



PPC Permit ref: 134  
Variation ref: 134/1

Coventry City Council  
The Environmental Permitting (England and Wales) Regulations 2010, Regulation 20

Variation Notice

To **Malcolm's Stores Retail Limited**  
**Clifford House**  
**38-44 Binley Road**  
**Coventry**  
**CV3 1JA**

Coventry City Council ("the Council"), in the exercise of the powers conferred upon it by regulation 20 of the Environmental Permitting (England and Wales) Regulations 2010<sup>1</sup> ("the 2010 Regulations") hereby gives you a notice as follows-

The Council has decided to vary the conditions of permit reference PPC134 granted under regulation 13(1) of the 2010 Regulations in respect of the operation of the installation/mobile plant at **Tile Hill Service Station, 719 Tile Hill Lane, Tile Hill, Coventry, CV4 9HU**

The variation of the conditions of the permit and date on which they are to take effect are specified in [Schedule 1] to this notice.

Signed on behalf of Coventry City Council

..... Date...17<sup>th</sup> February 2014.....

Steven Dewar, Environmental Health Officer  
An authorised officer of the Council

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<sup>1</sup> SI 2010 No.675

Schedule 1

Variation to the conditions Of the permit	Date(s) on which the variation Is to take place
The conditions to the Permit PPC 134 issued September 2005 are hereby deleted and replaced with the new attached simplified permit dated 17 <sup>th</sup> February 2014.	17 <sup>th</sup> February 2014

Signed on behalf of Coventry City Council

.....

Date.....

Steven Dewar, Environmental Health Officer  
An authorised officer of the Council

## ***Guidance for operators receiving a Variation Notice***

(This guidance does not form part of the Variation Notice, but it is for the guidance of those served with the notice.) Further guidance can be found in the PPC [General Guidance Manual](#).

### Dealing with a Variation Notice

This notice varies the terms of the permit specified in the Notice by amending or deleting certain existing conditions and/or adding new conditions. The Schedules attached to the notice explain which conditions have been amended, added or deleted and the dates on which these have effect.

The Council may have included a 'consolidated permit', which takes into account these and previous variations. Where a consolidated permit is not included this variation notice must be read in conjunction with your permit document.

### Offences

Failure to comply with a Variation Notice is an offence under regulation 38(2) of the 2010 Regulations. A person guilty of an offence under this regulation could be liable to (i) a fine of up to £50,000 or imprisonment for a term not exceeding 6 months or both; or (ii) to an unlimited fine or imprisonment for a term not exceeding 5 years or both, depending on whether the matter is dealt with in the Magistrates or Crown Court.

### Appeals

Under regulation 31 and Schedule 6 of the 2010 Regulations operators have the right of appeal against the conditions attached to their permit by a variation notice. The right to appeal does not apply in circumstances where the notice implements a direction of the Secretary of State/Welsh Ministers given under regulations 61 or 62 or a direction when determining an appeal.

Appeals against a Variation Notice do not have the effect of suspending the operation of the Notice. Appeals do not have the effect of suspending permit conditions, or any of the mentioned notices.

Notice of appeal against a Variation Notice must be given within **two months** of the date of the variation notification, which is the subject matter of the appeal. The Secretary of State/Welsh Ministers may in a particular case allow notice of appeal to be given after the expiry of this period, but would only do so in the most compelling circumstances.

### How to appeal

There are no forms or charges for appealing. However, for an appeal to be valid, appellants (the person/operator making the appeal) are legally required to provide the Secretary of State or Welsh Minister with the following (see paragraphs 2(1) and (2) of Schedule 6 of the 2010 Regulations):

- **written notice of the appeal**
- **a statement of the grounds of appeal;**
- **a copy of any relevant application;**
- **a copy of any relevant environmental permit;**

- **a copy of any relevant correspondence between the appellant and the regulator;**
- **a copy of any decision or notice which is the subject matter of the appeal;**  
**and**
- **a statement indicating whether the appellant wishes the appeal to be in the form of a hearing or dealt with by way of written representations.**

Appellants should state whether any of the information enclosed with the appeal has been the subject of a successful application for confidentiality under regulation 48 of the 2010 Regulations, and provide relevant details – see below. Unless such information is provided all documents submitted will be open to inspection.

