

## CONSOLIDATED PERMIT



### Hereby Permit

Alan Nuttall Limited  
Orchard House  
Dodwells Bridge Industrial Estate  
Hinckley  
Leicestershire  
LE10 3BZ

### To Operate A Part B Installation At

Alan Nuttall Limited  
National Works  
Hall Street  
Dudley  
West Midlands  
DY2 7DQ

### Under The Provisions of the

POLLUTION PREVENTION AND CONTROL ACT 1999  
ENVIRONMENTAL PERMITTING REGULATIONS (ENGLAND AND WALES)  
2007

### Permit Reference Number

PB/33

### Date Initial Permit Issued

24 February 2005

### Variation Notice and Consolidated Permit Issued

A handwritten signature in black ink, appearing to read "T. Glews".

.....**Dated:** 13<sup>th</sup> March 2009

**Tim Glews, Environmental Protection Manager**

(Authorised to sign on behalf of Dudley Metropolitan Borough Council)

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## **INTRODUCTORY NOTE TO PERMIT**

This Environmental Permit (The Permit) is issued by Dudley Metropolitan Borough Council (the Council) under Regulation 13(1) of the Environmental Permitting (England and Wales) Regulations 2007 (S.I. 2007 No.3538), to operate an installation prescribed in Part 2 to Schedule 1 of those Regulations, to the extent specified in the conditions of this Permit.

The requirements of this Permit shall be effective from the date of service unless otherwise specified within the Permit. Where a Variation Notice has been served the conditions contained within that Variation Notice shall be effective from the date that the Notice is served, unless a specific implementation date is allocated to specific conditions.

For the purpose of this Permit the legal operator of the Installation is Alan Nuttall Limited, Orchard House, Dodwells Bridge Industrial Estate, Hinckley, Leicestershire, LE10 3BZ.

## **DESCRIPTION OF INSTALLATION**

Alan Nuttall Limited operates a powder coating process as part of a shop shelving manufacturing operation. The manufacturing operation also incorporates a wood coating process. The other part of the operation involves the manufacture and powder coating of refrigerated display and storage units.

### **General Display Manufacture**

Black virgin sheet steel is first guillotined and pressed to the desired shape and size.

The products are first degreased, using an automatic spray chamber, using an aqueous alkaline detergent based liquid and also proprietary phosphatizing agent (ABPHOS 033). The products are then dried in a gas fired oven. The components are then processed by one of two methods:

### **Automatic Powder Coating**

This consists of an automatic powder coating line and a batch line. The automatic powder coating has one spray booth and the batch line has two spray booths.

The components are fed directly to the relevant powder coating booths. Each booth is fitted with a cyclone and bag filter, to extract the overspray from the booth. The bag filter units discharge internally into the process building.

The products are then fed to a gas fired oven where the powder coating is cured at a temperature of 180°C. There is one oven for the automatic powder coating line and one oven for the batch line. Each oven has a single exhaust stack which discharges through the factory roof to atmosphere.

## **Manual Powder Coating**

Items are manually coated with powder paint in one of four booths, each served with cyclone arrester for overspray. All the cyclones are vented directly to a cartridge filter unit which exhausts internally into the process building.

The coatings are cured in a camel back gas fired oven at a temperature of 180°C. The oven is supplied with one exhaust stack which discharges through the factory roof to atmosphere.

The cyclone systems are emptied at colour change or the end of each shift. The powder is either sieved to recover any reusable fraction or alternatively re-circulated from the collection box. The remaining waste powder is sealed into the original storage boxes and removed from site via a separate waste skip.

The powder paints used in the above processes are polyester or epoxy polyester coatings.

## **Wood Coating Process**

Spirit stains and/or solvent based lacquers are applied to wooden items in a Dalby spray booth using air assisted spray guns.

The overspray is extracted through a two stage dry filter system. The discharge stack is above eaves level.

The sprayed wooden items are dried in a Dalby gas fired oven. The exhaust stack is above eaves level.

Paints and solvent thinners are mixed and stored in a separately ventilated paint store. Spray guns are cleaned in a self enclosed gun cleaning apparatus.

## **Refrigeration Manufacture**

Surfaces are cleaned using Tak-Rag wipes.

Products are sprayed automatically with powder paint within one of two booths. The bag filters vent internally.

