

**CHARNWOOD BOROUGH COUNCIL****POLLUTION PREVENTION AND CONTROL ACT 1999  
ENVIRONMENTAL PERMITTING (ENGLAND AND WALES)  
REGULATIONS 2010 (As Amended)****PERMIT REF. NO. 136**

Charnwood Borough Council hereby permits, under regulation 13 of the Environmental Permitting (England and Wales) Regulations 2010 (as amended)

**Shell UK Ltd**

whose registered office is:

**Shell Centre, York Road, London SE1 7NA**

The unloading of petrol into storage and the filling of vehicle petrol tanks at service stations at:

**Shell Thurcaston, Leicester North Services, Birstall, Leicester LE4 3BT**

(National Grid Ref: SK 590106 and shown in Appendix 1)

subject to the conditions outlined in this document. The conditions contained herein shall apply from the date of the Permit unless otherwise stated.

| Name       | Date          |
|------------|---------------|
| Helen Mark | 11 March 2015 |

Authorised on behalf of Charnwood Borough Council

Permit issued by:  
Regulatory Services, Environmental Protection Southfields, Southfields Road,  
Loughborough, Leicestershire LE11 2TX

### **Activity description**

**The unloading of petrol into storage tanks at a service station. The process comprises the following: Four storage tanks, including two diesel, delivery and vapour return hoses, vapour recovery system and tank vapour release point.**

### **Conditions**

The Operator is authorised to operate the activity<sup>1</sup> at the installation 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 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 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.

<sup>1</sup> listed in Section 1.2 Part B in Part 2 of Schedule 1 to the Environmental Permitting Regulations

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 the Council by telephone without delay on 01509 634636.

### **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. Maintenance and testing of vapour recovery systems shall be recorded.
15. 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**

16. 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**

17. 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.



## Explanatory Notes

**These notes do not comprise part of the permit but contain guidance relevant to it.**

### Inspections

Regular inspections will be made by officers of Charnwood Borough Council (without prior notice), in order to check and ensure full compliance with this permit.

### BAT ( Best Available Techniques)

The Permit includes conditions that have to be complied with. It should be noted that aspects of the operation of the installation which are not regulated by conditions of the Permit are subject to the implied condition that the Operator shall use the best available techniques for preventing or, where that is not practicable, reducing emissions from the installation. Techniques include both the technology used and the way in which the installation is designed, built, maintained, operated and decommissioned.

### Change in Operation of the Installation

If you, the operator proposes to make a change in operation of the installation you must at least 14 days before making the change, notify Charnwood Borough Council 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. A 'change in operation' means a change in the nature or functioning, or an extension, of the installation, which may have consequences for the environment.

### Health and Safety at Work and Other Statutory Requirements

The responsibility you have under legislation for Health, Safety and Welfare in the workplace remains in force. In addition, the Permit does not relieve you of your obligations to obtain planning permission, hazardous substances consent, discharge consent from the Environment Agency, Building Regulations approval, Petroleum Licence or some Waste Disposal Licences.

### Submission of Information

Note that the Permit requires the submission of certain information to the Local Authority (LA). In addition, the LA has the power to seek further information at any time under the EP Regulations provided that it acts reasonably.

### Public Registers

Considerable information relating to Permits including the Application is available on public registers in accordance with the EP Regulations. Certain information may be withheld from public registers where it is commercially confidential or contrary to national security. The onus is on the Operator to provide a clear justification for each item to be kept from the register. Applications for information to be excluded from the Public Register on grounds of National Security should be made to the Secretary of State.

### Variations to the Permit

This Permit may be varied in the future (by the LA serving a Variation Notice on the Operator). If the Operator itself wants any of the Conditions of the Permit to be changed, it must submit a formal Application. The Status Log within the Introduction will include summary details of this Permit, variations issued up to that point in time and state whether a consolidated version of the Permit has been issued.

### Surrender of the Permit

Where the Operator intends to cease the operation of an installation (in whole or in part) The LA should be informed in writing, such notification must include the information specified in the EP Regulations.

### Transfer of the Permit or part of the Permit

Before the Permit can be wholly or partially transferred to another person, an Application to transfer the Permit has to be made jointly by the existing and proposed holders. A transfer will be allowed unless the LA considers that the proposed holder will not be the person who will have control over the operation of the installation or will not comply with the conditions of the transferred Permit.

### Annual Subsistence Fee

Under the EP Regulations the holder of a permit is required to pay a fee for the subsistence of the permit. This fee is payable annually on 1st April. You are advised that under the provisions of the EP Regulations, if you fail to pay the fee due promptly, Charnwood Borough Council may revoke the permit. You will be contacted separately each year in respect to this payment.

### Talking to us

Please quote the Permit Number if you contact Charnwood Borough Council about this Permit. To contact Charnwood Borough Council please use the telephone number 01509 634636 or any other number notified in writing to the Operator by Charnwood Borough Council for that purpose

### **Right to Appeal**

You have the right of appeal against this permit within 6 months of the date of the decision. You will normally be expected to pay your own expenses during an appeal.

Appeals must be made in accordance with the requirements of Regulation 31 and Schedule 6 of the EP Regulations and should be addressed as follows:-

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

An appeal brought under Regulation 31(b)(1) in relation to the conditions in a permit will not suspend the effect of the conditions appealed against: the conditions must still be complied with.

There are no forms or charges for appealing. However for an appeal to be valid, appellants are legally required to provide information as detailed in paragraphs 2(1) and (2) of Schedule 6 of the EP Regulations, namely:

- i. A statement of the grounds of appeal
- ii. A copy of any relevant permit
- iii. A copy of any relevant correspondence between the appellant and the regulator
- iv. 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.

At the same time, the notice of appeal and documents (i) and (iv) must be sent to the Council.

In determining an appeal against one or more conditions, the Regulations allow the Inspector or Secretary of State to affirm or quash conditions or to add new conditions.

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 month imprisonment. In a Crown Court it is an unlimited fine and/or 5 years imprisonment.

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