#### Where to send your appeal documents

Appeals should be despatched on the day they are dated, and 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

If an appeal is made, the main parties will be kept informed about the next steps, and will also normally be provided with additional copies of each other's representations.

To withdraw an appeal – which may be done at any time - the appellant must notify the Planning Inspectorate in writing and copy the notification to the local authority who must in turn notify anyone with an interest in the appeal.

#### Costs

The operator and local authority will normally be expected to pay their own expenses during an appeal. Where a hearing or inquiry is held as part of the appeal process, by virtue of paragraph 5(6) of Schedule 6, either the appellant or the authority can apply for costs. Applications for costs are normally heard towards the end of the proceedings and will only be allowed if the party claiming them can show that the other side behaved unreasonably and put them to unnecessary expense. There is no provision for costs to be awarded where appeals are dealt with by written representatives.

#### Confidentiality

An operator may request certain information to remain confidential, i.e. not be placed on the public register. The operator must request the exclusion from the public register of confidential information at the time of supply of the information requested by this notice or any other notice. The operator should provide clear justification for each item wishing to be kept from the register. The onus is on the operator to provide a clear justification for each item to be kept from the register. It will not simply be sufficient to say that the process is a trade secret.

The test of whether information is confidential for the purposes of being withheld from the public register is complex and is explained, together with the procedures, in chapter 8 of the PPC General Guidance Manual.

### National security

Information may be excluded from the public register on the grounds of National Security. If it is considered that the inclusion of information on a public register is contrary to the interests of national security, the operator may apply to the Secretary of State/Welsh Ministers, specifying the information and indicating the apparent nature of risk to national security. The operator must inform the local authority of such an application, who will not include the information on the public register until the Secretary of State/Welsh Ministers has decided the matter.

**POLLUTION PREVENTION & CONTROL ACT 1999  
ENVIRONMENTAL PERMITTING (ENGLAND AND WALES) REGULATIONS 2010**

**DOCUMENT A : PERMIT**

**Malcolm’s Stores Retail Limited**

Reference Number **PPC/134**

Coventry City Council (“the Council”) in accordance with Section 13(1) of the Environmental Permitting (England & Wales) Regulations 2010 (“The Regulations”) hereby permits:

**Malcolm’s Stores Retail Limited**

Whose registered office is:

**Malcolm’s Stores Retail Limited  
Clifford House  
38-44 Binley Road  
Coventry  
CV3 1JA**

To operate a Part B installation, unloading petrol into stationary storage tanks, as prescribed in Section 1.2, Part B (c) of Schedule 1, Part 2 of the Regulations, at:

**Tile Hill Service Station,  
719 Tile Hill Lane,  
Tile Hill,  
Coventry,  
CV4 9HU**

The permit is subject to the conditions specified in this document consisting of 11 pages, Appendix A Maintenance Schedule and including the attached plan PPC/134/A.

Signed.....

**Simon Brake - Assistant Director, Communities & Health  
A person authorised to sign on behalf of the Council**

Dated .....

## **SCOPE**

The installation comprises not just any relevant unit carrying out a Part B activity listed in Schedule 1 to the Regulations, but also directly associated activities which have a technical connection with that activity and which could have an effect on pollution.

All pollutant concentrations shall be expressed at reference conditions of 273K and 101.3kPa, without correction for water vapour content.

Technical Guidance documents used in the preparation of this document:

- Secretary of State's Guidance Note PG 1/14(13) - Secretary of State's Guidance for Unloading of Petrol into Storage at Petrol Stations.
- Secretary of State's Guidance – General Guidance Manual on Policy and Procedures for A2 and B installations (Defra April 2012)

Date Annual Fee Required: 1st April of each financial year

Date For Full Compliance: Date permit issued

Permit Prepared By: Steven Dewar

Permit Checked By: Neil Chaplin

## **LEGISLATION**

1. Pollution Prevention and Control Act 1999.
2. Environmental Permitting (England & Wales) Regulations 2010

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## **BRIEF DESCRIPTION OF THE INSTALLATION REGULATED BY THIS PERMIT**

