SOUTH NORTHAMPTONSHIRE COUNCIL

POLLUTION PREVENTION AND CONTROL ACT 1999

POLLUTION PREVENTION AND CONTROL (ENGLAND AND WALES) REGULATIONS 2000 SI 2000/1973

PERMIT UNDER REGULATION 9 OF THE POLLUTION PREVENTION AND CONTROL (ENGLAND AND WALES) REGULATIONS 2000 TO OPERATE AN INSTALLATION

DATE OF APPLICATION: 2 November 1998
DATE OF AUTHORISATION: 23 December 1998
DATE OF VARIATION: 13 June 2007
PERMIT REFERENCE: 52/1.2/06

The South Northamptonshire Council hereby grant Mr S Navaratnam, 4a Ringwood Road, Luton, Bedfordshire, LU2 7BG a permit to operate an installation for the unloading of petrol into four stationary storage tanks from mobile containers at Paulerspury Service Station, Watling Street, Towcester, Northamptonshire, NN12 7LQ as defined by Part B of Section 1.2 of the Pollution Prevention and Control (England and Wales) Regulations 2000, and as described on page 2 of this document subject to compliance with the attached conditions.

......................................................
(Environmental Protection Manager)

Authorised by South Northamptonshire Council to sign in that behalf

Dated the thirteenth day of June 2007

Enforcing Authority address: South Northamptonshire Council
Springfields
Towcester
Northamptonshire
NN12 6AE

Tel: 0845 230 0226
Fax: 01327 359946
E-mail: environmental.protection@southnorthants.gov.uk
DESCRIPTION OF INSTALLATION

As defined in the Secretary of State's Guidance Note PG1/14(06): "The Unloading of Petrol into Storage at Petrol Stations", Section 1.4 of Schedule 1 to the Environmental Protection (Prescribed Processes and Substances) Regulations 1991 and Section 1.2 Part B of the Pollution Prevention and Control (England and Wales) Regulations 2000, a petrol service station unloading petrol from mobile containers into storage tanks in excess of 100m$^3$ of petrol in any 12 month period.

Petrol is unloaded from tankers into seven underground storage tanks via an off-set filling pipe. Deliveries are driver controlled and take place at any time, including outside normal operating hours. Emissions of petrol vapour displaced by the filling of the tanks are returned to the delivery vehicle via a vapour return system.

The boundary of the site at Paulerspury Service Station, Watling Street, Towcester, Northamptonshire, NN12 7LQ is marked in red on the map attached at Appendix I of this Permit.

The key emissions from this process that constitute pollution for the purposes of the Pollution Prevention and Control (England and Wales) Regulations 2000 are petrol vapours including benzene.
CONDITIONS OF PERMIT 52/1.2/06

1. Vapours displaced by the delivery of petrol into storage installations at service stations shall be returned through a vapour tight connection line to the road tanker delivering the petrol. Unloading operations shall not take place unless the arrangements are in place and properly functioning subject to conditions 3, 4 and 5.

2. The operator shall implement the Schedule of Preventative Maintenance as reproduced at Appendix III of this Permit and provided as part of the application for authorisation dated 2 November 1998.

3. All reasonably practicable steps shall be taken to prevent uncontrolled leaks of vapour from vents, pipes and connectors from occurring except those which occur through the vacuum pressure relief valve during potentially hazardous pressurisation identified in condition 12 of this Permit.

4. South Northamptonshire Council Environment Division shall be advised without delay of the circumstances of any such vapour leak except those which occur through the vacuum pressure relief valve during potentially hazardous pressurisation identified in condition 12 of this Permit, where there is likely to be an effect on the local community, and in all cases such vapour leaks shall be recorded in a log book required under condition 23 of this Permit.

5. In the event a vapour leak arises that is likely to have an effect on the local community, the operator shall advise South Northamptonshire Council Environment Division of the corrective measures to be undertaken and agree with them the timescales over which they will be implemented.

6. South Northamptonshire Council shall be informed of any proposed alteration to the facility or in operating procedures and the conditions of this Permit shall be reviewed in light of any modifications which occur to the facilities.