Coatings are cured in a gas fired oven at 180°C. The oven is fitted with a single extract which discharges to atmosphere through the factory roof.

## **Burning of Waste Wood**

The wood waste generated in the manufacturing process is used to fire a Ranheat boiler (model number B725-08-02) with a net rated thermal input of 0.75 megawatts. Heat generated by the boiler is used as process heat and also to heat the building. Wood waste used to fire the boiler comprises of sawdust, laminates, chipboard, fibreboard and melamine coated materials. Wood dusts arising in the wood shop are collected via a local extraction system and held in a silo. Waste off-cuts are first broken down in a 'Hugger' type chipping

unit before being automatically transferred to the silo. Wood waste is then automatically fed to the boiler via a screw feed auger system.

This installation falls within the definition of Part 2 Section 6.4, Part B (a) (i) (powder coating) and Part B (a) (iv) (wood coating) and Section 1.1, Part B (c) (combustion activities) of Schedule 1 of the Environmental Permitting (England and Wales) Regulations 2007. The attached location plan “Appendix 1 – Site Plan PB/33” shows the designated site.

## STATUS LOG

Detail	Reference	Date
Deemed Application Made	PB/33	1 <sup>st</sup> April 2004
Permit Issued	PB/33	24 February 2005
Variation WK/200755269 Issued	PB/33	20th February 2008
Variation WK/200837311 Issued	PB/33	13 <sup>th</sup> March 2009

## CONDITIONS

### 1.0 THE PERMITTED INSTALLATION

- 1.1 The permitted installation shall be comprised of the activities and associated activities specified in Table 1.1

**Table 1.1**

Activity listed in Schedule 1 of EP Regulations or Associated Activity	Description of specified activity
Section 6.4 – Coating Activities, Part B (a) (i).	Powder coating process: the application of polyester or epoxy polyester powder coatings involving the use of 20 tonnes or more of coating material in any 12 month period
Directly Associated Activity – Manufacture of shop shelving, display units and refrigerated display and storage units.	Curing of powder coated components in gas fired curing oven at a temperature of 180°C.
Section 6.4 – Coating Activities, Part B (a) (iv).	Wood coating process: the application of spirit stains and/or solvent based lacquers involving the use of 5 tonnes or more of organic solvents in any 12 month period.
Directly Associated Activity – Handling of waste materials.	Collection and storage of waste including waste liquid, waste powder and solvent wipes.

Section 1.1 Combustions Activities, Part B (c).	Combustion process: burning of fuel manufactured from or comprised of solid waste in any appliance with a rated thermal input of less than 3MW but more than 0.4MW
Directly Associated Activity – Handling of waste materials.	Collection and storage of waste wood including sawdust.

1.2 The activities authorised under condition 1.1 shall not extend beyond the site, being the area shown hatched on the Site Plan PB/33 in Appendix 1 to this Permit.

1.3 If the operator proposes to make a change in operation of the installation, the operator must, at least 28 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 in operation” means a change in the nature or functioning, or an extension, of the installation, which may have consequences for the environment.

1.4 The best available techniques (BAT) shall be 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 other condition of this Permit.

## 2.0 EMISSION LIMITS AND CONTROL

2.1 All emissions to air shall be free from persistent fume, persistent mist and droplets. Emissions which comply with the provisions of Condition 2.2 and consist entirely of steam and/or condensed water vapour are permissible.

2.2 All emissions to air shall be free from offensive odour outside the installation boundary as perceived by an authorised officer of the Council.

2.3 The emission concentration limits for emissions to air from contained emission points set out in Table 2.3 below shall not be exceeded.

**Table 2.3**

Emission Source	Parameter	Limit mg/ m <sup>3</sup>	Sampling Method	Frequency
Stacks serving the powder curing ovens	Total particulate matter	10 mg/m <sup>3</sup>	BS EN 13284-1	Every 24 months

