

North East
Lincolnshire
Council



Permit with introductory note

NORTH EAST LINCOLNSHIRE COUNCIL

**POLLUTION PREVENTION AND CONTROL ACT 1999
Environmental Permitting Regulations 2010 (as amended)**

Installation address

**Associated British Ports – Pad 1
Western Access Road
Immingham Dock
Immingham
North East Lincolnshire
DN40 2QR**

Permit Ref. no: EP/20160002

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 (England and Wales) 2010 (as amended)

Permit

Permit Ref. No: EP/20160002

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
71 – 91 Aldwych
London
WC2B 4HN**


Company Registration. no: ZC000195

To operate an installation at:

**Associated British Ports – Pad 1
Western Access Road
Immingham Dock
Immingham
North East Lincolnshire
DN40 2QR**

to the extent authorised by and subject to the conditions of this Permit and within the boundary identified in Appendix 1, installation boundary.


Signed



Adrian Moody
Licensing Manager

Authorised to sign on behalf of
North East Lincolnshire Council

Dated



Activity description

Process using coal, coke, coal product and petroleum coke as prescribed in section 3.5 Part B in Part 2 of Schedule 1 to the Environmental Permitting (England & Wales) Regulations 2010 (as amended).

Coal, coke, petroleum coke and other coal products are delivered to the site via sheeted road vehicles. The coal, coke, petroleum coke and other coal products are tipped from the road vehicles and stockpiled into designated areas using front end loading shovels.

Stockpiles are inspected regularly during daily operations and dampened by environmental units as required. When weather conditions are such that fugitive dust emissions are likely to occur and for all long term stockpiles a polymer surfactant crusting agent will be used. Road sweepers and environmental units will be used to keep roadways along routes travelled on the Port estate clean. Cargo is taken away from the site via sheeted vehicles, the loading is carried out by front end loading shovels with drop heights minimised as far as possible. All vehicles will then pass through a wheel wash prior to leaving the site.

The installation boundary and key items of equipment mentioned in permit conditions are shown in the plan attached to this permit.

Conditions

Monitoring, investigating and reporting

1. There shall be no visible emissions or accumulations of particulate matter arising from the process beyond the site boundary as shown by the red line in Appendix 1, the site boundary.
2. No visible airborne emission to cross the site boundary where harm or nuisance may be caused
3. The operator shall keep records of inspections, tests and monitoring, including all non-continuous monitoring, inspections and visual assessments. Records shall be:
 - kept on site;
 - kept by the operator for at least two years; **and**
 - made available for the regulator to examine.
4. If any records are kept off-site they shall be made available for inspection within one working week of any request by the regulator.
5. Adverse results from any monitoring activity shall be investigated by the operator as soon as the monitoring data has been obtained. The operator shall:
 - identify the cause and take corrective action;
 - clearly record as much detail as possible regarding the cause and extent of the problem, and the remedial action taken;
 - re-test to demonstrate compliance as soon as possible; and inform the regulator of the steps taken and the re-test results.
6. Visual assessments of emissions shall be made frequently by the operator, and in accordance with Table 1 of this permit. The time, location and result of

these assessments shall be recorded within the site log. 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.

7. Regular weather forecasts shall be made and reported using the ABP "Dust Suppression Hazard Code Identifier". A current seven day, pro-active code is to be updated and placed on the Environmental Action Board. The tiered pro-active alert scale shown in Appendix 2 to this permit shall be used to prepare for potential difficult weather conditions.
8. All records relating to Conditions 6 and 7 shall be kept on site for a minimum of 2 years

Abnormal Events

9. In the case of abnormal emissions, malfunction or breakdown leading to abnormal emissions the operator shall:
 - investigate and undertake remedial action **immediately**;
 - adjust the process or activity to minimise those emissions; **and**
 - promptly record the events and actions taken.
10. The regulator shall be informed without delay, whether or not there is related monitoring showing an adverse result:
 - 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 arrestment plant, for example, wheel wash or environmental units.
11. The operator shall provide a list of key arrestment plant and should have a written procedure for dealing with its failure, in order to minimise any adverse effects.

Control Techniques

12. All machinery shall be examined for a build up of dusty material, if any such build up is found it shall be removed immediately.
13. Arrangement shall be made to provide 24 hour cover to instigate the measures contained in Condition 6.

Roadways and Vehicles

14. Roadways and other areas where there is regular movement of vehicles shall be kept clean or wet in order to prevent or minimise dust emissions.
15. An effective under-vehicle washing facility as agreed with the Regulator shall be provided and used and the surrounding area hard surfaced. Particular attention should be given to the cleaning of vehicle wheels. Vehicles should stay long enough in the wheel wash to ensure that the wheels and underside have been properly cleaned. All lorries leaving the site shall exit via a wheel and under body wash. A requirement shall be included in all contracts for road haulage.
16. Alternative vehicle wash arrangements shall be made to cover periods when the wash facility specified in condition 15 is out of action.

17. All road vehicles carrying coal, coal products or petroleum coke 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.
18. The operator must ensure that all loaded vehicles leaving the site have no obvious damage to the vehicle trailer that would result in the spillage of product and that the tailgate is fully closed.
19. The loading and unloading of road vehicles and trains shall be carried out so as to minimise the generation of airborne dust.
20. Vehicles shall not be overfilled.