7. The vapour collection system shall be sized and designed to minimise vapour emission occurring during the maximum petrol and vapour flow in accordance with conditions 1 and 8, when the maximum number of tanker compartments are being simultaneously discharged.

8. The number of tanker compartments being discharged simultaneously shall not exceed two. Where the diesel storage tank utilises the same vent pipe then this shall be included in the maximum number of tanker compartments to be unloaded simultaneously.

9. The connection points on the tank filling pipes and vapour return pipe, identified as “A” on the Site Layout Plan reproduced at Appendix II of this Permit, shall be fitted with secure seals to reduce vapour leaks when not in active use. If apertures are provided on storage tanks for the use of a dipstick, these shall be securely sealed.

10. The fittings for delivery pipes and vapour return hoses shall be different to prevent mis-connection.
11. Venting of petrol vapour shall be through the vent pipes identified as "B" on the Site Layout Plan reproduced at Appendix II of this Permit.

12. Storage tank vent pipes, identified as "B" on the Site Layout Plan reproduced at Appendix II of this Permit, shall be fitted with a pressure vacuum relief valve to minimise vapour loss during unloading and storage of petrol. The pressure vacuum relief valve shall be sized and weighted to prevent vapour loss, except when the storage tanks are subject to potentially hazardous pressurisation.

13. When connecting hoses prior to delivery, the vapour return hose shall be connected before any delivery hoses. The vapour return hose shall be connected at the road tanker end first, and then at the storage tank end.

14. Adjacent to the vapour return connection point there shall be a clearly legible and durable notice instructing "Connect vapour return line before off-loading" or similar wording and state the maximum number of compartments to be off-loaded simultaneously in accordance with condition 8 of this Permit.

15. Dip testing of storage tanks or road tanker compartments shall not be undertaken.

16. A competent person shall remain near the tanker and maintain a constant watch on hoses and connections during unloading operations. A competent person is one who has received training in accordance with Section 5 of PG1/14(06).

17. All road tanker compartment vents and discharge valves shall be closed on completion of the delivery.

18. On completion of unloading, the vapour hose shall not be disconnected until the delivery hoses have been discharged and disconnected. The delivery hoses shall be disconnected at the road tanker end first. The vapour return hose shall be disconnected at the storage tank end first.

19. All connection points shall be securely sealed after delivery.

20. Manhole entry points to storage tanks shall be kept securely sealed except when maintenance and testing are carried out that require entry to the tank.

21. Petrol delivery and vapour return lines shall be tested not less than once every five years.

22. Pressure vacuum relief valves on fixed tank vents shall be checked for correct functioning including extraneous matter, seating and corrosion not less than once every three years and appropriate repair works undertaken where necessary.

23. The operator shall maintain a log book at the installation incorporating details of all maintenance, examination and testing, inventory checking, installation and repair work undertaken on the system, together with details of training given to operating staff at the service station. The log book shall also detail any suspected vapour leak together with action taken to deal with any leak, in accordance with conditions 3, 4 and 5.
24. The log book shall be retained at the installation site by the operator for a period of not less than two years and shall be made available for examination upon request by any duly authorised Officer of South Northamptonshire Council Environmental Protection Team.

25. No unloading operations shall be undertaken by any person unless that person has received such training and instruction in respect of using, supervising the use of and maintaining vapour balancing controls and actions to be taken in the event of a vapour leak, as is deemed appropriate by the operator.

Every person whom the operator deems to have received appropriate training and instruction shall be identified in writing and a record maintained to that effect.
GLOSSARY

**Competent person**  
a competent person is one who has received training for deliveries in accordance with paragraphs 13, 16, 17, 18 and 19. Delivery drivers may be trained as competent persons.

**Mobile container**  
means any tank, transported by road, rail or waterways used for the transfer of petrol from one terminal to another or from a terminal to a service station.

**Petrol**  
is defined in Directive 94/63/EC as any petroleum derivative with or without additives, having a Reid vapour pressure of 27.6kPa or more, which is intended for use as a fuel for motor vehicles, except liquefied petroleum gas (LPG).