Stacks serving the wood spraying booth	Total particulate matter	50 mg/Nm <sup>3</sup> as 30 minute mean for contained sources	BS EN 13284-1	Every 24 months
Stack serving the Ranheat wood burner B725-08-02	Total particulate matter	200 mg/m <sup>3</sup> annual extractive (expressed as 30 minute mean)	BS ISO 9096	Annual extractive  Continuous quantitative
Stack serving the Ranheat wood burner B725-08-02	Carbon monoxide	250 mg/m <sup>3</sup> annual extractive (except for the first 30 minute period following start up from cold and periods when the boiler is idling pending demand)	BS EN 15058 / ISO 12039	Annual extractive
Stack serving the Ranheat wood burner B725-08-02	Organic compounds (as total carbon excluding particulate matter)	20 mg/m <sup>3</sup> annual extractive (expressed as 30 minute mean emissions concentrations)	BS EN 12619	Annual extractive
Stack serving the Ranheat wood burner B725-08-02	Chlorine (expressed as Hydrogen chloride)	100 mg/m <sup>3</sup> annual extractive	BS EN 1911	Annual extractive
Stack serving the Ranheat wood burner B725-08-02	Formaldehyde	5 mg/m <sup>3</sup> annual extractive	US EPA M316	Annual extractive
Stack serving the Ranheat wood burner B725-08-02	Hydrogen cyanide	5 mg/m <sup>3</sup> annual extractive	MDHS56/2	Annual extractive

The concentrations of substances measured in accordance with this condition shall be expressed at reference conditions 273.15K and 101.3 kPa, without correction for water vapour.

- 2.4 Exhaust flow rates for emissions shall be consistent with efficient capture of pollutants and shall minimize emissions in accordance with good operating practices.

The introduction of dilution air to achieve emission concentration limits contained within this Permit is not permitted.

- 2.5 Emissions from the stacks serving the gas fired ovens and the Ranheat B726-08-02 boiler shall in normal operation be free of visible smoke and in any case shall not exceed the equivalent of Ringelmann shade 1 as described in British Standard BS 2742: 1969.

### 3.0 SOLVENT EMISSIONS

- 3.1 The Operator shall by the 31<sup>st</sup> January 2010 and annually thereafter, submit to the Council a calculation of the annual “consumption of organic solvent” (C). The calculation shall be carried out in accordance the “solvent management plan” attached to this Permit as Appendix 2.
- 3.2 The total annual solvent emission from the coating activity shall not exceed the target emissions detailed in Table 3.2.

**Table 3.2**

Solvent Consumption	Target Emission
5 – 15 tonnes	Total Mass of solids x 1.6

\* This factor applies where the consumption of solvents is below 15 tonnes/year. A more stringent target emission applies where consumption exceeds 15 tonnes/year i.e. total mass of solids x 1.

In order to demonstrate compliance with this condition a calculation of the “annual solvent emission” and the “total mass of solids” and “target emission” shall be carried out annually in accordance with Steps 1 to 5 of the Solvent Management Plan, attached to the Permit as Appendix 2, where the terms “annual actual solvent emission” and “total mass of solids” are defined. These calculations shall be submitted to the Council by the 31<sup>st</sup> January 2010 and annually thereafter.

- 3.3 At no time shall the operator use any halogenated volatile organic compounds carrying any of the risk phrases R45, R46, R49, R60, R61, within the installation without the prior approval of the Council. The term ‘risk phrase’ shall have the same meaning as in Directive 67/548/EEC.
- 3.4 The operator shall monitor and record the consumption of coatings/organic solvent against product produced. This information shall be used to implement a programme to minimise the amount of excess organic solvent/coating used at the Installation.

### 4.0 MONITORING, SAMPLING AND MEASUREMENT OF EMISSIONS

- 4.1 Emissions from the stacks serving the Powder Curing Ovens and Wood Spray Booth shall be monitored for concentrations of the substances listed in Table 2.3 on or before the 31<sup>st</sup> January 2011 and every two years thereafter to demonstrate compliance with the emission limits stipulated in Condition 2.3.
- 4.2 Emissions from the stack serving the Ranheat B725-08-02 boiler shall be monitored for concentration of the substances listed in Table 2.3 on or before 31<sup>st</sup> January 2010 and annually thereafter to demonstrate compliance with the emission limits stipulated in Conditions 2.3.



