

Permit with introductory note

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

Installation address

**Tesco Cleethorpes (3933)
Hewitts Circus Retail Park
Hewitts Avenue
Cleethorpes
North East Lincolnshire
DN35 9QR**

Permit Reference: EP/200200020/V2

Contact Details:

Mr Danny Fox
Pollution Control Manager
North East Lincolnshire Council
Origin One,
Origin Way, Europarc
Grimsby
North East Lincolnshire
DN37 9TZ

Tel: 01472 324787
Fax: 01472 324785

www.nelincs.gov.uk

E-mail danny.fox@nelincs.gov.uk

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 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.

Brief description and installation regulated by this permit

Petroleum Storage Process as prescribed by Section 1.2 Part B of Schedule I of the Environmental Permitting (England and Wales) Regulations 2007. Tesco Stores Ltd operates the unloading of petrol into stationary storage tanks at a service station, motor vehicle refuelling activities.

The service station has six storage tanks of which two contain diesel. The refuelling throughput at the existing service station in any period of 12 months is likely to be more than $3500m^3$.

Superseded Licences/Consents/Authorisations relating to this installation		
Holder	Reference Number	Dated
Tesco Stores Ltd Hewitts Circus Retail Park Hewitts Avenue Cleethorpes North East Lincolnshire DN35 9QR	EPA/PFS-09/JM	26 March 1999

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 2007

Permit: EP/200200020/V2

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.

Tesco Stores Ltd ("the operator"),
Whose registered office is


Tesco Stores Ltd
P.O. Box 400
Cirrus Building
Shire Park
Welwyn
Garden City
Hertfordshire
AL7 1AB

To operate an installation at

Tesco Stores Ltd
Hewitts Circus Retail Park
Hewitts Avenue
Cleethorpes
North East Lincolnshire
DN35 9QR

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 & Environmental
Improvement Manager.

Authorised to sign on behalf of
North East Lincolnshire Council

Dated



CONDITIONS

Extent and limit of the installation

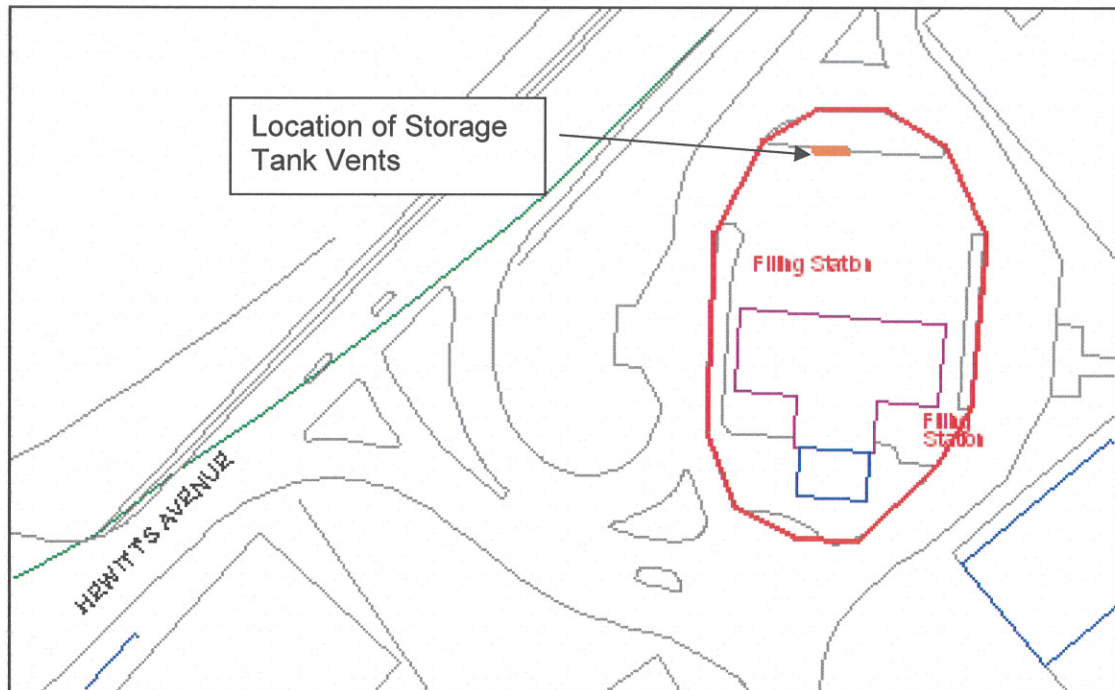
A Variation Notification Procedure

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:



Petroleum Storage Process as prescribed by Section 1.2 Part B of Schedule I of the Environmental Permitting (England and Wales) Regulations 2007. Tesco Stores Ltd operates the unloading of petrol into stationary storage tanks at a service station, motor vehicle refuelling activities.

The above named company is permitted to operate an installation unloading of petrol into stationary storage tanks at the service station above subject to compliance with the following conditions. The service station has six storage tanks of which two contain diesel.