In addition the Government’s view is that the definition of petrol

- includes leaded, unleaded and lead replacement gasoline

and

- excludes diesel motor fuel, kerosene and aviation fuels (some aviation fuels exceed the vapour pressure but aircraft are not motor vehicles for the purposes of the definition). The Government’s view is not definitive as it is ultimately the courts that interpret the legislation.

**Service station**  
means any installation where petrol is dispensed to motor vehicle road tanks from stationary storage tanks. This includes both retail and non-retail sites.

**Throughput**  
means the largest total annual quantity of petrol unloaded from mobile containers into a service station during the three years preceding the relevant date.

**Vapours**  
means any gaseous compound that evaporates from petrol.

**Vapour collection system**  
includes a system of delivery of petrol whereby the vapours displaced from the storage tank area are returned to the road tanker by vapour balancing pipe.

**Vapour leak**  
any leak of vapour except those that occur through the pressure vacuum relief valve during potentially hazardous pressurisation.
EXPLANATORY NOTES

This note does not comprise part of permit 52/1.2/06 but contains guidance relevant to the said permit.

1. It should be noted that Regulation 11(2) of the Pollution Prevention and Control (England and Wales) Regulations 2000 provides that, in relation to any aspect of the installation not regulated by the specific conditions 1 to 25 inclusive of the permit, installations and mobile plant should be operated in such a way that:

(a) all the appropriate preventative measures are taken against pollution, in particular through application of the best available techniques (BAT); and

(b) no significant pollution is caused.

Regulation 3(1) of the Regulations states that BAT “means the most effective and advanced stage in the development of activities and their methods of operation which indicates the practical suitability of particular techniques for providing in principle the basis for emission limit values designed to prevent and, where that is not practicable, generally to reduce emissions and the impact on the environment as a whole; and for the purpose of this definition –

(a) “available techniques” means those conditions which have been developed on a scale which allows implementation in the relevant industrial sector, under economically and technically viable conditions, taking into consideration the cost and advantages, whether or not the techniques are used or produced inside the United Kingdom, as long as they are reasonably accessible to the operator;

(b) “best” means, in relation to techniques, the most effective in achieving a high general level of protection of the environment as a whole;

(c) “techniques” includes both the technology used and the way in which the installation is designed, built, maintained, operated and decommissioned.”

2. Specific condition 25 of the permit makes reference to training and instruction of personnel. The scope and content of such training and instruction is not the subject of a specific condition and it will therefore be necessary for the operator to determine the precise nature of the training and instruction that is appropriate in order to comply with the residual BAT condition.

Moreover it will be necessary in order to demonstrate such compliance for the operator to maintain records detailing the training and instruction received by individual personnel.
ADDITIONAL INFORMATION

This section contains additional information relevant to the permit (permit ref: 52/1.2/06) but does not comprise part of that permit.

1. The contents of the permit will be subject to regular review (at least every four years) and variations will be made when necessary.

2. The conditions contained in the permit may be subject to variation by the enforcing authority. Should a variation become necessary, then a Variation Notice will be served on the operator which specifies the variation and the date or dates on which the variation takes place.

3. In addition to point 2 above, the installation operator or holder of the permit may apply to the local enforcing authority, in the prescribed form, for variation to the permit conditions relating to a "Substantial Change in Operation" in the installation; or for a determination whether a "variation" is required in connection with any proposal of this nature. A "Substantial Change in Operation" is defined as "a change in operation which, in the opinion of the regulator, may have significant negative effects on human beings or the environment".

Although the operator is not formally obliged to inform the enforcing authority he is strongly recommended to do so. This will then avoid the risk of breaching existing conditions of the permit once the change to the installation has been carried out without any necessary variation(s) being undertaken (see note 4 below). The local enforcing authority detailed in point 13 below should be contacted in the event of any queries concerning this matter.

4. If the conditions attached to the permit are not adhered to then the Authority will serve an Enforcement Notice on the operator of the installation. This Notice will specify the contravention and the steps to be taken to remedy the situation. It is an offence not to comply with an Enforcement Notice (maximum fine £20,000 in Magistrates’ Court or unlimited fine and/or up to 2 years imprisonment on indictment).