- 4.3 By 31<sup>st</sup> January 2010 emissions to air from the chimney stack serving the Ranheat Boiler shall be continuously indicatively monitored for particulate matter. The monitor shall be checked daily to ensure satisfactory operation and maintained and fully calibrated at least once per year in strict accordance with the manufacturer's instructions. Details of the maintenance and the calibration carried out shall be maintained in the manner required by Condition 7.1.
- 4.4 The continuous indicative particulate monitor referred to in condition 4.3 shall be fitted with a visual alarm to activate at a level, to be agreed by an authorised officer of Dudley Metropolitan Borough Council. All instances when the alarm is activated shall be automatically recorded and maintained in the manner required by Condition 7.1.
- 4.5 Emissions to air from the chimney stack serving the Ranheat Boiler shall be continuously monitored for carbon monoxide and oxygen. The results shall be continuously recorded and the instruments shall be checked daily and maintained and calibrated at least once a year, in accordance with the manufacturer's recommendations. The results, details of the maintenance and the calibration shall be maintained in the manner required by Condition 7.1.

The requirement to continuously monitor carbon monoxide shall not apply if the furnace has been adapted so that the combustion air supply is dynamically regulated so as to provide the optimum oxygen concentration for combustion to enable efficient destruction of carbon monoxide. Such a system shall incorporate a continuous oxygen sensor to automatically regulate the oxygen level in the combustion zone of the furnace. The Council shall be notified in writing prior to the installation of such a system.

- 4.6 All non-continuous emission monitoring of substances shall be carried out according to the main procedural requirements of the sampling methods stated in Table 2.3 unless otherwise agreed in writing with the Council.
- 4.7 The Operator shall notify the Council in writing at least 21 days before the commencement of any monitoring exercise undertaken in accordance with Conditions 4.1 and 4.2. The notification shall include the name and address and any other relevant details of the person(s) or company engaged to undertake the monitoring exercise; the time, and date, on which the monitoring exercises are scheduled to begin, together with a full specification of the monitoring programme including the proposed sampling and analysis techniques.
- 4.8 During monitoring exercises the process being monitored must be operated under normal conditions, at full capacity and unless otherwise instructed by Officers of the Council, the monitoring shall be undertaken over the whole production cycle.
- 4.9 The results of non-continuous emissions monitoring undertaken in accordance with Conditions 4.1 and 4.2 including process conditions at the time of testing shall be forwarded to the Council within 28 days of the completion of the testing unless otherwise agreed. A record of these results shall be maintained in accordance with Condition 7.1 of this Permit.

- 4.10 Adequate and safe facilities to enable monitoring/sampling to be carried out in accordance with Conditions 4.1 and 4.2 shall be provided at the emission points specified in those conditions.
- 4.11 All stacks which exhaust externally shall be observed for any visible emissions to air once per shift for a period of at least five minutes. The observations shall be made from a position providing an unobstructed view of the point of emission to air by a responsible person who has been instructed to carry out these duties. A record of all observations shall be maintained in accordance with Condition 7.1. The records shall include an assessment of the nature and severity of any emission observed, the source of emissions to air, details of any corrective action taken and the identity of the person making the record.

The Council shall be notified as soon as practicable if emissions to air are observed which may contravene any conditions of this Permit. Immediate action shall be taken to determine the cause of the emission and to prevent or minimise further emissions.

## **5.0 PROCESS CONTROLS**

- 5.1 The solvent cleaning of plant, equipment and materials shall be carried out in such a manner that emissions of volatile organic compounds are reduced to an absolute minimum.
- 5.2 All waste substances containing solvents shall be stored in closed containers while awaiting removal from site for disposal or re-processing.
- 5.3 An adequate supply of suitable absorbent material shall be kept on site for use in the case of liquid spillages.
- 5.4 Spillages of liquids and finely divided materials shall be cleaned up immediately. Liquid spillages shall be contained and cleaned up by the use of a suitable absorbent material. Spillages of finely divided materials shall be removed by means of vacuum cleaning using an industrial grade vacuum cleaner or by wet cleaning methods, dry sweeping shall not be permitted. Any used absorbent material contaminated with substances containing solvents shall be stored in a closed container pending removal from site.
- 5.5 Drums and containers containing liquid materials, whether full, partly full or empty, shall be kept tightly closed to prevent any emissions to air.
- 5.6 The raw materials used in the activity and all waste materials produced from the installation shall be handled with care to prevent or reduce to an absolute minimum any emissions of particulate matter and volatile organic compounds to air.

