



Notice of Variation of Permit
The Environmental Permitting (England and Wales) Regulations 2010 (As Amended)
Regulation 20

To: A Hingley Transport (Brierley Hill) Ltd, c/o Howell Dunn & Co Ltd, 60 Lyde Green, Halesowen, West Midlands, B63 2PQ.

Dudley Metropolitan Borough Council ("the Council") in the exercise of the powers conferred upon it by Regulation 20 of the Environmental Permitting (England and Wales) Regulations 2010¹ (As Amended) ("the 2010 Regulations") hereby gives you notice as follows:

The Council has decided to vary the terms and conditions of the Permit reference **PB43** granted to you under Regulation 13(1) of the 2010 Regulations in respect of the operation of the Installation at: A Hingley Transport (Brierley Hill) Ltd, Hayes Lane, Lye, West Midlands, DY9 8PA.

The variation of the terms and conditions of the Permit and the date[s] on which they are to take effect are specified in Schedule 1 to this Notice.

A consolidated Permit as varied by this Notice (and by all previous variation notices listed in the "Status Log" to the Permit) is set out in Schedule 2.

A handwritten signature in black ink that reads "T. Glews".

Signed: **Dated:** 2nd October 2014
Tim Glews
Environmental Safety and Health Manager
(Authorised to sign on behalf of Dudley Metropolitan Borough Council)

Address for all communications:

Directorate of the Urban Environment, Environmental Protection
4 Ednam Road
Dudley
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SCHEDULE 1

This schedule should be read in conjunction with the Notice of Variation ref: PB/43/WK/201447396

The requirements of this variation shall come into effect as detailed below. If no date is indicated below the variation shall take effect immediately.

Front Cover

The name and address of the Operator is changed from "A Hingley Garages Ltd, Beecher House, Station Street, Cradley Heath, West Midlands, B64 6AJ" to "A Hingley Transport (Brierley Hill) Ltd, c/o Howell Dunn & Co Ltd, 60 Lyde Green, Halesowen, West Midlands, B63 2PQ"

The title of the Authorised Officer is changed from "Environmental Protection Manager" to "Environmental Safety and Health Manager"

Contents page

"2.0 Emission Limits and Controls" is changed to "2.0 Non-VOC emissions".

"3.0 Solvents Emissions Directive" is changed to "3.0 VOC Emissions"

"4.0 Monitoring, Sampling and Measurement of Emissions" is changed to "4.0 Solvent Reduction Scheme"

"5.0 Visible Emissions" is inserted

"5.0 Process Controls" is changed to "6.0 Process Controls"

"6.0 General Conditions" is changed to "7.0 General Conditions"

"7.0 Records" is changed to "8.0 Records"

"Appendix 2 – Solvent Management Plan for the Solvent Reduction Scheme" is changed to "Appendix 2 – Individual bodyshop products covered under the Paints Directive 2004/42/EC".

"Appendix 3 -Product Categories and maximum, application ready volatile organic compound contents under Paints Directive 2004/42/EC" is inserted.

"Appendix 4 – Solvent Reduction Scheme" is inserted.

Introductory Note to Permit

Reference to "Regulation 13(1) of The Environmental Permitting (England and Wales) Regulations 2007 (S.I. 2007 No. 3538)" in the first paragraph is changed to "Regulation 13(1) of The Environmental Permitting (England and Wales) Regulations 2010 (as amended) (S.I. 2010 No. 675)".

Reference to "the description in Part 2 of Schedule 1 of the Environmental Permitting (England and Wales) Regulations 2007" in the first paragraph is changed to "the description in Schedule 14 and Part 2 of Schedule 1 of those Regulations".

The legal operator is changed from "A Hingley Garages Ltd, Beecher House, Station Street, Cradley Heath, West Midlands, B64 6AJ" to "A Hingley Transport (Brierley Hill) Ltd, c/o Howell Dunn & Co Ltd, 60 Lyde Green, Halesowen, West Midlands, B63 2PQ Company number 01073358"

The following wording is added to the introductory note:

“The following Process Guidance Notes apply to this installation:

6/34(11) – *Re-spraying of road vehicles*

6/47(11) – *Original coating of road vehicles and trailers”*

Status Log

The Status has been updated to include the current Variation Notice

Description of Installation

The first paragraph of the Description of Installation is amended to read as described below:
“This installation falls within the definition of Schedule 14 “Solvent Emission Activities” and Schedule 1, Part 2, Chapter 6, Section 6.4, Part B “repainting or re-spraying of road vehicles or parts of them” of Schedule 1 of The Environmental Permitting (England and Wales) Regulations 2010 (EP Regulations). The attached location plan “Appendix 1 – Site Plan PB/43” shows the designated site”.

