



## **Permit with introductory note**

**The Environmental Permitting (England and Wales)  
Regulations 2010**

### **Installation address**

**Oxbow Coal Ltd  
Southern Way  
Immingham Dock  
Immingham  
North East Lincolnshire  
DN40 2NX**

**Permit Reference: EP/200200041/V5**

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 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.

### Brief description and 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 2010.

Coal, coke, petroleum coke and other coal products are delivered to the site via road vehicles or rail. The coal, coke, petroleum coke and other coal products are tipped from the road wagons at designated areas of the site or discharge via mechanical grabs, depending on the size and type. The coal is washed, graded and blended as necessary depending on the customers' requirements. Coal is taken away from the site via roads and rail wagons. The rail wagons are loaded at a purpose built rail loading facility using a mechanical shovel. Loaded road vehicles leaving the site are fully sheeted. All vehicles exit the site via a wheel and under body wash to remove any coal dust which may have accumulated whilst the vehicle has been on site. When weather conditions are such that fugitive dust emissions are observed mobile water tankers equipped with water canons are used to abate the issue.

Superseded Licences/Consents/Authorisations relating to this installation		
Holder	Reference Number	Date of Issue
SSM Coal Limited Southern Way, Immingham Dock, Immingham North East Lincolnshire, DN40 2NX	EPA104/AE/BS/HJ	26 <sup>th</sup> March 1992
SSM Coal Limited	EP200200041	
Oxbow Coal Ltd	EP200200041/V1	
Eastgate Materials Handling Ltd	EP/200200041/V4	

## **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) 2010

Permit Number  
EP/200200041/V5

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.

**Oxbow Coal Ltd.** (“the operator”),

Whose registered office is


**Southern Way  
Immingham Dock  
Immingham  
DH40 2NX**

To operate an installation at

**Oxbow Coal Ltd  
Southern Way  
Immingham Dock  
Immingham  
North East Lincolnshire  
DN40 2NX**


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

Signed



Nathan Vear  
Service Manager - Environment  
Authorised to sign on behalf of  
North East Lincolnshire Council

Dated



## CONDITIONS

### Extent and limit of the installation

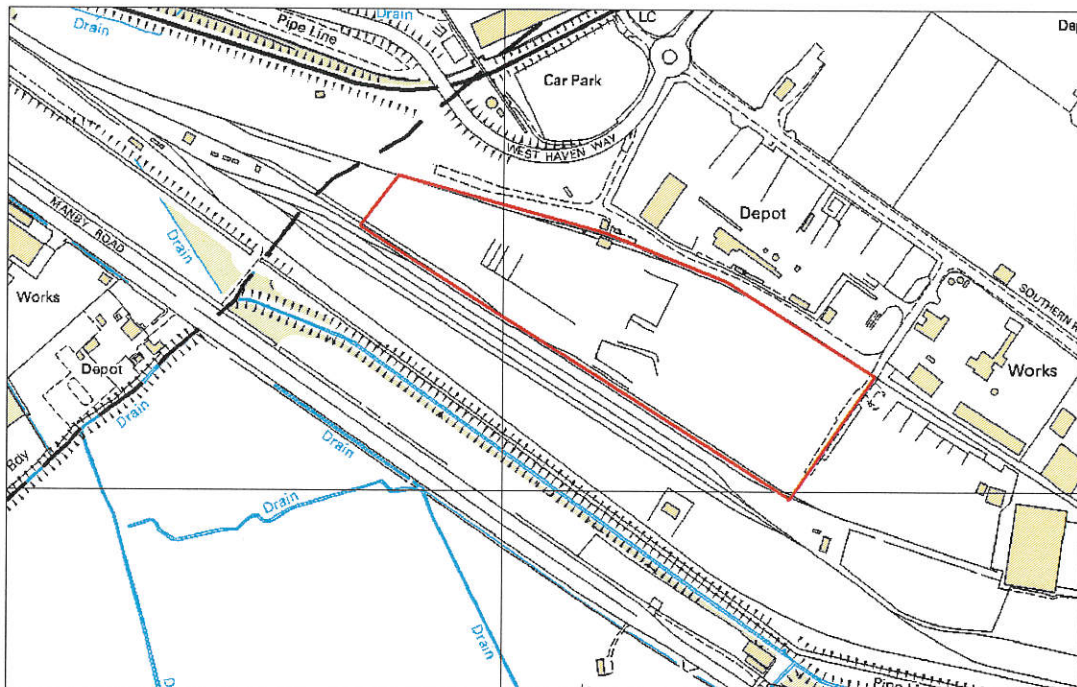
#### A Variation Notification Procedure

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:-



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**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.

Coal, coke, petroleum coke and other coal products are delivered to the site via road vehicles or rail. The coal, coke, petroleum coke and other coal products are tipped from the road wagons at designated areas of the site or mechanically grabbed out of rail wagons, depending on the size and type.

The coal is washed, graded and blended as necessary depending on the customers' requirements. Coal or coke is washed in a mobile dense media coal and coke washing plant. Coal and coke is screened through a series of power screens to produce different sizes of coal.