- 5.7 Stacks or vents shall not be fitted with any restriction at the final opening such as a plate, cap or cowl, with the exception of a cone which may be necessary to increase the exit velocity of the emissions.
- 5.8 The chimney stack serving the Ranheat Boiler shall be retained at its present height of 10 metres above ground level.
- 5.9 The transportation and handling of wood dust and wood particles shall be carried out using pneumatic or enclosed handling systems. Displaced and transport air from automated handling systems shall be vented to suitable arrestment plant.
- 5.10 Wood dust shall be stored in a silo, vented to air through arrestment equipment.
- 5.11 Ash and soot from the boiler shall be transported and handled in closed systems or containers to prevent emissions to the air.
- 5.12 The ductwork and piping used to deliver the wood dust to the silo and the boiler shall be regularly inspected and maintained in a leak proof condition to prevent the emission of particulate matter.
- 5.13 The combustion chamber, casings, ductwork and ancillary equipment shall be made and maintained as gas tight as practicable to prevent the leakage of waste gases to air.
- 5.14 An automatic fuel feed system shall serve the boiler.
- 5.15 The discharge velocity from the chimney stack serving the Ranheat boiler shall be at such a rate to prevent the discharge plume being affected by aerodynamic downwash.

## **6.0 GENERAL CONDITIONS**

- 6.1 The Operator shall maintain and implement written procedures to ensure that regular cleaning and effective preventative maintenance in accordance with the manufacturer's instructions is employed on all plant, equipment and technical means concerned with the production, capture, transport, control and exhaust of emissions which could lead to an adverse impact on the environment. A record of relevant maintenance shall be maintained in accordance with Condition 7.1.
- 6.2 Essential spares and consumables shall be held on site or shall be available from a guaranteed supplier at short notice so that plant breakdown can be rectified rapidly.
- 6.3 The Installation shall be supervised by suitably trained staff who are fully conversant with the requirements of this Permit.
- 6.4 All staff shall be fully conversant with those aspects of the Permit conditions, which are relevant to their duties and shall be provided with adequate professional technical

development and training and written operating instructions to enable them to carry out their duties.