Definitions referred to in this permit

- An **Activity** is an industrial activity forming part of an installation. Different types of activity are listed within Schedule 1 of the Environmental Permitting Regulations and are broadly broken down into industrial sectors. Other “associated” activities may also form part of an installation.
- An **Installation** comprises not just any relevant unit carrying out a B activity listed within Schedule 1 to the Environmental Permitting Regulations, but also directly associated activities which have a technical connection with a schedule 1 activity and which could have an effect on pollution.
- An **Operator** is the person (e.g. a company or individual) who has control over the operation of an installation.
- **Volatile organic compound (VOC)** shall mean any organic compound having at 293K a vapour pressure of 0.01 kPa or more, or having a corresponding volatility under the particular conditions of use.
- **Organic solvent** shall mean any VOC which is used alone or in combination with other agents, and without undergoing a chemical change, to dissolve raw materials, products or waste materials, or is used as a cleaning agent to dissolve contaminants, or as a dissolver, or as a dispersion medium, or as a viscosity adjuster, or as a surface tension adjuster, or a plasticiser, or as a preservative.
- **Process vent** includes open terminations of ducts.
- **Authorised Officer** shall mean an officer authorised to carry out duties under the Pollution Prevention and Control Act 1999 and subordinate regulations
- **Site Register / Logbook** shall mean any electronic or paper means of storage of the required information as agreed by the regulator
- **Local Authority** shall mean Coventry City Council
- "m" means metre
- "m/s" means metres per second

The location of the petrol storage tank vent pipes is marked in blue on the attached plan PPC/134/A. The Installation boundary is also marked in red on the attached plan PPC/134/A

### **Description of Installation**

Petrol is delivered to the filling station via a road tanker. Petrol is offloaded into storage tanks by a delivery hose under supervision of a competent person. Vapours from the delivery system are controlled by the vapour recovery system.

This service station has 2 petrol storage tanks and 2 diesel storage tanks.

**Table 1**

**List of Process Areas within the Installation and Associated Emission Points, Pollutants of Concern and Abatement Plant Required**

<b>Row Number</b>	<b>Area/Machinery Identification</b>	<b>Pollutants Emitted</b>	<b>Emission Limit in Permit</b>	<b>Abatement Plant Required</b>
<b>1</b>	<b>2 petrol storage tanks (nos. 1 &amp; 3)</b>	<b>VOC's</b>	<b>None</b>	<b>Pressure relief valves and vapour recovery on delivery of fuel</b>

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## CONDITIONS

**All conditions shall have immediate effect unless stated otherwise.**

### **Petrol Delivery**

1. Vapours displaced by the delivery of petrol into storage tanks shall be returned through a vapour-tight connection line to either the mobile container delivering the petrol or a container on the site.
2. Petrol delivery shall only be carried out using the Stage I petrol vapour recovery system and deliveries shall only be made when the system is fully operational.

### **Incident Reporting**

3. In the event of any incident at the site which could have an impact beyond the site boundary, the operator shall notify Council by telephone without delay on 0500 834333 (weekdays 8.30am to 5.00pm) or out of office hours call 024 7683 2222.

### **Management**

4. A copy of this permit shall be kept at the permitted installation. All staff who should be aware of its content shall be told where it is kept.
5. All relevant staff shall receive the necessary training and instruction to enable them to comply with the conditions of this permit.
6. The operator shall notify the Council of any changes to the persons nominated in the application as the primary point of contact, and deputy.
7. The operator shall implement the schedule of preventative maintenance as appended to this Permit in Appendix A.
8. Maintenance and testing of vapour recovery systems shall be recorded.
9. All records made in compliance with this permit shall be kept in a written or computer log book or by using some other systematic method, and shall be clear and legible. If any entry is amended, a clear statement of the reason for doing so shall be included. Unless otherwise stated in this permit, all records required to be taken shall be kept available for inspection for at least **4 years** from the date of its being made. A copy of the manufacturer's instructions referred to in this permit shall be available for inspection on request.

### **Best available techniques**

10. 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.