Coal is taken away from the site via roads and rail wagons. The rail wagons are loaded at a purpose built rail loading facility using a mechanical shovel. Loaded road vehicles leaving the site are fully sheeted. All vehicles exit the site via a wheel and under body wash to remove any coal dust which may have accumulated whilst the vehicle has been on site.

When weather conditions are such that fugitive dust emissions are observed mobile water tankers equipped with water canons are used to abate the same.



### **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 of Emissions**

3. Visual assessments of emissions should be made frequently by the site supervisor, and in accordance with the Environmental Pro-Active Alert Scale as shown in Appendix 1 of this permit. The time, location and result of these assessments should 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.
4. All equipment and machinery should be kept clean and in good working condition. It should be cleaned as necessary to avoid dust emission. All machinery shall be examined for a build up of dusty material, if any such build up is found it shall be removed immediately.
5. Arrangement shall be made to provide 24 hour cover to instigate the measures contained in Condition 3.
6. When any escape of dust from the site is observed or when any malfunction or breakdown likely to lead to an escape of dust is found.
  - ✚ an immediate investigation shall be carried out;
  - ✚ prompt corrective action shall be taken;
  - ✚ the result of the investigation and corrective action taken shall be entered in the site log required by Condition 7.
  - ✚ The regulator should be informed without delay:  
if there is an emission that is likely to have an effect on the local community
7. A site log shall be kept available for examination by Local Authority Officers at any time. Entries shall include:-
  - ✚ All weather forecasts, observations and visual monitoring
  - ✚ Any emissions of dust from the site.
  - ✚ The control measures taken to prevent emissions of dust from the site
  - ✚ Any observation made by Local Authority Officer

8. Regular weather forecasts shall be made and reported using the 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 Environmental Pro-active Alert Scale shown in appendix 1 to this permit shall be used to prepare for potential difficult weather conditions.
9. All records relating to Conditions 3 and 7 shall be kept on site for a minimum of 2 years.

### **Site Layout and Operations**

10. An efficient under vehicle body and wheel wash facility, as agreed with the regulator shall be located close to the process access road on Southern Way and a under body and wheel wash shall be located close to the process access road on West Haven Way.
11. 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.
12. Alternative vehicle wash arrangements shall be made to cover periods when the washers specified in condition 10 are out of action.
13. All wheel wash facilities shall be provided with freeze protection to ensure consistent operation unless weather conditions are such that operation of the wheel washes compromise health and safety.
14. Exhaust emissions from mobile plant shall be directed upwards away from the running surface.
15. Vehicles not concerned with product handling or maintenance shall not be allowed access to working areas.
16. The on site speed limit for all vehicles shall be 10mph
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. When loading to rail, mobile water tankers with water canons shall be used to suppress wind entrained dust emissions.
20. All rail loading shall be carried out at the purpose built rail loading facility.

21. All coal products being loaded to mobile power screens shall be sufficiently damp to prevent any fugitive dust emissions.
22. 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 on the surface of difficult to reach stockpiles for satellite suppression. Water tankers shall be used equipped with spray bars and water cannons to assist compliance with Condition 1 and 2 of this Permit.
23. Sufficient water shall be available on site to operate all dust suppression equipment.
24. 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 unacceptable levels of dust that contravene Condition 1 of this permit.
25. The free fall of material from conveyors and loading shovels must be kept to a minimum and shall not exceed 3.5 metres.
26. 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.
27. Stockpiles shall be progressively compacted and profiled as they are formed.
28. Partly worked stockpiles must be re-contoured as necessary to remove ridges and vertical overhanging faces.
29. Coal and coke stockpile temperatures shall be monitored on a weekly basis, using a thermal probe. If coal and coke stockpile temperatures reach 30°C at any point daily monitoring shall be carried out. If temperatures reach 50°C then the hot patches shall be dug out and allowed to cool down.
30. Measures shall be taken to prevent dust emissions from stockpiles either by maintaining suitable moisture content, sheeting the stockpiles or by spraying with surfactants. The improved polymer suppression technique as established during the coating trials, completed on the 17<sup>th</sup> September 2009, shall be implemented. A copy of the improved polymer suppression technique shall be made available for inspection by an Authorised Officer of the Authority.

### **Training**

31. Training of all staff with responsibility for operating the process should include:
- awareness of their responsibilities under the authorisation/permit; in particular how to deal with conditions likely to give rise to dust emissions, such as the event of dry breezy weather conditions for example.
  - 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**

32. 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
  - ✚ A list of all spares and consumables held on site shall be forwarded to North East Lincolnshire Council within 3 months of the date of this authorisation.

**End of Permit**

**Appendix 1** Environmental Pro-active Alert Scale

**Pro Active Alert Scale**

**Environmental Pro-Active Pollution Prevention Alert Guide**

	<b>RED</b>	<b>AMBER</b>	<b>GREEN</b>
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 utilised. Supervisory monitoring tours.	Regular Supervisory monitoring tours. Scheduled routine bowser utilisation.	Infrequent supervisory monitoring tours

**S = Sunny**

**F = Fair**

**C = Cloudy**

**IR = Intermittent Rain**

**HR = Heavy Rain**

**Sn = Snow**