

Classification: OFFICIAL

**Local Air Pollution Prevention and Control
(LAPPC)**



Chiltern & South Bucks District Council

**Permit to Operate
Stage I Vapour Recovery**

CDC Ref No: H418/1/70/P233
New CDC Ref: **H418/1/70/P233/19/TFR**
Process Guidance Note: 1/14 (13)

**Issued by:
CHILTERN & SOUTH BUCKS DISTRICT COUNCIL**

POLLUTION PREVENTION AND CONTROL ACT 1999

POLLUTION PREVENTION AND CONTROL REGULATIONS 2000, SI 1973 (AS AMENDED)

ENVIRONMENTAL PERMITTING (ENGLAND & WALES) REGULATIONS 2016



Original application received : 3rd August 2005
Permit updated : 7th January 2010
Permit transferred: 21st September 2011, 22nd May 2013 and 24th January 2019. 2018

| | |
|-----------------------------|------------------------------|
| Permit Reference No: | H418/1/70/P233/19/TFR |
|-----------------------------|------------------------------|

| | |
|-----------------------------------|-----------------------------------|
| Date Application Received: | 3rd August 2005 |
|-----------------------------------|-----------------------------------|

| | |
|--------------------------------------|--|
| Name and address of Operator: | <p>Motor Fuel Limited 36 – 38 Upper Marlborough Road Gladstone Place St Albans Hertfordshire AL1 3UU Company Reg No: 05206547</p> |
|--------------------------------------|--|

| | |
|--|---|
| Address of permitted installation | <p>Esso Amersham Service Station Amersham Road Chesham Buckinghamshire HP5 1NG</p> |
|--|---|

Motor Fuel Limited ("the Operator") is hereby permitted by **Chiltern & South Bucks District Council** ("the Regulator") to operate an installation unloading of petrol into stationary storage, and motor vehicle refuelling, at service stations, at the service station above, subject to compliance with the following conditions. The service station has **3** petrol storage tanks and **3** diesel storage tanks; comprising of the following storage tank information: **Tank 1 (Unleaded) – 44,265 litres = 44.2m³, and Tank 2 (Supreme Unleaded Petrol) – 22,137 = 22.1m³ and 1 X tank for Diesel which is separately vented.**

All operating staff responsible for supervising and performing unloading operations should have seen and be conversant with the procedures and those Conditions 1 –15 below and ensure that they are followed.

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 I** 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 I** petrol vapour recovery system is fully operational and operating in accordance with the requirements of Condition 4 below.
4. 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 I** 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.
5. Where automatic monitoring systems have not been installed the in-service petrol vapour capture efficiency of the **Stage I** 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.
6. Where automatic monitoring systems have not been installed a weekly functionality check shall be undertaken to verify the operation of the vapour recovery system in accordance with its **Stage I** status..
7. A sign, sticker or other notification shall be displayed on, or in the vicinity of, the petrol dispenser, informing consumers that a **Stage I** petrol vapour recovery system is in use.

Incident Reporting

8. 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 01494 732 058 and follow us with an email to envhealth@chilternandsouthbucks.gov.uk

Management

9. A copy of this permit shall be kept at the permitted installation. All staff that should be aware of its content shall be told where it is kept.

Classification: OFFICIAL

10. All relevant staff shall receive the necessary training and instruction to enable them to comply with the conditions of this permit.

11. The operator shall notify the Council of any changes to the persons nominated in the application as the primary point of contact, and deputy.

12. Maintenance and testing of vapour recovery systems shall be recorded.

13. 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.

14. Records of Total annual throughput of petrol (i.e. total volume received and total volume sold) shall be compiled, as single figures and forwarded to the Regulator by 31st March annually.

Best available techniques

15. 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

16. 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.

17. All conditions 1 – 16 above shall be complied with forthwith.

Right to appeal

You have the right of appeal against this permit within 6 months of the date of the decision. The Council can tell you how to appeal [*or supply details with the permit*]. You will normally be expected to pay your own expenses during an appeal.

You will be liable for prosecution if you fail to comply with the conditions of this permit. If found guilty, the maximum penalty for each offence if prosecuted in a Magistrates Court is £50,000 and/or 6 months imprisonment. In a Crown Court it is an unlimited fine and/or 5 years imprisonment.

Esso Amersham Road, Chesham

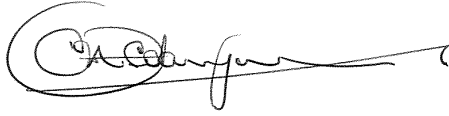
Permit Ref: H418/1/70/P233/19/TFR

Date: 8th February 2019

Classification: OFFICIAL

Classification: OFFICIAL

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



Signed:

Date: 8th February 2019

Olu Sokoya
Senior Environmental Protection Officer
(Authorised by Chiltern & South Bucks District Council to sign in their behalf.)



Signed:

Date: 8th February 2019

Ben Coakley
Environmental Health Manager
(Authorised by Chiltern & South Bucks District Council to sign in their behalf.)