The following bullet points are deleted:

- *The metal surfaces to be coated are shot blasted in a purpose built shot blast unit, which extracts internally to an enclosed container.*
- *Once shot blasted, the trailers are coated using solvent containing coatings. The paint spraying is carried out in two spray booths.*

The following bullet points are inserted:

- *Trailers are coated using solvent containing coatings. The paint spraying is carried out in two spray booths.*
- *Body repairs and refinishing of vehicles with solvent containing coatings is also undertaken at the installation*

Amended Conditions

Condition 1.1 Table 1, Row 3.

The words “Section 7 – SED Activity” shall be replaced with “Schedule 14, Solvent Emission Activity”. The associated Description of specified activity is changed to read “*The coating of road vehicles or part of them with refinishing type material, where this is carried out away from the manufacturing line and the original coating of trailers (including semi-trailers) where the annual solvent consumption is greater than 0.5 tonne”.*

Condition 1.3

The words “4 weeks” shall be replaced with “28 days”.

Condition 3.1 is renamed Condition 4.2

Reference to the “Solvent emissions Directive” shall be replaced with “Industrial Emissions Directive”.

The words “2011 and annually thereafter” shall be removed.

Condition 4.1 is renamed **Condition 2.2**

Condition 4.2 is renamed **Condition 2.3**

Reference to "BS ISO 9096:2003" shall be replaced with "*with the relevant applicable standards which can be found at the Source Testing Association website (<http://www.s-t-a.org>)*". The following sentence shall be removed "*The Council shall be advised of the time and date the monitoring will take place at least 14 days in advance and of the test methods and protocols to be used*"

Condition 4.3 is renamed **Condition 2.4**

Condition 4.4 is renamed **Condition 2.7**

Condition 4.5 is renamed **Condition 2.6**

Condition 4.6 is renamed **Condition 2.8**

Condition 5.2 is renamed **Condition 3.5**

Condition 5.4 is renamed **Condition 6.3**

Condition 5.5 is renamed **Condition 6.4**

Condition 6.1 is renamed **Condition 7.1**

Reference to condition 7.1 is changed to condition 8.1

Condition 6.3 is renamed **Condition 7.3**

Reference to condition 7.1 is changed to condition 8.1

Condition 7.1 is renamed **Condition 8.1**

Deleted Conditions

2.1 to 2.3;

3.2;

5.1;

5.3;

5.6 to 5.12;

6.2;

New Conditions

New conditions shall be inserted into the Permit as follows:

- 1.4 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

2.0 Non-VOC emissions

- 2.1 The following non-VOC emission limits shall apply:

Table 2.1					
	Substance	Source	Emissions limits / provisions	Type of monitoring	Monitoring frequency
1	Particulate matter	From spray booths	10 mg/Nm ³	By guarantee supplied by the spray booth constructor or Manual extractive testing	Annual
All emissions shall be determined at the standard reference conditions of 273.15K and 101.3KPa, Without correction for water vapour content.					

3.0 VOC EMISSIONS

- 3.1 Surface preparation and painting operations shall be carried out using only coating materials, which are placed on the market for use in vehicle refinishing bodyshops (as identified by a label on the container containing the following information -a description of the product by identification of the contents as a subcategory of Directive 2004/42/CE, the relevant VOC limit values in g/l as referred to in Annex II of Directive 2004/42/CE and the maximum content of VOC in g/l of the product in a ready to use condition"). For information, the individual bodyshop products that are covered by this condition are listed in Appendix 2.
- 3.2 The products used in coating shall be prepared and applied in accordance with the supplier's instructions. Under no circumstances shall the product be thinned with more than the supplier's stated quantity or percentage of thinner. For information, the maximum, application-ready VOC contents for individual categories of products are listed in Appendix 3 to this Permit.
- 3.3. Condition 3.1 and 3.2 above does not apply to the original coating of road vehicles or part of them with refinishing-type materials or the coating of trailers (including semi-trailers), It applies only to vehicle refinishing activities
- 3.4 All paint spraying operations shall be carried out in totally enclosed booths under negative pressure to prevent fugitive emissions of VOCs.
- 3.6 All spray guns and equipment cleaning shall be carried out in an automatic, totally enclosed equipment cleaning machine or any other equipment cleaning machine which can achieve

comparable or lower emissions. The cleaning machine shall be provided with the minimum of exhaust ventilation that is necessary to prevent the fugitive emission of organic solvent vapour when the machine is opened for introduction or removal of equipment, or for the changing of cleaning solvent.

