



PPC Permit ref: 105
Variation ref: 105/2

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

Variation Notice

To WM Morrisons Supermarkets
Hilmore House
Gain Lane
Bradford
BD3 7DL

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 2010¹ ("the 2010 Regulations") hereby gives you a notice as follows-

The Council has decided to vary the conditions of permit reference PPC 105 granted under regulation 13(1) of the 2010 Regulations in respect of the operation of the installation at Morrisons, Skipworth Road, Binley, Coventry, CV3 2AX.

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...26th January 2015.....

Zoe Carey, Environmental Protection Officer
An authorised officer of the Council

¹ SI 2010 No.675

PPC Permit ref: 105
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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 105 issued August 2005 are hereby deleted and replaced with the new attached simplified permit dated 26 th January 2015.	26 th January 2015

Signed on behalf of Coventry City Council

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Date... 26th January 2015.....

Zoe Carey, Environmental Protection 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 (as amended)**

Permit reference Number: PPC 105

Company NAME and ADDRESS (A) authorised to operate the installation:	Address of permitted installation (B):
WM Morrisons Supermarkets Hilmore House Gain Lane Bradford BD3 7DL	Morrisons Skipworth Road Binley Coventry CV3 2AX

The installation boundary and key items of equipment mentioned in permit conditions are shown on the plans attached to this permit within Appendix B. This permit consists of 10 pages.

Activity Description

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

The service station has 2 petrol storage tanks and 3 diesel storage tanks.

This petrol station is designed to a **Stage II** standard.

Variation Log

<i>Details</i>	<i>Date</i>	<i>Comment</i>	<i>Details</i>	<i>Date</i>	<i>Comment</i>
Permit Issued	August 2005	-	-	-	-
Variation 001	01/01/2010	-	-	-	-
Variation 002	26/01/2015	-	-	-	-

CONDITIONS

The company (A) is authorised to operate the activity at the installation (B) subject to the following conditions:

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 II petrol vapour recovery system and deliveries shall only be made when the system is fully operational.

Motor Vehicle Refuelling

3. Motor vehicle refuelling with petrol shall only take place when the Stage II petrol vapour recovery system is fully operational and operating in accordance with the requirements of Condition 4.
4. The petrol vapour capture efficiency of the Stage II petrol vapour recovery system shall be equal to or greater than 85% but less than 115% as certified by the manufacturer in accordance with relevant European technical standards or type approval procedures.
5. Where the recovered petrol vapour is transferred to a storage tank, the vapour/petrol ratio shall be equal to or greater than 0.95 but less than or equal to 1.05.
6. Where an automatic monitoring system has been installed, the petrol vapour capture efficiency shall be tested and the results recorded at least once every three years by checking that the vapour/petrol ratio under simulated petrol flow conditions, or by any other appropriate methodology. Any such automatic monitoring system shall automatically detect faults in the proper functioning of the Stage II petrol vapour recovery system and in the automatic monitoring system itself, indicate faults to the operator and automatically stop the flow of petrol from any faulty dispenser if the fault is not rectified within seven days.
7. Where automatic monitoring systems have not been installed the in-service petrol vapour capture efficiency of the Stage II petrol vapour recovery systems shall be tested the results recorded at least once a year by checking that the vapour/petrol ratio under simulated petrol flow conditions, or by any other appropriate methodology.
8. Where automatic monitoring systems have not been installed a weekly functionality check shall be undertaken to verify the operation of the vapour recovery system.
9. A sign, sticker or other notification shall be displayed on, or in the vicinity of, the petrol dispenser, informing consumers that a Stage II petrol vapour recovery system is in use.

Incident Reporting

10. 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 834 333 08:30 – 18:00hrs (Monday – Friday)

All other times: **02476 7683 2222**

Management

11. 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.
12. All relevant staff shall receive the necessary training and instruction to enable them to comply with the conditions of this permit.
13. The operator shall notify the Council of any changes to the persons nominated in the application as the primary point of contact, and deputy.
14. The operator shall notify the Council in writing of any changes to the installation at least 14 days in advance.
15. Maintenance and testing of the vapour recovery system shall be recorded.
16. The operator shall implement the schedule of preventative maintenance as appended to this Permit in Appendix A.
17. 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

18. 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.

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

HMSO Publications

All HMSO publications can be ordered by telephone on Tel: 0870 600 5522, Fax: 0870 600 5533 or email: book.orders@tso.co.uk website: www.tso.co.uk

APPENDIX A - Maintenance Schedule Stage II 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:

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.

Stage II Controls

These shall be tested in accordance with the manufacturer's specifications prior to commissioning and for:

1. Vapour containment integrity
2. Effectiveness of the vapour recovery system.

At least once per year unless an automatic monitoring system is in place, in which case testing can be reduced to once every 3 years.

Every Three Years:

Usual annual maintenance check plus:

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

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

Stage II Controls

Petrol delivery and vapour recovery systems for vehicle petrol tanks shall be tested in accordance the manufacturer's specifications prior to commissioning and for:

1. Vapour containment integrity.
2. Effectiveness of the vapour recovery system. (NB this should be done annually unless and automatic monitoring system is in place).

For open active vapour recovery systems: Measure the ratio of the volume of vapour recovered to liquid petrol dispensed i.e. vapour/petrol (V/P) ratio by simulating the dispensing of petrol using measuring equipment approved for use in any European Union or European Free Trade Association Country.

Measure the volume of air recovered with fuel flow simulated at the dispenser and read electronically using the approved measuring equipment. This provides the ratio of air recovered to liquid dispensed (air/liquid ratio) which should then be corrected to provide the V/P ratio using an appropriate factor to account for the difference in viscosity between petrol vapour and air ('k-factor).

The V/P ratio shall be at least 95% and where the vapours are recovered into the fuel storage tank, not greater than 105% to avoid excessive pressure building up and consequently release through the pressure relief valves.

For any other system test in accordance with the manufacturer's specification and retain details of this testing in the log book.

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

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.

Appendix B – Site Map



Place Directorate, Environmental Health,
 Coventry City Council Room 311,
 Broadgate House, Coventry, CV1 1NH
 Tel: 0500 834 3333
 Fax: 024 7683 1840