5. Where an Enforcing Authority considers there is an imminent risk of serious pollution of the environment, whether or not there has been a breach of the permit, it is under a duty to serve a Suspension Notice.

A permit ceases to have effect until a Suspension Notice is removed. The Suspension Notice is withdrawn by the Enforcing Authority when the steps required by that Notice have been taken. It is an offence not to comply with a Prohibition Notice (maximum fine £20,000 in Magistrates’ Court or unlimited fine and/or up to 2 years imprisonment on indictment).

6. The permit may be revoked at any time by the Enforcing Authority. This will, in particular, be considered if Enforcement Notices are not complied with.

7. Any person who has been refused a permit, is aggrieved by the conditions attached to an permit issued to him, has been refused a variation of an permit on application or has had a permit revoked may appeal against the decision of the Enforcing Authority to the Secretary of State. Further information relating to appeals is contained on pages 10 and 11 of this document.

8. Where an operator wishes to transfer all or part of a permit to someone else, they and the proposed transferee must make a joint application and pay a fee...
to the local Enforcing Authority. The permit ceases to be valid if this is not complied with.

9. An annual subsistence fee is payable every April in order to ensure that the permit is maintained. The fees are subject to annual review by way of the Local Enforcing Authorities Act Pollution Fees and Charges Scheme (England and Wales).

10. Under the provisions of the Environment Act 1995 any duly Authorised Officer of the Enforcing Authority may enter premises to inspect an installation at all reasonable times. On entry to the premises the Authorised Officer has powers to:

- take any other persons, equipment or materials with him, to make such examination and investigation as may be necessary;
- take photographs, measurements, recordings or samples;
- subject to process or test any other article or substance which appears to have caused or be likely to cause pollution of the environment or human health;
- take possession of substances etc;
- require persons to give information;
- require the production of records;
- require persons to afford facilities and assistance;
- any other power necessary to carry out the purpose of entry.

11. Attention is drawn to the obligation on the operator of the installation to comply with the requirements of other control Authorities, for example the Health and Safety Executive, the Petroleum Licensing Authority, the Environment Agency, the local Planning Authority etc.

12. This permit is issued in relation to the requirements of the Pollution Prevention and Control Act 1999. It must not be taken as replacing any responsibilities of the operator in connection with occupational health and safety legislation.

13. The enforcing authority for the purposes of this permit is:

South Northamptonshire Council
Springfields
Towcester
Northants NN12 6AE

All correspondence should be marked for the attention of the Environmental Protection Team. The telephone number for the authority during office hours (8.45 am - 5.15 pm) is 0845 230 0226. Outside of those hours the telephone number is (01327) 322399.
NOTICE OF APPEAL

1. (1) A person who wishes to appeal to the Secretary of State under regulation 27 of the Pollution Prevention and Control (England and Wales) Regulations 2000 shall give to the Secretary of State written notice of the appeal together with the documents specified in paragraph (2) below and shall at the same time send to the enforcing authority a copy of that notice together with the documents specified in paragraphs 2(a) to (c) below.

(2) The documents mentioned in paragraph 1 above are:

(a) written notice of the appeal;
(b) a statement of the grounds of appeal;
(c) a statement indicating whether the appellant wishes the appeal to be determined on the basis of written representations or to be in the form of a hearing;
(d) a copy of any relevant application;
(e) a copy of any relevant permit;
(f) a copy of any relevant correspondence between the appellant and the enforcing authority;
(g) a copy of any decision or notice which is the subject-matter of the appeal;

(3) If the appellant wishes to withdraw an appeal he shall do so by notifying the Secretary of State in writing and shall send a copy of that notification to the enforcing authority.
TIME LIMIT FOR BRINGING THE APPEAL

2. Regulation 27 sets out the time limits for appeal. These are:

(a) for appeals against refusal of a permit or an application for variation notice or against the conditions included in an permit, within 6 months of the date of the decision or deemed decision against which the appeal is made;

(b) for appeals against a deemed refusal of a permit, within 6 months of the date on which the operator deemed, under the provisions of paragraph 16 of Schedule 4 of the Regulations, that the application had been refused. An operator may deem his application to have been refused once the time allowed to the local authority for determining an application has elapsed, and once the operator has notified the local authority in writing that he had deemed his application to have been refused;

(c) for appeals against the service of a revocation notice, an enforcement notice or a suspension notice, before the date on which it takes effect.