- 3.7 All spray gun testing and spray out following cleaning shall be carried out in either an equipment cleaning machine with the extraction running or into a chamber which is provided with extraction which is running in accordance with a written procedure, a copy of which shall be made available to the regulator upon request. The operator shall inform the Council in writing of any significant changes to the written procedure.
- 3.8 Cleaning solvents shall be dispensed by a piston type dispenser or similar contained device, when used on wipes.
- 3.9 Pre-impregnated solvent wipes shall be held within an enclosed container prior to use.
- 3.10 Solvent contaminated wipes and other wastes shall be handled in accordance with a written procedure, a copy of which shall be made available to the regulator upon request. The operator shall inform the Council in writing of any significant changes to the written procedure.
- 3.11 Organic solvent containment and spillage equipment shall be readily available in all organic solvent handling areas.
- 3.12 All solvent containing coatings, thinners and related materials and equipment cleaning materials shall be stored:
- in the containers in which they were supplied, with the lid securely fastened at all times other than when in use;
 - within spillage collectors, of suitable impervious and corrosion-proof materials and capable of containing 110% of the largest container;
 - away from sources of heat.
- 3.13 All solvent containing wastes shall be stored:
- in suitable sealed containers with a securely fastened lid, and labelled so that all that handle them are aware of their contents;
 - within spillage collectors, of suitable impervious and corrosion-proof materials and capable of containing 110% of the largest container;
 - away from sources of heat.
- 3.14 Cleaning operations involving organic solvents shall be reviewed every two years, to identify opportunities for reducing VOC emissions. This will include identification of cleaning steps that can be eliminated or alternative cleaning methods. The Council shall be provided with a report on the conclusions of the review, within eight weeks of it being completed.
- 3.15 Spares and consumables, particularly those subject to continual wear shall be held on site, or shall be available at short notice from guaranteed suppliers, so that spraybooth breakdowns can be rectified rapidly.
- 3.16 Waste solvents and waste coatings shall be recycled off-site. Copies of receipts of waste materials sold for recycling shall be kept for three years.

4.0 SOLVENT REDUCTION SCHEME

- 4.1 Conditions 4.2 and 4.3 only apply to the use of coating materials used in the original coating of road vehicles or part of them with refinishing-type materials or the coating of trailers (including semi-trailers).

- 4.3 Solvents carrying the hazard statements H340, H350, H350i, H360D or H360F (or risk phrases R45, R46, R49, R60, R61) or any halogenated volatile organic compounds assigned hazard statements H341 or H351, (or risk phrases R40 and R68) shall be replaced, as far as possible, in the shortest possible time,

5.0 VISIBLE EMISSIONS

- 5.1 All releases to air, other than condensed water vapour, shall be free from persistent visible emissions.
- 5.2 All emissions to air shall be free from droplets
- 5.3 Emissions from combustion processes shall in normal operation be free from visible smoke and in any case shall not exceed the equivalent of Ringelmann Shade 1, as described in British Standard BS 2742:2009

6.0 PROCESS CONTROLS

- 6.1 The operator shall implement a maintenance schedule a copy of which shall be made available to the Council upon request. The operator shall inform the Council in writing of any significant changes to the schedule
- 6.2 Dusty wastes shall be stored in closed containers.

7.0 GENERAL CONDITIONS

- 7.2 Staff at all levels shall receive the necessary formal training and instruction in their duties relating to control of the process and emissions to air. Training should include:
- Awareness of operator 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 accidents, or spillages that could, if not controlled, result in emissions

A record shall be maintained of all relevant training provided to staff in accordance with condition 8.1.

