction of public private and voluntary effort ".

Management

Management techniques

Important elements for effective control of emissions include:

- Proper management, supervision and training for process operations;
- Proper use of equipment
- Effective preventative maintenance on all plant and equipment concerned with the control of emissions to the air, and
- It is good practise to ensure that spares and consumables are available at short notice in order to rectify breakdowns rapidly. This is important with respect to arrestment plant and other necessary environmental controls. It is useful to have an audited list of essential items.

Spares and consumables – in particular, those subject to continual wear – should be held on site, or should be available at short notice from guaranteed local suppliers, so that plant breakdowns can be rectified rapidly.

Appropriate management systems

Effective management is central to environmental performance; it is an important component to BAT and of achieving compliance with permit conditions. It requires a commitment to establishing objectives, setting targets, measuring progress and revising the objectives according to results. This includes managing risks under normal operating conditions and in accidents and emergencies. It is therefore desirable that processes put in place some form of structured environmental management approach, whether by adopting published standards (ISO 14001 or the EU Eco Management and Audit Scheme [EMAS]) or setting up an environmental management system (EMS) tailored to the nature and size of the particular process. Operators may also find that an EMS will help identify business savings.

Regulators should use their discretion, in consultation with individual operators, in agreeing the appropriate level of environmental management. Simple systems which ensure that LAPC considerations are taken account of in the day-to-day running of a process may well suffice, especially for small and medium-sized enterprises. While authorities may wish to encourage wider adoption of EMS, it is outside the legal scope of an LAPC authorisation/LA-PPC permit to require an EMS for purpose other than LAPC/LA-PPC compliance.

Training

Staff at all levels need the necessary training and instruction in their duties relating to control of the process and emissions to air. In order to minimise risk of emissions, particular emphasis should be given to control procedures during start-up, shut down and abnormal conditions.

Training may often sensibly be addressed in the EMS referred to above.

Training of all staff with responsibility for operating the process should include:

- Awareness of their responsibility under the permit
- Minimising emissions on start up and shut down
- Action to minimise emissions during abnormal conditions

The operator should 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 should be made available to the regulator on request.

Maintenance

Effective preventative maintenance should be employed on all aspects of the process including all plant, buildings and the 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, and

A record of such maintenance should be made available for inspection.

End of Permit