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ENVIRONMENTAL PROTECTION ACT 1990, Section 10

NOTICE OF VARIATION OF AUTHORISATION

Ref: NT/20021145/TG/SAP

To: ESSO PETROLEUM CO LTD

Of: ERMYN WAY, LEATHERHEAD, SURREY, KT22 8UX

The Dudley Metropolitan Borough Council ("the Council") has decided that the authorisation to carry out a prescribed process, namely

The unloading into storage of petrol from mobile containers at a service station

at the premises known as **KINGSWINFORD EXPRESS, MOSS GROVE, KINGSWINFORD, WEST MIDLANDS DY6 9LR**

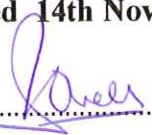
granted to you by the Council on the **21ST** day of **JUNE 1999** under reference **PET21** should be varied in the following manner

SEE ATTACHED SCHEDULE

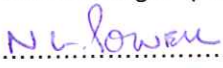
The date(s) on which the variation(s) are to take effect is the date indicated in the condition or where no date is indicated, the condition shall take effect immediately.

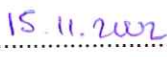
YOU ARE REQUIRED, within a period of **28 DAYS** from the date of service on you of this notice to notify the Council of the action (if any) which you propose to take to ensure that the process is carried out in accordance with the authorisation as varied by this notice.

Dated 14th November 2002

.....(Signature)

Divisional Manager (Environmental Protection)

.....(Name)

Signed on: .....(date)

Authorised to sign on behalf of Dudley Metropolitan Borough Council.

Address for all communications:

**Dudley Metropolitan Borough Council
Directorate of the Urban Environment
Council House, Mary Stevens Park,
Stourbridge,
West Midlands, DY8 2AA.**

**continued overleaf
Delete any words in square brackets which do not apply.**

NOTE

You have a right of appeal against this notice to the Secretary of State for [the Environment] [Wales]. If you wish to appeal you must do so in writing within a period of two months beginning with the date of this notice. You must set out the grounds for your appeal and send to the Secretary of State a copy of this notice, together with copies of all relevant documents and correspondence. You should also indicate whether you wish the appeal to be dealt with at a hearing or on the basis of written representations. A copy of your notice of appeal must also be sent to the Council.

A 'consolidated authorisation' is also enclosed with this notice for your convenience only. You are advised that the 'consolidated authorisation' does not form a part of this variation notice, and is to be regarded as a working document for your convenience. The legal documents of authorisation are the original authorisation and schedule 1 to this variation notice.

**** "Substantial change" is defined in section 10(7) of the Environmental Protection Act 1990 as "a substantial change in the substances released from the process or in the amount or any other characteristic of any substance so released"; and the Secretary of State may give directions to enforcing authorities as to what does or does not constitute a substantial change in relation to processes generally, any description of process or any particular process.**

SCHEDULE TO NOTICE REFERENCE NT20021145/TG/SAP
SECTION 10, THE ENVIRONMENTAL PROTECTION ACT 1990
KINGSWINFORD EXPRESS, MOSS GOVE, KINGSWINFORD, WEST MIDLANDS DY6 9LR
AUTHORISATION REFERENCE PET21

The front page shall be varied as follows:-

1. The words "The Environmental Protection" (Prescribed Processes and Substances etc) (Amendment) Regulations 1994" shall be deleted.
2. The words "Date Variation Notice Served; 15../11/2002" shall be inserted below the "Date Authorisation Served" line.
3. The words "Moss Grove Service Station" shall be deleted and replaced by the words "Kingswinford Express".

The process description shall be varied as follows:-

4. The number 'five' shall be deleted and replaced by the number '3', with reference to the number of petrol storage tanks.
5. The words "The stage 1 petrol vapour recovery system was installed in 1996, the lines for stage II have been laid but have not yet been connected to the tanks or pumps.

The following variations have been made to the authorisation condition:-

6. Condition 1.2, the word "of" shall be deleted.
7. Condition 2.1, the number "4" shall be replaced by the number "2.2", the number "11", shall be replaced by the number "1.5".
8. Condition 2.3, the following words shall be deleted:-

"and under the circumstances detailed in condition 2.1, be advised to the Local Enforcing Authority immediately".
9. Condition 2.4, the words "at least 4 weeks before the modification is due to take place" shall be inserted after the word "alteration".
10. Condition 3.8, the word "return" shall be inserted after the word 'vapour' on the first line.
11. Condition 4.1, the word "annually" shall be deleted and replaced by the words, "at least every 2 years".
12. Condition 4.2, the word "A11" shall be deleted and replaced by the word "Any".

A comma shall be inserted after the word 'pipework' in line 1 of this condition.

The words "or as otherwise stated in the site petroleum license" shall be added to the end of this condition.

13. The authorisation signature shall now read as follows:-

..........(Signature)

Divisional Manager (Environmental Protection)

..........(Name)

Signed on:..........(date)

Authorised to sign on behalf of Dudley Metropolitan Borough Council.

The following variations have been made to the Additional Notes

1. Note 2, the telephone number shall be varied from "818181" to "814633".
2. The words "Environment, Engineering and Transportation Department" shall be deleted and replaced by the words, "Directorate of the Urban Environment".