Appendices

Appendix 1 - H418/1/70/P233/19/TFR – Site Plan

Explanatory Note

1. You should note that under Regulation 12(10) – (11) of the Pollution Prevention and Control (England & Wales) Regulations 2000, there is an implied duty on the operator to use BAT to prevent or reduce emissions that are not covered by your specific permit conditions. This is intended to cover the most detailed level of plant design and operation where, in particular, the operator will usually be in the best position to understand what pollution control means for an installation in practice.

Regulation 3(1) of the Pollution Prevention and Control (England & Wales) Regulations 2000, defines BAT as '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 principles the basis for emission limit value designed to prevent and, where that is not practicable, generally to reduce emissions and the impact of the environment as a whole'.

The Local Authority Pollution Control, which covers installations known as part B installations, is concerned with preventing, or where that is not practicable, reducing emissions into the air.

2. This Permit is given in relation to the requirements of the Pollution Prevention and Control Act 1999. It must not be taken to replace any responsibilities you may have under Workplace Health and Safety legislation. The permit does not detract from any other statutory requirement such as the need to obtain planning permission, building regulation approval, Environment Agency discharge consent, hazardous substances consent or a waste disposal licence. (This list is for example only and is not exhaustive)
3. Advice on notification of changes to an installation, which may either be relevant or substantial, can be found in Chapter 24 of the General Guidance Manual on Policy and Procedures for A2 and B Installations. Operators will be liable to enforcement action if they make a change without approval which is such that either the process (as changed) is no longer the process which is permitted or a condition of the permit is not being complied with as a result of the change being made.
4. The process operator may retain non current log books offsite, provided these are made available for inspection within one working day.
5. A competent person is one who is able to follow the procedures for safe operation for petrol unloading operations laid down in the petroleum licence conditions and in the Carriage of Dangerous Goods by Road Regulations (1996, SI2095).

A competent person shall have received sufficient theoretical training and practical instruction in order to enable them to undertake their duties in respect of petrol unloading operations and using (or supervising the use of) and maintaining vapour balancing controls, and actions to be taken in the event of a vapour leak.

Appeals

Types of appeal

- a) refusal or deemed refusal to grant a permit
- b) refusal of an application for a variation
- c) if the operator disagrees with the conditions imposed by the authority as a result of a permit application or an application for a variation notice
- d) refusal of an application to transfer a permit, or if the operator disagrees with the conditions imposed by the authority to take account of such transfer
- e) refusal of an application to surrender a permit, or if the operator disagrees with the conditions imposed by the authority to take account of such surrender
- f) the service of a variation notice (not following an application by the operator), a revocation notice, an enforcement notice, or a suspension notice on the operator.

Appeals under point c) – e) in paragraph above **do not stop** the conditions coming into effect. Appeals against variation, enforcement and suspension notices **do not stop** the notices coming into effect. Appeals against revocation notices **do** suspend the operation of the notices coming into effect until the appeal is decided or withdrawn.

Anyone who is aggrieved by the conditions attached to a permit can appeal to the Secretary of State for Environment, Food and Rural Affairs. Appeals must be received by the Secretary of State no later than 6 months from the date of the permit or 2 months from the date of any Variation (the date on the bottom of the permit).

Appeals should be received by the Secretary of State for Environment, Food and Rural Affairs. The address is as follows:-

**The Planning Inspectorate
Environmental Pollution Appeals
Room 4/19 Temple Quay House
2 The Square, Temple Quay
BRISTOL
BS1 6PN**

Tel: 0117 372 8812

Fax: 0117 372 6093

Classification: OFFICIAL

The appeal must be in the form of a written notice or letter stating that the person wishes to appeal and listing the condition(s) which is/are being appealed against. The following items must be included:

- (a) a statement of the grounds of appeal;
- (b) a copy of any relevant application;
- (c) a copy of any relevant permit;
- (d) a copy of any relevant correspondence between the person making the appeal ("the appellant") and the regulator;
- (e) a copy of any decision or notice which is the subject matter of the appeal; and
- (f) a statement indicating whether the appellant wishes the appeal to be dealt with by written representations procedure or a hearing — a hearing must be held if either the appellant or enforcing authority requests this, or if the Planning Inspector or the Secretary of State decides to hold one.

At the same time, the notice of appeal and documents (a) and (e) must be sent to the Council, and the person making the appeal should inform the Secretary of State that this has been done.

Guidance on the appeal procedures is contained in " Secretary of State's Guidance — General Guidance Manual on Policy and Procedures for A2 and B installations "; available from HMSO, price £18, ISBN 0-85521-028-1.

Please Note

On determination the Inspector or Secretary of State, if the case is recovered, can affirm or quash decisions, conditions and notices and can direct the local authority to grant and vary conditions of a permit. The Secretary of State can give directions as to the conditions to be attached to the permit. The Inspector can give directions on the Secretary of States behalf.