1. Vapours displaced by the delivery of petrol into storage installations at service stations shall be returned through a vapour tight connection line to the mobile container delivering the petrol. Unloading operations may not take place unless the arrangements are in place and properly functioning, subject to conditions 3, 4 and 5.
2. Effective preventative maintenance shall be employed on all aspects of the installation including all plant, buildings and the equipment concerned with the control of emissions to air. Preventative maintenance for all vapour recovery systems shall be carried out in accordance to the manufacturer's instructions.
3. All reasonably practicable steps shall be taken to prevent uncontrolled leaks of vapour from vents, pipes and connectors from occurring. The regulator shall be advised without delay of the circumstances of such a vapour leak if there is likely to be an effect on the local community, and in all cases such a vapour leak shall be recorded in the log book required under condition 24.

In this condition and in condition 4 a vapour leak means any leak of vapour excepting those which occur through the vent mentioned in condition 11 during potentially hazardous pressurisation.

4. The operator shall advise the regulator of the corrective measures to be taken and the timescales over which they will be implemented in the event of a vapour leak described in condition 3.
5. Instances of vapour lock shall be recorded in the log book and, under the circumstances detailed in condition 3, be advised to the regulator.
6. The procedures in conditions 2 to 5 inclusive shall be reviewed in light of any modifications that occur to the facilities. The regulator shall be advised of any proposed alteration in operating procedures.
7. The vapour collection systems shall be of a size and design, as approved by the regulator, to minimise vapour emission during the maximum petrol and vapour flow in accordance with conditions 1 and 8 (i.e. when most tank compartments are being simultaneously discharged).
8. The number of tanker compartments being discharged simultaneously shall not exceed two, excluding the diesel compartments.
9. The connection points on the tank filling pipes and vapour return pipe shall be fitted with secure seals to reduce vapour leaks when not in active use. If apertures are provided on storage tanks for the use of a dipstick, these shall be securely sealed when not in active use.

10. The fittings for delivery and vapour return pipes shall be different to prevent mis-connection.
11. Petrol storage tank vent pipes shall be fitted with a pressure vacuum relief valve to minimise vapour loss during unloading and storage of petrol. The pressure vacuum relief valve shall be sized and weighted to prevent vapour loss, except when the storage tanks are subject to potentially hazardous pressurisation.
12. When connecting hoses prior to delivery, the vapour return hose shall be connected before any delivery hose. The vapour return hose shall be connected by the road tanker end first, and then at the storage tank end.
13. Adjacent to each vapour return connection point for the storage tank, there shall be a clearly legible and durable notice instructing "Connect vapour return line before off-loading" or similar wording. A clear statement of the maximum number of tanker compartments which may be unloaded simultaneously in accordance with condition 8 shall be included on the Petroleum Delivery Certificate.
14. If dip testing of storage tanks or road tanker compartments is performed before delivery, the dip openings shall be securely sealed prior to the delivery taking place.
15. Road tanker compartment dip testing shall not be performed whilst the vapour hose is connected.
16. A competent person shall remain near the tanker and keep a constant watch on hoses and connections during unloading. A competent person is one who has received training in accordance with paragraph 5.8 of the Guidance note.
17. All road tanker compartment vent and discharge valves shall be closed on completion of the delivery.
18. On completion of unloading, the vapour hose shall not be disconnected until the delivery hose has been discharged and disconnected. The delivery hose shall be disconnected at the road tanker end first. The vapour return hose shall be disconnected at the storage tank end first.
19. All connection points shall be securely sealed after delivery.
20. If the storage tanks or road tanker compartments are dipped after delivery, the dip openings shall be securely sealed after dip testing.
21. Manhole entry points to storage tanks shall be kept securely sealed except when maintenance and testing are being carried out which require entry to the tank.

22. Petrol delivery and vapour return lines shall be tested prior to commissioning and periodically in use for vapour containment integrity.
23. Pressure vacuum relief valves on petrol storage tank vents shall be checked for correct functioning, including extraneous matter, seating and corrosion at least once every three years.
24. The operator shall maintain a log book at the authorised premises incorporating details of all maintenance, examination and testing, inventory checking, installation and repair work carried out, along with details of training given to operating staff at the service station.

The log book shall also detail any suspected vapour leak together with action taken to deal with any leak, in accordance with Conditions 3, 4 and 5.

The operator shall record in the log book details of all maintenance; examination and testing; installation and repair work carried out on equipment for recovery of vapours during filling of vehicle petrol tanks. The operator shall also hold at the premises the certificate referred to in Condition 27 and the results of testing undertaken in accordance with Condition 30.

