



Permit with introductory note

NORTH EAST LINCOLNSHIRE COUNCIL

**POLLUTION PREVENTION AND CONTROL ACT 1999
Environmental Permitting (England & Wales) Regulations 2016**

Installation address

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

Permit Ref no: EP/20090004/V2

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 2016 (S.I.2016 No. 1154) ("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 2016

Permit

Permit ref no: EP/20090004/V2

North East Lincolnshire Council (the Regulator) in exercise of its powers under Regulation 13(1) of the Environmental Permitting Regulations 2016 (S.I. 2010 No. 1154) hereby permits.

Associated British Ports ("the operator"),

Whose registered office is:

**Associated British Ports
25 Bedford Street
London
WC2E 9ES**


Company Registration. no: ZC000195

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



Adrian Moody
Licensing Manager

Authorised to sign on behalf of
North East Lincolnshire Council

Dated



CONDITIONS

Extent and limit of the installation

A Variation Notification Procedure

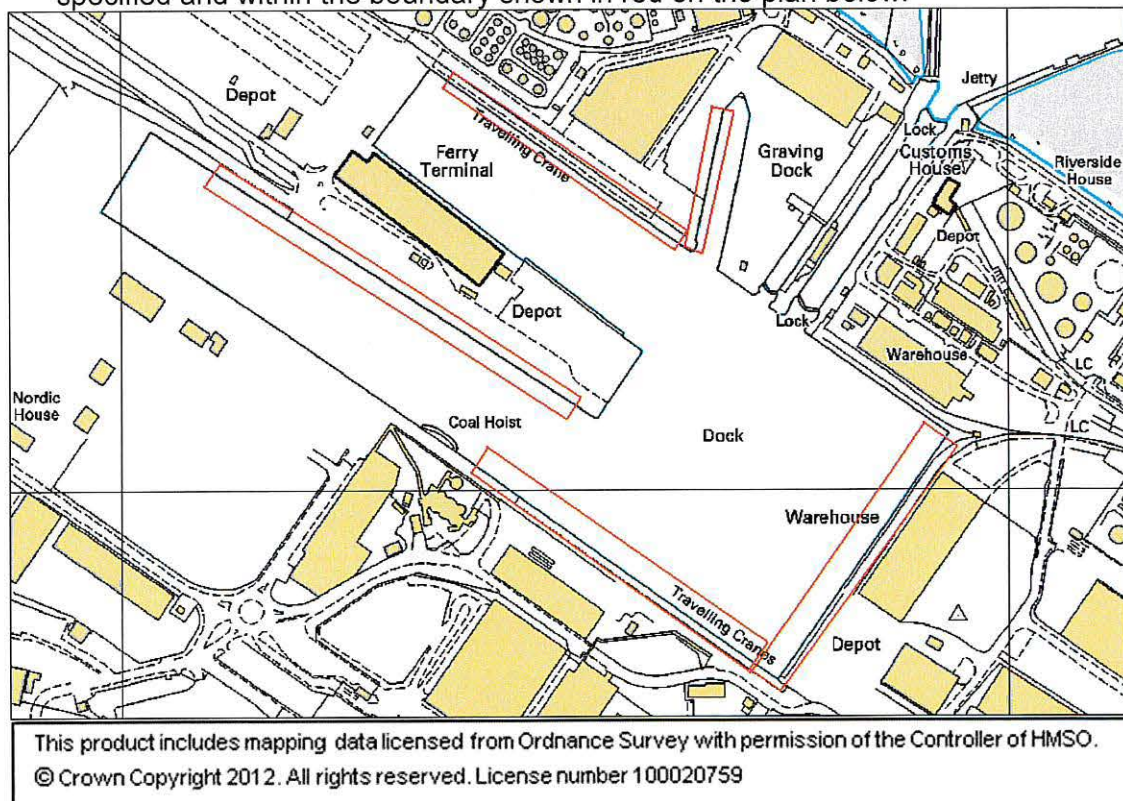
If the operator proposes to make a change in operation of the installation, he must, at least 14 days before making the change, notify the regulator in writing. The notification must contain a description of the proposed change in operation. It is not necessary to make such a notification if an application 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 carried out at the installation is summarised as the loading, unloading or storing pulverised fuel ash in bulk prior to further transportation as prescribed by Section 3.5 Part B of Schedule I of the Environmental Permitting (England and Wales) Regulations 2016.

Activity description

The process consists of the loading and unloading of pulverised fuel ash at quay side of Immingham Docks. Pulverised fuel ash 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.

Activity

1. The Operator is authorised to carry out the following activities;
 - Unloading and loading of pulverised fuel ash (PFA) conditioned to a 15 to 25 % moisture content to and from ships. A certificate of analysis to demonstrate the moisture content shall be obtained prior to each shipment arriving at the port and made available to the regulator upon request.

Monitoring, investigations and recording

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

Visible and odorous emissions

4. There shall be no visible emissions of airborne dust from the process or its operations beyond the site boundary as shown by the red line on Condition C, the site plan.
5. Visual and olfactory assessments of emissions shall be carried out at the start-up of operations and thereafter at 4 hourly intervals during the unloading and loading of materials. The time, date and result of the visual assessment shall be recorded. 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 4 of this permit can be met. Any such events shall be recorded in the site log detailed in Condition 2.
6. 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

7. 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
8. The regulator shall 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 arrestment plant, for example, wheel wash.

Stockpiles and ground storage

9. Outside storage of PFA shall 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.
10. Any temporary quayside stockpiles shall be maintained in a sufficiently damp condition so as to prevent any fugitive dust emissions. Stockpiles shall be progressively compacted and profiled as they are formed.
11. All stocks, including waste, shall be stored in such a manner as to minimise wind whipping. Loading to and from all stockpiles shall be carried out so as to minimise emissions to the air.
12. Storage areas shall be kept in such a condition that they do not give rise to visible dust emissions.
13. Storage areas where there is vehicular movement shall have a consolidated surface which should be kept in good repair.
14. A high standard of housekeeping shall be maintained

Loading and unloading

15. 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 4 of this Permit.
16. Sufficient water shall be available on site to operate all dust suppression equipment.
17. Where PFA is loaded to or from lorries, vessels or rail wagons, means shall be provided to minimise the generation of airborne dust (e.g. by minimising drop heights).
18. Vehicles shall not be overfilled

19. All spillages which may give rise to dust emissions shall be cleaned up promptly, normally by wet handling methods. Dry handling of dusty spillages should not be permitted other than in fully enclosed buildings. (N.B. Dry handling of dusty materials may not be acceptable under COSHH.) In the event of a major spillage it should be dealt with on the same day that it occurs, and measures to minimise emissions such as wetting the surface to create a crust, should be taken immediately.
20. After loading, vehicles shall be sheeted or the load otherwise totally enclosed as soon as possible and before leaving the site.

Roadways and vehicles

21. Roadways in normal use and any other area where there is regular movement of vehicles shall have a consolidated surface capable of being cleaned. They shall be kept clean in order to prevent or minimise dust emissions. They shall be kept in good repair.
22. All lorries leaving the quays shall exit via an effective under-vehicle washing facility. This requirement shall be included in all contracts for road haulage.

Management techniques

23. 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.

Training

24. Training of all staff with responsibility for operating the process shall include:
 - Awareness of their responsibility under the permit
 - Minimising emissions on start-up and shut down
 - Action to minimise emissions during abnormal conditions
25. 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.

Maintenance

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

End of Permit