Process Guidance

This permit has been prepared with regard to the Secretary of State's Guidance for Unloading of Petrol into Storage at Petrol Stations, Process Guidance Note 1/14(13). This is available, free of charge, via Defra at www.defra.gov.uk/environment/airquality/lapc/ or printed copies are available from Defra publications by telephoning 08459 556000.

Strategic Environment Team
Chiltern & South Bucks District Council
Council Offices
King George V Road
Amersham

Esso Amersham Road, Chesham

Permit Ref: H418/1/70/P233/19/TFR

Date: 8th February 2019

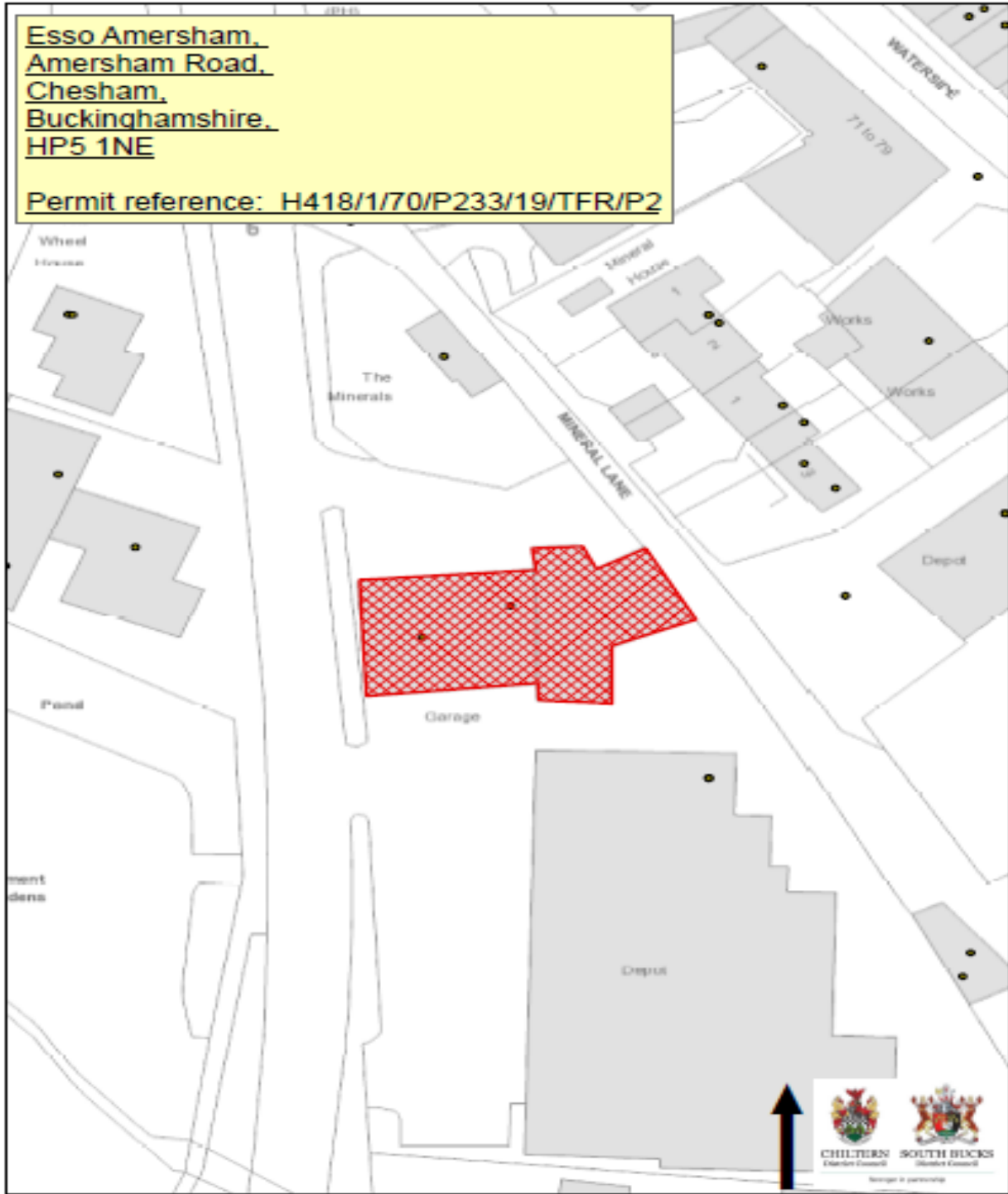
Classification: OFFICIAL

Classification: OFFICIAL

**Buckinghamshire
HP6 5AW**

H418/1/70/P233/19/TFR – Denotation of address

Appendix 1



This map is reproduced from Ordnance Survey material with the permission of the Ordnance Survey on behalf of the Controller of Her Majesty's Stationery Office. © Crown copyright. Unauthorised reproduction infringes Crown copyright and may lead to prosecution or civil proceedings. 100023578. 2009.