25. Venting of the petrol vapour shall be through the vent pipes indicated on the plan on page 8 of this permit.
26. Vapours displaced by the filling of petrol into vehicle petrol tanks shall be recovered through the use of the Torex (Clean Air – CA-40/80) Active recovery system as petrol at the dispenser. Filling of vehicle petrol tanks shall not take place unless such a system is in place and fully functioning.
27. The vapour recovery system referred to in condition 26 shall be certified by the manufacturer to have a hydrocarbon capture efficiency not less than 85%. Equipment used shall be approved for use under the regulatory regimes of at least one European Union or European Free Trade Association country.
28. The vapour recovery system referred to in Condition 26 shall be designed, installed and tested in accordance with the relevant British, European and international standards or national methods in place at the time the equipment was installed.
29. The installation has in place an automatic monitoring system in accordance with condition 31.
30. Petrol delivery and vapour recovery systems for vehicle petrol tanks shall be tested in accordance with the manufacturer's specifications prior to commissioning and for:

- Vapour containment integrity at least once every three years, and always following substantial changes or significant events that lead to the removal or replacement of any of the components required to ensure integrity of the containment system.
 - Effectiveness of the vapour recovery system at least once every three years in accordance with the manufacturer's specification with details of this testing retained with the service station logbook.
31. The automatic monitoring system referred to in condition 29 shall:
- Automatically detect faults in the proper functioning of the petrol vapour recovery system including the automatic monitoring system itself and indicates faults to the operator. A fault shall be deemed to be present where continuous monitoring during filling of vehicle petrol tanks indicates that the V/P ratio averaged over the duration of the filling has fallen below 85% or has exceeded 115% for ten consecutive filling operations. This only applies to the filling operations of at least 20 seconds duration and where the rate of petrol dispensed reaches at least 25 litres per minute.
 - Automatically cut off the flow on the faulty delivery system if the fault is not rectified within 1 week.
 - Be approved for use under the regulatory regime of at least one European Union or European Free Trade Association country.
32. Operators shall be notified without delay if the results from any monitoring or tests mentioned in Conditions 30 and 31 identifies adverse results, vapour recovery equipment failure or leaks if there is likely to be an effect on the local community. The operator should advise the regulator of the corrective measures to be taken and the timescales over which they will be implemented.
33. Training of all staff with responsibility for operating the process shall include:
- awareness of their responsibilities under the permit; in particular supervising and performing unloading operations of tankers, for example
 - action to minimise emissions during abnormal conditions

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 on request.

The requirements of this condition shall be implemented as soon as is practicable and no longer than 12 months from the date of this permit.

Glossary of Terms/Definitions:

The guidance	Process Guidance Note 1/14(04)
Permit	The written permission to operate an installation prescribed for Local Authority Pollution Prevention Control – (the replacement for authorisation under Local Authority Pollution Control)
PPC	Pollution Prevention and Control, the new pollution control regime replacing that under EPA.
EPA	Environmental Protection Act, the former pollution control regime, now redundant due to the implementation of PPC.
Activity	One or more stationary technical units falling within the defined sections of the Schedule 1 of the Pollution Prevention and Control (England and Wales) Regulations 2000 (as amended).
Installation	One or more stationary technical units comprising at least one activity or activities falling within the description of Schedule 1 of the Pollution Prevention and Control Regulations 2000 (as amended) within a defined area.
Regulator	Means the Pollution Control Unit, North East Lincolnshire Council. When contacting the regulator it is not sufficient to contact any other part of the council other than the Pollution Control Unit at the address specified on page 2 of the permit document.
Petrol	is defined in Directive 94/63/EC as any petroleum derivative with or without additives, having a Reid vapour pressure of 27.6kPa or more, which is intended for use as a fuel for motor vehicles, except liquefied petroleum gas (LPG). In addition the Government's view is that the definition of petrol: i) includes leaded, unleaded and lead replacement gasoline and ii) excludes diesel motor fuel, kerosene and aviation fuels (some aviation fuels exceed the vapour pressure but aircraft are not motor vehicles for the purposes of the definition) The Government's view is not definitive as it is ultimately the courts that interpret legislation
Vapours	mean any gaseous compound which evaporates from petrol.
Mobile container	means any tank, transported by road, rail or waterways used for the transfer of petrol from one terminal to another or from a terminal to a service station.
Service station	means any installation where petrol is dispensed to motor vehicle fuel tanks from stationary storage tanks. This includes both retail and non-retail sites.
Throughput	means the largest total annual quantity of petrol unloaded from mobile containers into a service station during the three years preceding the relevant date in paragraph 2.2 a,b or c of the guidance.
Vapour lock	is a phenomenon that can occur during a road tanker delivery and is identified by a stoppage in the flow of product before the road tanker's compartment is fully discharged. There are two possible causes of vapour lock: i) Where there is an insufficient head of product in the road tanker compartment to force the air/vapour mixture in the delivery hose and fill pipe through the residual product in the storage tank. This cause of vapour lock can affect both atmospheric (free venting) and vapour balanced deliveries. ii) Where there is a back flow of vapour into the delivery hose from a leak in the storage tank's internal fill pipe. This cause will only arise during vapour balanced deliveries.

End of Permit