Appendix 1 – Site Plan PB/43

The Permitted installation boundary is redefined to include only the building where the authorised activities are undertaken

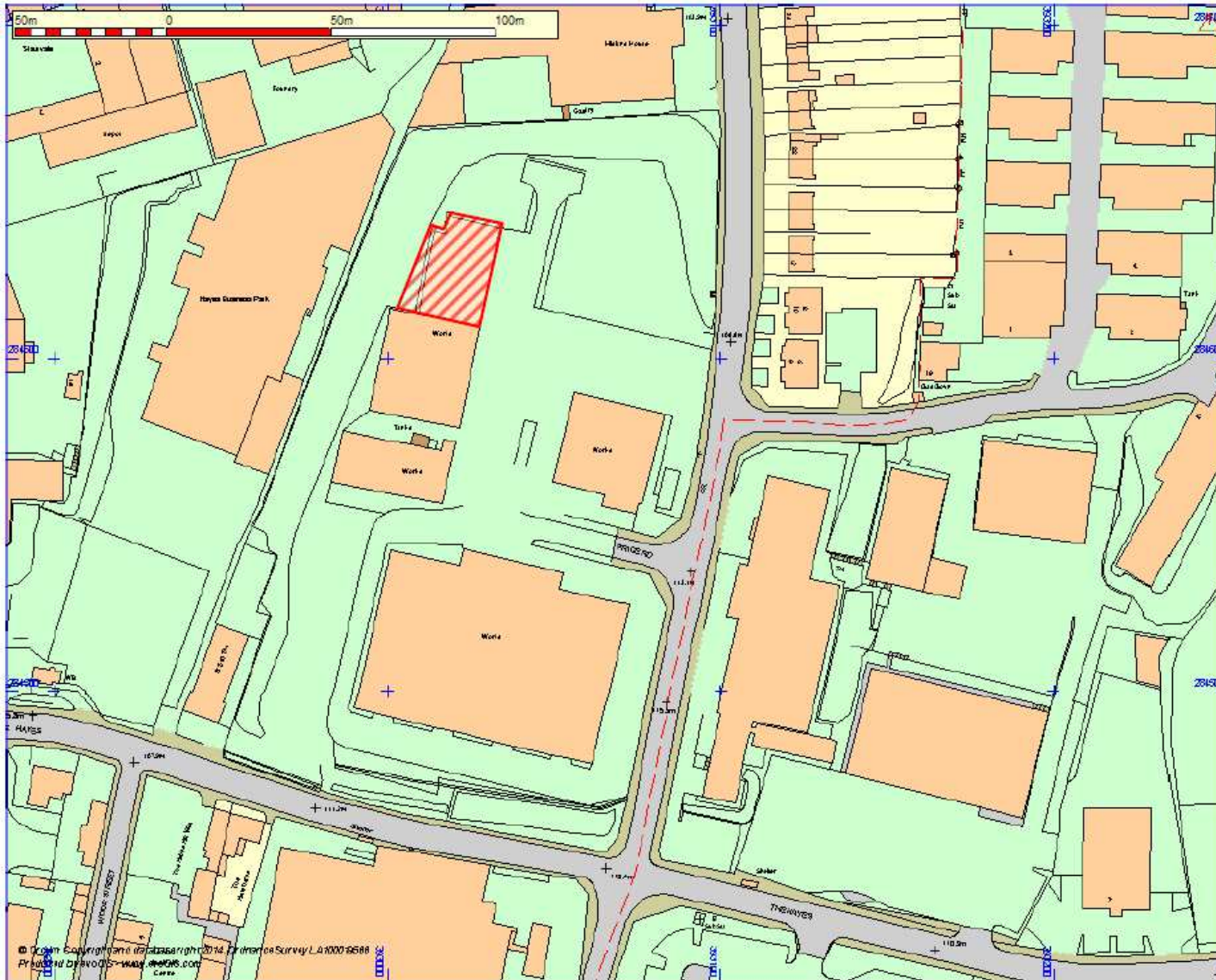
Appendix 2 – Solvent Management Plan for the Solvent Reduction Scheme is changed to **Appendix 4 – Solvent Reduction Scheme**

Appendix 2 – Individual bodyshop products covered under the Paints Directive 2004/42/EC is inserted

Appendix 3 -Product Categories and maximum, application ready volatile organic compound contents under Paints Directive 2004/42/EC is inserted.