Stockpiles

21. Stockpiles shall be clearly delineated to deter vehicles from running over coal at the stock edge.
22. All coal product storage areas shall have a consolidated surface which should be kept in good repair. Unused stocking areas shall be cleaned or regularly wetted until brought back into use.
23. Site perimeter fencing as agreed with the regulator shall be used to protect the stockpiles.
24. The stocking area shall be maintained in a sufficiently damp condition so as to prevent wind entrained dust emissions. A rain bird facility shall be located around the site with the ability to reach stockpiles. Water tankers shall be used equipped with spray bars and water cannons to assist compliance with Condition 1 of this Permit.
25. Sufficient water shall be available on site to operate all dust suppression equipment.
26. No screening of coke or coal shall take place unless there is an adequate supply of water on site. Screening operations shall cease when high wind speeds cause levels of dust that contravene Condition 1 of this permit.
27. 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 of this Permit.
28. Stockpiles shall be progressively compacted and profiled as they are formed. Partly worked stockpiles must be re-contoured as necessary to remove ridges and vertical overhanging faces.
29. Measures shall be taken to prevent dust emissions from stockpiles either by maintaining suitable moisture content, sheeting the stockpiles or by spraying with surfactants.

Training

30. All staff whose functions could impact on air emissions from the activity shall receive appropriate training on those functions. This shall include:
 - awareness of their responsibilities under the permit;

- steps that are necessary to minimise emissions during start-up and shutdown;
- actions to take when there are abnormal conditions, or accident or spillages that could, if not controlled, result in emissions.

31. 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 shall be made available to the regulator on request.

Maintenance

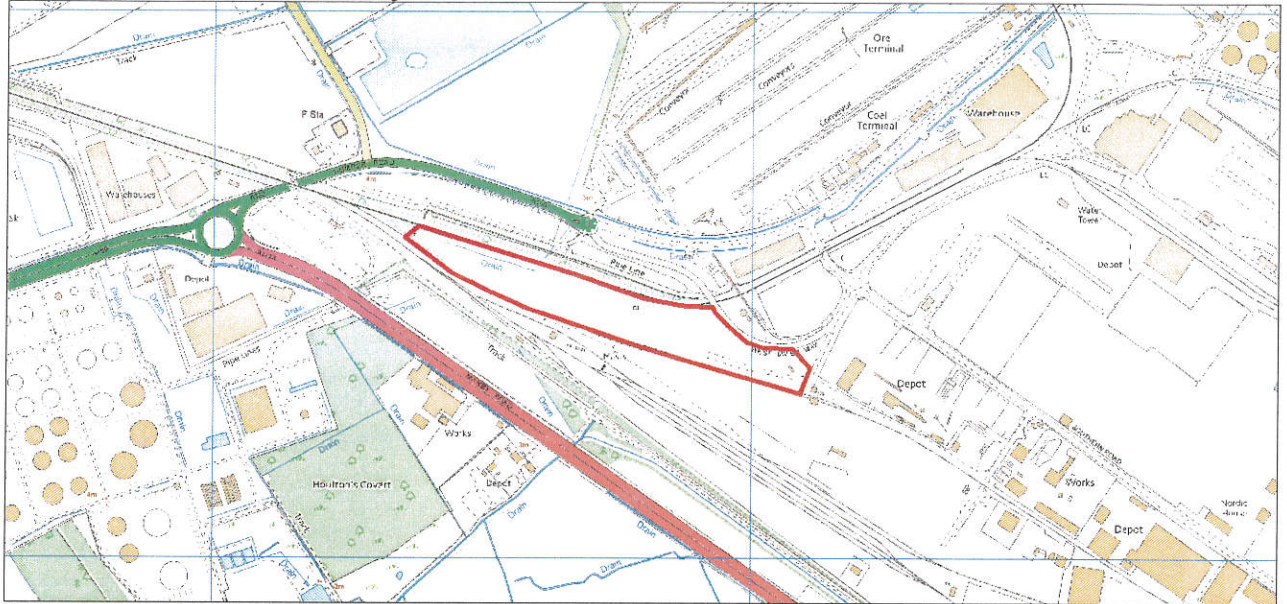
32. The operator should have the following available for inspection by the regulator:
- a written maintenance programme for all pollution control equipment; and
 - a record of maintenance that has been undertaken

End of Permit

Table 1.

Table 1. Emission limits, monitoring and other provisions					
Row	Substance	Source	Emission limits/provisions	Type of monitoring	Monitoring frequency
1	Particulate matter	Whole Process	No visible airborne emission to cross the site boundary where harm or nuisance may be caused	Operator observations	At least daily
2	Particulate matter	Whole site for fugitive emissions	No visible airborne emission to cross the site boundary	As required to ensure dust control measures are working – low tech methodologies such as deposition gauges or sticky slides may be used	As required
				BS dust gauge sites strategically, in agreement with the regulator to measure dust emitted. Shall include wind direction and speed measurement	In agreement with regulator

Appendix 1 - Site Boundary



This product includes mapping data licensed from Ordnance Survey with permission of the Controller of HMSO. © Crown Copyright 2010. All rights reserved. License number 100020759

Appendix 2 – Proactive alert scale

EMH Environmental Pro active Pollution Prevention Alert Guide

	Code – Red	Code - Amber	Code - Green
Wind Direction	ANY	ANY	ANY
Wind Speed mph	> 15 mph	< 15 mph	ANY
Gust Potential	> 20 mph	< 20 mph	ANY
General	S, F, C	S, F, C, IR	R, HR, Sn
Action required	Restricted production. Extra suppression staff seconded All bowzers and water distribution utilized. Constant Supervisory monitoring tours	Regular Supervisory monitoring tours. Scheduled routine bowser utilisation	In frequent supervisory monitoring tours

S = Sunny
 F = Fair
 C = Cloudy
 IR = Intermittent Rain
 R = Rain
 HR = Heavy Rain
 Sn = Snow