### **Process changes**

11. If the operator proposes to make a change in operation of the installation, he must, at least 14 days before making the change, notify the regulator in writing. The notification must contain a description of the proposed change in operation. It is not necessary to make such a notification if an application to vary this permit has been made and the application contains a description of the proposed change. In this condition 'change in operation' means a change in the nature or functioning, or an extension, of the installation, which may have consequences for the environment.

### **SUPPORTING NOTES**

These notes do not comprise part of the Permit conditions but contain guidance relevant to the Permit.

Our enforcement of your permit will be in accordance with the Regulators' Compliance Code

### **Inspections and Powers of Entry**

Regular inspections will be carried out by officers of the Council (the Local Authority Inspectors) to check and ensure full compliance with the Permit conditions and residual duties. These inspections may be carried out without prior notice.

Under section 108(6) of the Environment Act 1995 authorised Local Authority Inspectors have been granted powers of entry into any premises for the purposes of discharging relevant duties.

### **Reviews**

The Local Authority has a statutory duty to review the permit at least once every 6 years or in the following circumstances set out in Regulation 34(1) of the Environmental Permitting (England and Wales) Regulations 2010:

- a) The pollution from the installation is of such significance that the existing emission limit values for the permit need to be revised or new emission limit values need to be included in the permit
- b) Substantial changes in BAT make it possible to reduce emissions from the installation or mobile plant significantly without imposing excessive costs; or
- c) Operational safety of the activities carried out in the installation or mobile plant requires other techniques to be used

### **Health and Safety**

This Permit is given in relation to the requirements of the Environmental Permitting (England and Wales) Regulations 2010. It must not be taken to replace any workplace responsibilities the operator has under Health & Safety legislation. Whenever emission limits quoted in this Permit conflict with occupational exposure limits set under the Health and Safety at Work Act 1974 to secure the health, safety or welfare of persons at work, the tighter limit should prevail. The Installation must be operated in order to protect persons at work as well as the environment. In achieving conditions in this Permit the operator must not adopt any course of action that would put at risk the health, safety or welfare of persons at work.

### **Other Statutory Requirements**

This Permit does not detract from any other statutory requirement, such as the need to obtain planning permission, hazardous substances consent, discharge consent from the Environment Agency, building regulations approval, or a waste disposal licence.

This Permit does not authorise a contravention of any other enactment or any order made, granted or issued under any enactment, nor does it authorise a contravention of any rule or breach of any agreement. The Operator is advised to consult the relevant Planning Department regarding changes that may be required as a result of this Permit (e.g. stack heights) as they may require planning permission.

### **Transfer of Permits**

Where the operator of an installation wishes to transfer, in whole or in part, his permit to another person, the operator and the proposed transferee shall jointly make an

application to the regulator to effect the transfer. Such an application shall be accompanied by the permit and any fee prescribed in respect of the transfer. In the case of partial transfer, where the original operator retains part of the permit, the application must make clear who will retain control over the various parts of the installation. The application must include a plan identifying which parts of the site and which activities the operator proposes transferring.

The local authority will then determine whether to allow the transfer within a two-month period, unless the local authority and the applicants agree a longer period.

Where the local authority approves the transfer, the transfer will take effect from the date requested by the operator or a date that may be agreed by the local authority and the applicants.

### **Variation to Permits**

Variation to permits may be initiated either by the local authority or the operator, either in response to changes in the operation of an installation or if new conditions are needed to deal with new matters. Variations may be required in response to the following.

- Change of operation of the installation. (The operator shall notify the local authority under Condition 5.6 of this Permit)
- In response to the findings of a periodic review of conditions.
- In response to the findings of an inspection.
- New or revised sector guidance notes

The operator should apply to the Local Authority in order to vary a permit under Regulation 20(1) of the Regulations. The application must be in writing and, in accordance with Part 1 of Schedule 5 to the Regulations contain:

- The name, address and telephone number of the operator.
- The address of the installation.
- A correspondence address.
- A description of the proposed changes.
- An indication of the variations the operator would like to make.
- Any other information the operator wants the authority take account of.

### **Substantial Change**

A substantial change means, in relation to an installation, a change in operation, which in the opinion of the local authority may have significant negative effects on human beings or the environment.

Where the local authority deems that a proposed variation constitutes a substantial change, the operator will be informed of the process to follow.