Appendix 1

Appendix 1 – Site Plan PB/43



Appendix 2

Appendix 2 - INDIVIDUAL BODYSHOP PRODUCTS COVERED UNDER THE PAINTS DIRECTIVE 2004/42/EC

Those coating materials placed on the market for use in vehicle refinishing body shops are identified by a label on the container containing the following information:

1. A description of the product by identification of the contents as a subcategory of directive 2004/42/CE;
 2. The relevant Volatile Organic Compound limit values in grams per litre as referred to in Annex II of directive 2004/42/CE; and
 3. The maximum content of Volatile Organic Compounds in grams per litre of the product in a ready to use condition.
- a) 'preparatory and cleaning' means products designed to remove old coatings and rust, either mechanically or chemically, or to provide a key for new coatings:
- (i) preparatory products include gunwash (a product designed for cleaning spray-guns and other equipment), paint strippers, degreasers (including anti-static types for plastic) and silicone removers;
 - (ii) 'precleaner' means a cleaning product designed for the removal of surface contamination during preparation for and prior to the application of coating materials;
- b) 'Bodyfiller/stopper' means heavy-bodied compounds designed to be applied to fill deep surface imperfections prior to the application of the surfacer/filler;
- c) 'primer' means any coating that is designed for application to bare metal or existing finishes to provide corrosion protection prior to application of a primer surfacer:
- (i) 'surfacer/filler' means a coating designed for application immediately prior to the application of topcoat for the purpose of corrosion resistance, to ensure adhesion of the topcoat, and to promote the formation of a uniform surface finish by filling in minor surface imperfections;
 - (i) 'general metal primer' means a coating designed for application as primers, such as adhesion promoters, sealers, surfacers, undercoats, plastic primers, wet-on-wet, non-sand fillers and spray fillers;
 - (iii) 'wash primer' means coatings containing at least 0,5 % by weight of phosphoric acid designed to be applied directly to bare metal surfaces to provide corrosion resistance and adhesion; coatings used as weldable primers; and mordant solutions for galvanised and zinc surfaces;
- d) 'topcoat' means any pigmented coating that is designed to be applied either as a single-layer or as a multiple-layer base to provide gloss and durability. It includes all products involved such as base coatings and clear coatings:
- (i) 'base coatings' means pigmented coatings designed to provide colour and any desired optical effects, but not the gloss or surface resistance of the coating system;

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- (ii) 'clear coating' means a transparent coating designed to provide the final gloss and resistance properties of the coating system;
- e) 'special finishes' means coatings designed for application as topcoats requiring special properties, such as metallic or pearl effect, in a single layer, high-performance solid-colour and clear coats, (e.g. anti-scratch and fluorinated clear-coat), reflective base coat, texture finishes (e.g. hammer), anti-slip, under-body sealers, anti-chip coatings, interior finishes; and aerosols.

Appendix 3

APPENDIX 3

PRODUCT CATEGORIES AND MAXIMUM, APPLICATION READY VOLATILE ORGANIC COMPOUND CONTENTS UNDER PAINTS DIRECTIVE 2004/42/EC

	PRODUCT SUBCATEGORY	COATINGS	VOLATILE ORGANIC COMPOUNDS grams/litre(*)
a	Preparatory and cleaning	Preparatory	850
		Pre-cleaner	200
b	Bodyfiller/stopper	All types	250
c	Primer	Surface/filler and general (metal) primer	540
		Wash primer	780
d	Topcoat	All types	420
e	Special finishes	All types	840
(*) grams/litre of ready for use product. Except for subcategory (a) any water content of the product ready for use should be discounted			

Appendix 4

Appendix 4 SOLVENT REDUCTION SCHEME

1. The reduction scheme is the preferred method of preventing and minimising emissions of VOC, using non-abatement techniques such as:
 - water borne coatings (low organic solvent content);
 - higher solids content coatings;
 - powder coatings;
 - organic solvent free liquid coatings; radiation cured coatings (for example, ultra violet and electron beam).
2. An operator may choose to use the reduction scheme for an installation to achieve emission reductions to a 'target emission' equivalent to those which would have been achieved if the concentration emission limits had been applied.

The following scheme should operate for installations for which a constant solid content of product can be assumed and used to define the reference point for emission reductions.

The operator should forward an emission reduction plan, which includes in particular:

- a) mechanisms to decrease in the average solvent content of the total input; and/or
- b) systems to increase efficiency in the use of solids to achieve a reduction of the total emissions from the installation.