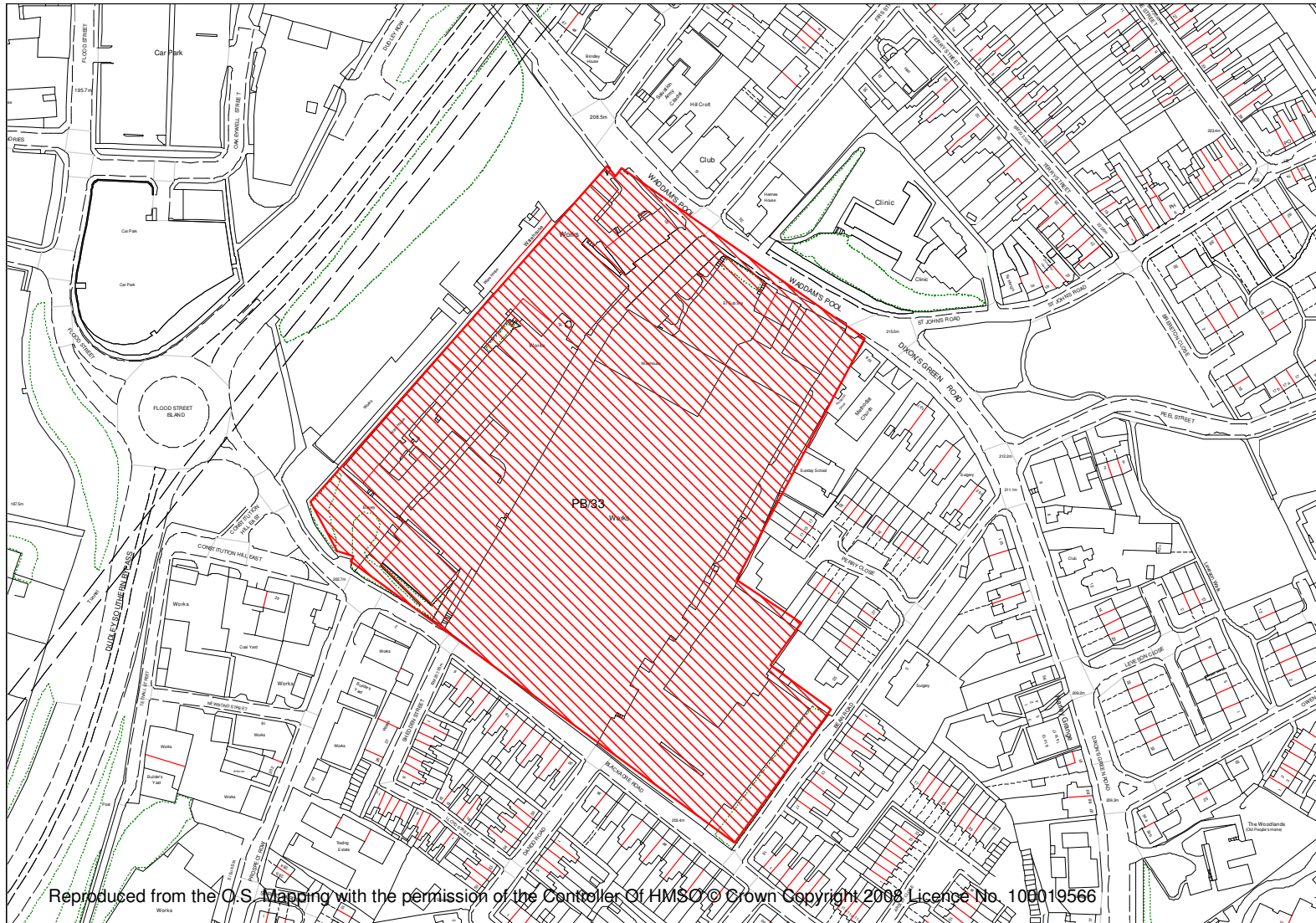
- 6.5 The Operator shall maintain a record in accordance with Condition 7.1 of the skills and training requirements for all staff whose tasks in relation to the Installation may have an impact on the environment and shall keep records of all relevant training.
- 6.6 Any malfunction or breakdown which results in emissions to air which are likely to cause an adverse effect on the local community shall be reported to the Council and action taken to prevent or minimise further emissions to air immediately. A record of the incident shall be maintained in accordance with condition 7.1.

## **7.1 RECORDS**

- 7.1 The Operator shall ensure that all records required to be made by this Permit and other records made by it in relation to the operation of the Installation shall:
- (a) be made available for inspection by an Authorised Officer of the Council at any reasonable time;
  - (b) be supplied to the Council on demand and without charge;
  - (c) be legible;
  - (d) be made as soon as reasonably practicable;
  - (e) indicate any amendments which have been made and shall include the original record wherever possible; and
  - (f) be retained at the Installation, or other location agreed by the Council in writing, for a minimum period of 4 years from the date when the records were made, unless otherwise agreed in writing.

***End of Permit Conditions***

## Appendix 1 – PB/33 Site Location Plan, Alan Nuttall Limited



## Appendix 2 - Solvent Management Plan for the Solvent Reduction Scheme

The Solvent Management Plan is the means by which compliance with the Solvent Reduction Scheme is assessed. The information detailed below shall be compiled for each accounting period and submitted to the Council within three months of the end of the accounting period:

1. Determination of Solvent Consumption
2. Calculation of the Total Mass of Solids for the annual accounting period
3. Calculation of the Target Emission for the annual accounting period
4. Calculation of the Actual Solvent Emission for the annual accounting period
5. Statement of Compliance

The steps required to carry out the above calculations are provided in the following boxes Steps 1 to 5 and contain information extracted from the relevant process guidance note. In some cases the procedure will be simpler than that outlined, such as the case where there are no solvent wastes recovered for reuse.

For the purposes of consistency the various I and O parameters detailed below have been assigned numbers which correspond to those assigned to the same parameters in the "Secretary of State's Process Guidance Note". A schematic diagram of these solvent inputs and outputs has been provided in Appendix 5.