### **Noise**

This Permit does not include reference to noise. Statutory noise nuisance is regulated separately under the provisions of Part III of the 1990 Act.

### **Appeals**

An Appeal can be made against the conditions in, or variations to this Permit as per Part IV of the Regulations. Appeals are made to the Planning Inspectorate who acts on behalf of the Secretary of State. Appeals against conditions within a Permit must be submitted within 6 months of the date of issue of the permit.

Appeals against variation notices must be submitted within 2 months of the date of issue of the notice. Appeals should be despatched on the day they are dated and sent to:

The Planning Inspectorate  
Environment Team, Major and Specialist Casework  
Room 4/19 – Kite Wing  
Temple Quay House, 2 The Square  
Temple Quay  
BRISTOL  
BS1 6PN

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## APPENDIX A - Maintenance Schedule Stage I Vapour Recovery Systems

### After Every Delivery:

1. Visual assessment of connection points on tank filling pipes and vapour recovery pipe to ensure that caps are securely fitted and padlocks securely locked.
2. Where dip testing is performed either before or after delivery, dip openings shall be securely sealed immediately after the dip test has been completed.

*A record of these checks shall be made in the site register.*

### Weekly:

Operators shall undertake a weekly check to:

1. Inspect for torn, flattened or kinked hoses.
2. Seals fitted to connection points on tank filling pipes and vapour return pipe shall be inspected at least once per week for signs of wear or damage.
3. The vapour recovery signage shall be checked to ensure all required signage is present, securely fixed and clearly visible. Replace/repair as required.

*A record of the checks along with any findings and corrective action taken shall be made in the site register.*

### Monthly:

1. Padlocks fitted to connection points on tank filling pipes and vapour return pipe shall be inspected for functionality and repaired/ replaced as necessary.

*A record of the checks along with any findings and corrective action taken shall be made in the site register.*

### Annually:

1. Fill pipe adapters and caps shall be checked for wear, damage and freedom of operation. Replace/repair as required.
2. Vapour hose connection points including adapter, poppet valve and cover shall be checked for wear, damage and freedom of operation. Replace/repair/lubricate as required.
3. Pressure vacuum relief valve, flame arresters and gauzes and visible pipe work associated with the vapour recovery system shall be visually inspected for wear and damage. Clean, repair/replace as required
4. Cross contamination ball valves to have plugs removed, and operation of the float valve to be **checked\***.
5. Remove the plug from the drain valve, open the valve to check there is no vapour residue within the system (this is the lowest point).

*A record of the checks along with any findings and corrective action taken shall be made in the site logbook.*

**\*Not always present** – if they are they will be in the manifold system protruding into the underground storage tanks from the Stage I vapour return

line. When the storage tank becomes full, the valve seats, restricting the flow of vapours back to the tanker, or through the vent.

**Every Three Years: (and following removal or replacement of any of the components required to ensure integrity of the containment system)**

- Usual annual maintenance check plus:

Any pipe work associated with the vapour recovery system, including petrol delivery lines, vapour recovery lines and vent pipes is to be inspected for wear, damage, vapour containment and freedom of operation. This shall also include testing of the pressure relief valve for correct pressure release.

1. Vapour recovery manifold to be disconnected from vent stack and the vapour recovery lines to be capped off.
2. Valve to be disconnected from vapour recovery line and test valve connected to pipe work
3. Line to be pressure tested at 10 lb psi for duration of 30 minutes
4. Pressure to be monitored during duration of the test and once test completed, the pressure released and the system reconnected.
5. Pressure vacuum relief valve to be checked for correct functioning including seating, obstruction, corrosion and clean operation.
6. Examination of vapour adapter for correct operation.
7. Examination of vapour adapters cap, arm, padlock and seal
8. Examination of information signs and tags.