The target emission from an installation should be calculated by multiplying the total mass of solids in the quantity of coatings used in a year with the relevant figure given in **Table 3.1** above. In determining the total mass of solids:

- all ingredients other than water and organic solvents should be assumed to form part of the solid coating;
 - solids are all materials in coatings that become solid as a result of curing, polymerisation, or the evaporation of the water or solvent (usually available from the supplier in g/l or non-volatile % mass by weight); and
 - In cases of doubt, the reference standard for the determination of non-volatile % mass by weight is BS EN ISO 3251 (also numbered BS 3900: B18). The test conditions may need to be adjusted for the particular conditions of use or when assessing chemically or radiation cured coatings, where otherwise volatile components react to form part of the dry solid coating
3. Compliance with reduction scheme is achieved if the annual actual solvent emission determined from the solvent management plan is less than or equal to the target emission. Where the annual actual solvent emission = $I_1 - O_8 - O_7 - O_6$ (- O_5 if abatement has been used). See paragraph 8.

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4. The flexibility inherent in this compliance route should not be taken to encourage:
- the replacement of a low or no organic solvent coating system with a conventional high organic solvent coating system; **or**
 - the introduction of such a conventional high organic solvent coating system into a process/activity; **or**
 - the introduction of such a conventional high organic solvent coating system onto a product where it was not in use before; **or**
 - the introduction of high solids formulations which have no beneficial effect on the product but increase the solids used, except where a reduction in the overall VOC emissions can be demonstrated.

Prior notification to the Council must be given of any proposal to introduce such systems, which should include reasons why lower organic solvent systems are not considered technically appropriate or practicable.

Determination of solvent consumption

5. Construction of inventories of materials consumed and disposed of may involve the identification of individual organic solvents, or solids. This may give rise to an issue of commercial confidentiality. Information supplied must be placed on the public register, unless exclusion has been granted on the grounds of commercial confidentiality or national security. Further information can be found in the appropriate chapter of the relevant General Guidance Manual.
6. A determination of the organic solvent consumption, the total mass of organic solvent Inputs minus any solvents sent for reuse/recovery off-site, should be made and submitted to the regulator annually, preferably to coincide with the operators stocktaking requirements. This should be in the form of a mass balance in order to determine the annual actual consumption of organic solvent (C):

Where: $C = I_1 - O_8$ (See paragraph 8).

Solvent management plan

7. Operators buy solvents to replace those lost during the process or included in the product. There are both environmental and cost savings from reducing the losses. The industrial emissions Directive requires a solvent management plan to demonstrate compliance with fugitive emission limits (SE Box 5), and give the public access to information about solvent consumption etc.
8. The industrial emissions Directive provides guidance on what constitutes a solvent input and an output. This can be described more simply as needing data on:

Inputs:

How much solvent is:

- bought, whether in pure form or contained in products;
- recycled back into the process.

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Outputs:

How much solvent is:

- emitted to air, whether directly or via abatement equipment;
- discharged to water, whether directly or via water treatment;
- sent away in waste;
- lost by spills, leaks etc;
- leaving the installation in the product.

The definitions in Annex VII, Part 7 of the industrial emissions Directive are as follows and are shown diagrammatically in Figure 1.

Inputs of organic solvent in the time frame over which the mass balance is being calculated (I)

I₁ The quantity of organic solvents or their quantity in mixtures 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).

I₂ The quantity of organic solvents or their quantity in mixtures recovered and reused as solvent input into the process/activity. (The recycled solvent is counted every time it is used to carry out the activity)

Outputs of organic solvents in the time frame over which the mass balance is being calculated (O)

O₁ Emissions in waste gases.

O₂ Organic solvents lost in water, if appropriate taking into account waste water treatment when calculating O₅

O₃ The quantity of organic solvents which remains as contamination or residue in products output from the process/activity.

O₄ Uncaptured emissions of organic solvents to air. This includes the general ventilation of rooms, where air is released to the outside environment via windows, doors, vents and similar openings.

O₅ 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 O₆, O₇ or O₈).

O₆ Organic solvents contained in collected waste.