(d) for appeals against variation notices (not following an application by the operator), within 2 months of the date of the notice; and

(e) for appeals against a refusal to exclude information from the register on grounds of commercial confidentiality, within 21 days of the refusal.

3. The address to which appeals should be dispatched on the day they are dated is:

The Planning Inspectorate
Environmental Appeals Administration
Room 4/19 – Eagle Wing
Temple Quay House
2 The Square
Temple Quay
Bristol
BS1 6PN
RELEVANT PUBLICATIONS

Pollution Prevention and Control Act 1999 Ch 24 ISBN 0105424994
Secretary of State’s Guidance Note GG1 (91): “Introduction to Part 1 of the Act” ISBN 0117524239
Secretary of State’s Guidance Note GG2 (91): “Authorisations” ISBN 0117524247
Secretary of State’s Guidance Note GG3 (91): “Applications and Registers” ISBN 0117524255
Secretary of State’s Guidance Note GG4 (91): “Interpretation of Terms Used in Process Guidance Notes” ISBN 0117524263
Secretary of State’s Guidance Note GG5 (91): “Appeals” ISBN 0117524271
Secretary of State’s Guidance Note PG1/14(04): “Unloading of Petrol into Storage at Petrol Stations”
APPENDIX III

MAINTENANCE SCHEDULE
Maintenance Schedule for Vapour Recovery Installation

a. The overfill prevention devices are to be checked in accordance with the manufacturer's instructions to ensure that the mechanical float is fully operational.

b. The pressure vacuum relief valve is to be checked in accordance with the manufacturer's instructions to ensure it is fully operational or at least once every three years, whichever is the sooner.

c. The vapour recovery adaptor is to be checked to ensure that the poppet sealer and connections are fully operational.

d. The vapour recovery signage will be checked to ensure that all current signage is securely fixed, clean and legible on inspection.

e. The flame arrestor within the vapour recovery adaptor is to be checked for obstruction and to ensure it is fully operational.

f. The offset fill lines, vents and the suction lines including the vapour recovery system are to be pressure tested for vapour containment integrity in accordance with the petroleum licensing authority's maintenance regime or at least once every five years, whichever is the sooner.

g. All contractors carrying out testing or preventative maintenance work in connection with preventing vapour emissions are to complete the site Petroleum Register and/or log book kept at Paulerspury Service Station, Watling Street, Towcester, Northamptonshire, NN12 7LQ.

h. Copies of relevant test certificates shall be maintained with the operators site register and/or log look at Paulerspury Service Station, Watling Street, Towcester, Northamptonshire, NN12 7LQ.
**APPENDIX IV**

**LIST OF NOTICE(S)**

(Reg. 17 Variation, Reg. 21 Revocation, Reg. 25 Suspension, other).

<table>
<thead>
<tr>
<th>Date Served</th>
<th>Type of Notice</th>
<th>Reference</th>
<th>Notes</th>
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<tr>
<td>03/04/2001</td>
<td>S.10 Variation</td>
<td>PP/1.4(b)/06/V1</td>
<td>Process description amended. Conditions 1.1, 2.1, 2.2, 2.3, 3.1, 3.3, 3.5, 4.3, 4.5, 4.7, 4.9, 4.10, 5.1, 5.2, 5.3, 6.3 amended. Conditions 2.4, 2.5 deleted. Condition 3.7 inserted.</td>
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<tr>
<td>13/06/2007</td>
<td>Reg.17 Variation</td>
<td>52/1.2/06 WK/200702044</td>
<td>Process description amended. Conditions 1, 2, 3, 4, 6, 7, 8, 9, 12, 13, 14, 15, 16, 17, 18, 21, 22, 23, 24, 25, 26, 28 and 29 amended. Condition 25 inserted. Conditions 5, 10, 11, 12 and 27 deleted.</td>
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