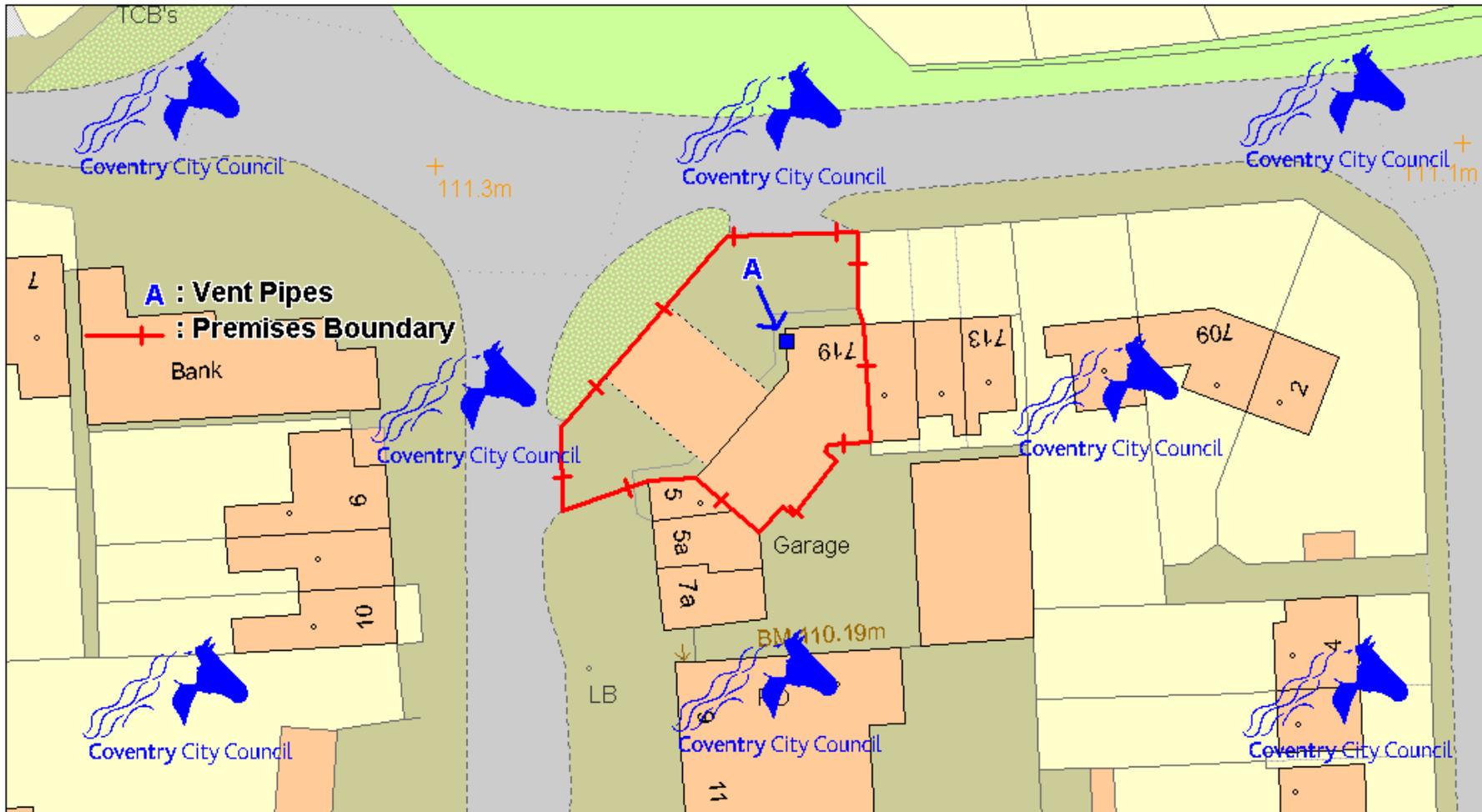
*Test certificates to be completed by the contractor and copies placed in the site register.*

**Every Five Years:**

- Usual annual maintenance check plus:
  1. Offset fill lines, vents and the suction lines including vapour recovery system to be tested for vapour containment and integrity in accordance with the petroleum regulations.
  2. Strip out, clean and inspect the flame arrestor and return couplings.
  3. Perform a visual inspection of the non-return ball valves on the vapour manifold (if applicable) – clean and check operation.

*Test certificates to be completed by the contractor and copies placed in the site register.*

## Plan PPC/134/A Tile Hill Service Station



City Services Directorate  
 Environmental Health  
 Environmental Protection  
 Broadgate House, Broadgate  
 Coventry, CV1 1NH

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