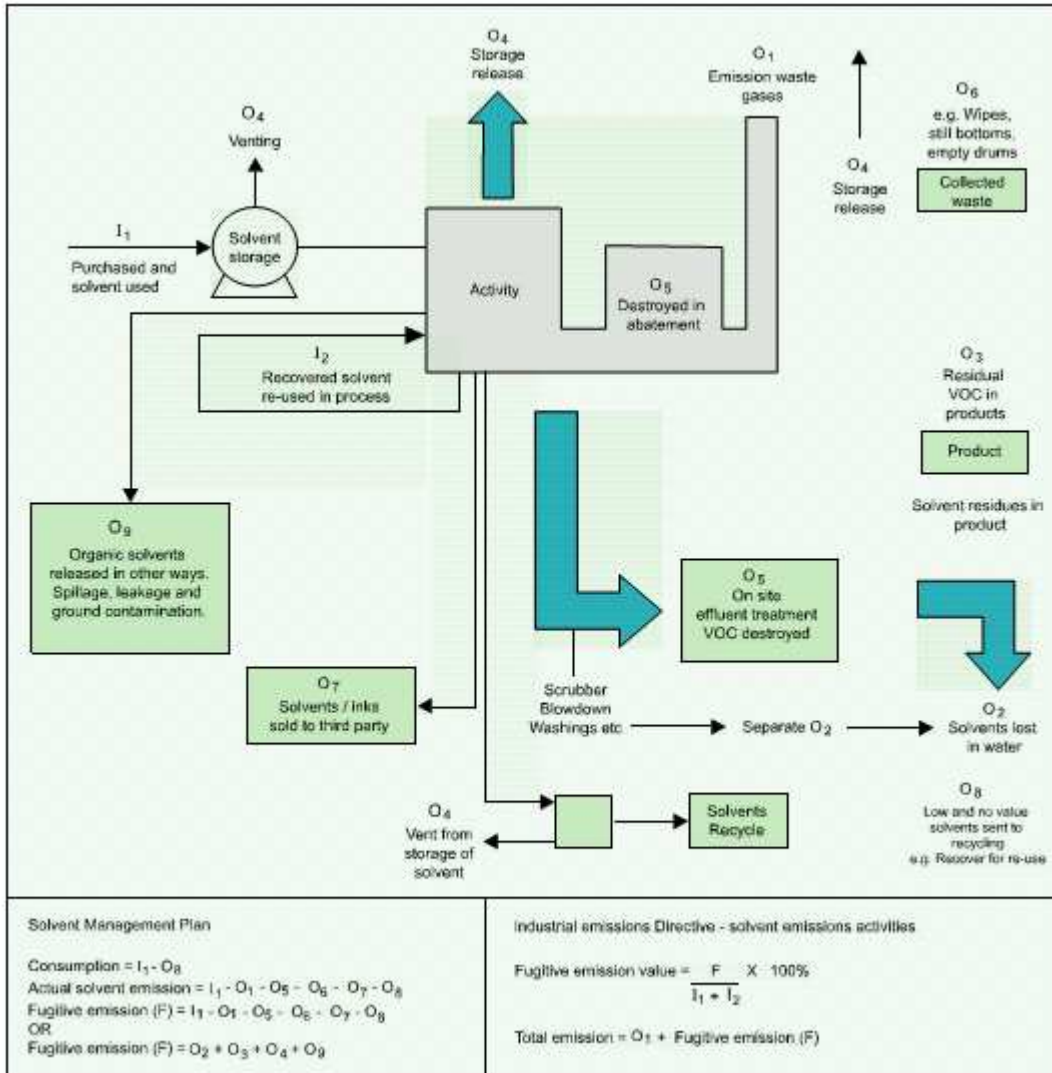
O₇ Organic solvents, or organic solvents contained in mixtures, which are sold or are intended to be sold as a commercially valuable product.

O₈ Organic solvents contained in mixtures recovered for reuse but not as input into the process/activity, as long as not counted under O₇

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O₉ Organic solvents released in other ways

Figure 1 - Solvent management plan inputs and outputs



Appendix 4

General

All references to the Pollution Prevention and Control (England and Wales) Regulations 2000 (As amended) shall be replaced with references to the Environmental Permitting (England and Wales) Regulations 2010 (As Amended) (“the EP Regulations”)

End of Permit Variations

Attached to this Notice is a separate document titled “Guidance for operators receiving a Variation Notice” which does not form part of the Notice. You are advised to read that document and ensure that you fully understand the requirements of the Notice and your rights of Appeal.