### Step 1: Determination of Solvent Consumption

The following steps should be followed:

- (1) Record the following details:
  - (a) the mass of solvent contained in raw materials and preparations in the initial stock (**IS**) at the start of the accounting period, plus;
  - (b) the mass of solvent contained in raw materials and preparations in the purchased stock (**PS**) during the accounting period;
  - (c) the mass of solvent contained in raw materials and preparations in the final stock (**FS**) at the end of the accounting period.
- (2) Calculate the total organic solvent input using the formula  **$I_1 = IS + PS - FS$**
- (3) Calculate and state the annual consumption of organic solvent (C) using the following:

$$C = I_1 - O_8$$

Where:  **$I_1$**  = Total quantity of organic solvents or their quantity in preparations purchased which are used as input into the process/activity.

**$O_8$**  = Organic solvents contained in preparations recovered for reuse but not as input into the process/activity.

- (4) From the calculation of total organic solvent input in (2) above, determine whether any of the products, substances or preparations are designated assigned or needs to carry the risk phrases R40, R45, R46, R49, R60 or R61. If any such materials are identified their individual product description, risk phrase designation, quantity (kilograms) and product use shall be detailed.

### Step2: Calculation of the Total Mass of Solids

"Total mass of solids" for the annual accounting period is the **total mass of solids in the quantity of coating consumed in a year**

- solids are all materials in coatings that become solid as a result of curing, polymerisation, or the evaporation of the water or solvent
- all ingredients other than water and organic solvents should be assumed to form part of the solid coating

### Step 3 Calculation of the Target Emission

For any accounting period falling entirely after 31<sup>st</sup> October 2007:

**Target Emission** = Total mass of solids used annually x 1.6

### Step 4: Calculation of the Total Annual Solvent Emission

The **annual actual solvent emission** is calculated as follows:

**Annual actual solvent emission =  $I_1 - O_8 - O_7 - O_6$  ( $-O_5$  if abatement has been used)**

#### Definitions

- $I_1$  The quantity of organic solvents, or their quantity in preparations purchased which are used as input into the process/activity (including organic solvents used in the cleaning of equipment, but not those used for the cleaning of the products).
- $O_8$  Organic solvents contained in preparations recovered for reuse but not as input into the process/activity, as long as not counted under  $O_7$ .
- $O_7$  Organic solvents, or organic solvents contained in preparations, which are sold or are intended to be sold as a commercially valuable product.
- $O_6$  Organic solvents contained in collected waste.
- $O_5$  Organic solvents and/or organic compounds lost due to chemical or physical reactions. (including for example those which are destroyed, e.g. by thermal oxidation or other waste gas or waste water treatments, or captured, e.g. by adsorption, as long as they are not counted under  $O_6$ ,  $O_7$  or  $O_8$ ).

### Step 5: Statement of Compliance

Compliance with the Solvent Reduction Scheme is achieved if the **Total Annual Solvent Emission** (Step 4) is less than the **Target Emission** (Step 3) for the same annual accounting period.



### **Explanatory Note to Environmental Permit (This note does not form a part of the Permit)**

The enclosed Permit is issued under Regulation 13 of the Environmental Permitting (England and Wales) Regulations 2007 (S.I. 2007 No.3538), to operate an installation carrying out activities covered by the description in Section 6.4, Part B of Part 2 Schedule 1 of the EP Regulations, to the extent permitted by the Permit.

#### **Best Available Techniques (BAT)**

Aspects of the operation of the installation which are not regulated by specific conditions of the Permit are subject to the general condition included in the Permit requiring the operator to use BAT to prevent or reduce emissions that are not covered by specific permit conditions.

***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 operation of the installation which is not regulated by any other condition of this permit.***

The determination of what constitutes BAT is made on a case-by-case basis however where Process Guidance Notes are available these will be used as the baseline for what is BAT. Formal definitions of BAT can be found in the IPPC Directive.

#### **Process Changes**

The Permit contains a condition requiring you to notify the Council of any proposed change in operation at least 28 days before making the change. This must be in writing and must contain a full description of the proposed change in operation and the likely consequences to the permitted activity. Failure to do so is an offence. It is also good practice to notify the Council of any administrative changes, such as the name or address of the operator.

#### **Variations to the Permit**

If you consider that a proposed change could result in the breach of the existing permit conditions or is likely to require the variation of permit conditions then you may apply in writing under Regulation 20 of the EP Regulations. Additionally, if this involves a SUBSTANTIAL CHANGE (A change in operation which, in the opinion of the Council may have significant negative effects on human health or the environment) to the installation you will be required to submit an application, pay the relevant fee and the application will be subject to publicity and consultation.

The Council may decide that the existing permit conditions require amendment without receiving any notification or an application for variation from the operator. This is most likely to occur when the Council has conducted a periodic review in accordance with EP regulation 34 or in the light of revised guidance from Defra. The Council will serve a Variation Notice under EP Regulation 20 on the Operator and may issue a consolidated Permit under EP Regulation 18.

#### **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 EP Regulation 21. A transfer will be allowed unless Dudley Metropolitan Borough Council considers that the proposed holder will not be the person who will have control over the operation of the installation or will not operate the installation in accordance with the Permit.



**Annual Subsistence Fee**

Operators must pay an annual subsistence fee for the Permit in accordance with EP Regulation 65. This fee is payable annually on 1st April and the level of the subsistence fee payable is contained within the relevant charging scheme issued annually by the Secretary of State. The charging scheme is risk based for all standard activities (i.e. not dry cleaning, petrol stations, small waste oil burners and vehicle refinishers). The risk-based method uses a point scoring method and applies a low, medium or high risk rating to activities operating at an installation. The resulting subsistence fees are proportionate to the risk rating.

You will receive an invoice each year with respect to this payment and you are advised that if prompt payment of the fee is not forthcoming, Dudley Metropolitan Borough Council may revoke your Permit under EP Regulation 22.

**Public Register**

The Council is required by Regulation 46 of the EP Regulations to maintain a Public Register containing information on all LA-IPPC and LAPPC installations and mobile plant. The register is available for inspection by the public free of charge during office hours (Monday to Friday 9.00am to 5.00pm) at:

**Dudley Metropolitan Borough Council,  
Directorate of the Urban Environment,  
Claughton House,  
Blowers Green Road,  
Dudley  
DY2 8UZ**

**Confidentiality**

An operator may request certain information in relation to the Permitted installation to remain confidential and not to be placed on the Public Register for reasons of National Security or commercial or industrial confidentiality. The operator must provide clear justification for each item he or she wishes to be kept from the register. Dudley Metropolitan Borough Council must consider and determine all requests of confidentiality of information in accordance with EP Regulation 51.

**Talking to Us**

Any communication with Dudley Metropolitan Borough Council with respect to this Permit should quote the Permit Reference Number, and should be made to:

**Dudley Metropolitan Borough Council,  
Directorate of the Urban Environment,  
Claughton House,  
Blowers Green Road,  
Dudley  
DY2 8UZ  
Email: [Enviroprotect.DUE@dudley.gov.uk](mailto:Enviroprotect.DUE@dudley.gov.uk)**

**Telephone: 01384 814685  
Fax: 01384 815599**



## **Appeals**

Under Regulation 31 of the EP Regulations operators have the right of appeal against the conditions contained within their permit. An appeal does not have the effect of suspending the Permit conditions.

Notice of appeal against the conditions attached to the permit must be given within six months of the issue date of the Permit, which is the subject matter of the appeal.

## **How to Appeal**

There are no charges for making an appeal, application forms can be obtained from <http://www.planning-inspectorate.gov.uk/pins/environment/environmeny/index.htm>

**For an appeal to** be valid, appellants (the person/operator making the appeal) are legally required to provide:

- written notice of the appeal;
- a statement of the grounds of appeal;
- a statement indicating whether the appellant wishes the appeal to be dealt with by written representations procedure or a hearing - a hearing must be held if either the appellant or enforcing authority requests this, or if the Planning Inspector or the Secretary of State decides to hold one.
- (appellants must copy the above three items to the local authority when the appeal is made)
- a copy of any relevant application;
- a copy of any relevant permit;
- a copy of any relevant correspondence between the appellant and the regulator; and
- a copy of any decision or notice, which is the subject matter of the appeal.

## **Where to Send Your Appeal Documents**

Appeals should be addressed to:

**The Planning Inspectorate  
Environment Team, Major and Specialist Casework  
Room 4/04 – Kite Wing  
Temple Quay House  
2 The Square  
Temple Quay  
Bristol BS1 6PN**

**0117 372 8726**

In the course of an Appeal process the main parties will be informed of procedural steps by the Planning Inspectorate.

To withdraw an appeal the appellant must notify the Planning Inspectorate in writing and copy the notification to the local authority.