

# Environmental Permit

Pollution Prevention and Control Act 1999  
Environmental Permitting (England and  
Wales) Regulations 2010



**Sainsburys Supermarkets Ltd**  
**Fifth Avenue Filling Station**  
**Harlow**  
**Essex**  
**CM20 2AG**

Permit reference  
**EPR/B/1/14/Sainsbury**

## Contents

Introductory note  
Permit Conditions:  
Petrol delivery  
Motor vehicle refueling  
Incident reporting  
Best available techniques  
Process changes  
Right of appeal

## Status Log

Detail	Date	Comment
Date first authorised	22 <sup>nd</sup> December 1998	EPA
Revised permit issued	8 <sup>th</sup> February 2006	EPR Permit
Permit variation	19 <sup>th</sup> February 2010	Stage II Variation
Revised permit issued	5 <sup>th</sup> December 2014	PG 1/14 (13) revisions

## Introductory Note

***This introductory note does not form part of your Environmental Permit conditions, however it does provide useful information about the Environmental Permitting Regulations:***

The following Permit is issued under Regulation 13(1) of the Environmental Permitting (England and Wales) Regulations 2010 (S.I 2010 No.675), (“the EPR”) to operate a scheduled installation carrying out an activity, or activities covered by the description in section 1.2 B (c) (d) of Part 2 to Schedule 1 of the EPR, to the extent authorised by the Permit.

Conditions within this Permit detail Best Available Techniques (BAT), for the management and operation of the installation, to prevent, or where that is not practicable, to reduce emissions.

In determining BAT, the Operator should pay particular attention to relevant sections of the LAPPC Process Guidance note [PG 1/14 (13)] and any other relevant guidance. Techniques include both the technology used and the way in which the installation is designed, built, maintained, operated and decommissioned.

Note that the Permit may require the submission of certain information to the Regulator and in addition, the Regulator has the power to seek further information at any time under Regulation 60 of the EPR Regulations provided that the request is reasonable.

### Public Registers

Information relating to Permits is available on public registers in accordance with the EPR. Certain information may be withheld from the public registers where it is commercially confidential or if it is in the interest of national security to do so.

### Variations to the Permit

The Regulator may vary the Permit in the future, by serving a variation notice on the Operator. Should the Operator want any of the conditions of the Permit to be changed, a formal application must be submitted to the Regulator (the relevant forms are available from the Regulator). The Status Log that forms part of this introductory note 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.

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

Before the Permit can be wholly or partially transferred to another Operator, an application to transfer the Permit must be made jointly by the existing and proposed Operators. A transfer will not be approved if the Regulator is not satisfied that the proposed Permit holder will be the person having control over the operation of the installation, or will not comply with the conditions of the transferred Permit. In addition, if the Permit authorises the Operator to carry out a specified waste management activity, the transfer will not be approved if the Regulator does not consider the proposed Permit holder to be a ‘fit and proper person’ as required by the EPR.

### Talking to us

Please quote the permit number if you contact the Regulator about this permit. The regulator may be contacted by telephone by calling **01279 446111**, by email at [env.health@harlow.gov.uk](mailto:env.health@harlow.gov.uk) or in writing to; Harlow Council, The Water Gardens, Harlow, Essex. CM20 1WG.

# Environmental Permit



**Permit Reference: *EPR/B/1/14/Sainsbury***

*Harlow Council* ("the Regulator") in exercise of its powers under Regulation 13(1) of the Environmental Permitting (England and Wales) Regulations 2010 (SI 2010 No 675), hereby authorises Sainsburys Supermarkets Limit ("the Operator") to operate an installation at:

**Sainsburys, Fifth Avenue Filling Station  
Harlow  
Essex  
CM20 2AG**

To the extent authorised by and subject to the conditions of this Permit.

Registered number and office of company  
Sainsburys Supermarkets Limited  
33 Holborn  
London  
EC1N 2HT  
Company registration number 3261722

Signed

5<sup>th</sup> December 2014

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**Norah F Nolan  
Environmental Health Manager  
The Authorised Officer for this purpose**

Harlow Council, Environmental Health Services, Civic Centre, The Water Gardens, Harlow, Essex CM20 1WG. Tel. 01279 446111 Fax. 01279 446767

**Description of the Process.** The unloading of petrol from mobile containers into stationary storage tanks and motor vehicle refueling. The installation comprises 7 tanks;

Storage tank 1	38,868 litre capacity, unleaded
Storage tank 2	38,868 litre capacity, super unleaded
Storage tank 3	38,868 litre capacity, city diesel
Storage tank 4	38,868 litre capacity, unleaded
Storage tank 5	38,868 litre capacity, super unleaded
Storage tank 6	38,868 litre capacity, unleaded
Storage tank 7	38,868 litre capacity, city diesel

Vapours displaced during the delivery of petrol into stationary storage tanks are returned through a vapour tight connection line into the mobile container. The offloading procedure is designed to minimise vapour losses and is undertaken in accordance with a written procedure by trained operatives. Key arrestment plant includes delivery and vapour return hoses and appropriately weighted pressure vacuum relief valves fitted to petrol vent pipes.

Vapours displaced during motor vehicle refueling are minimised by use of dispensing equipment designed to capture vapours when petroleum fuel is dispensed. The equipment comprises a 'manual open active recovery system'. The system is monitored periodically by management/staff and reported in the event of a fault occurring.

## 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 (as described in Sainsbury Stage 1B vapour recovery details of operation documentation) 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 Wayne Dresser 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 01279 446111, 01279 446655 or 01279 446666.

### **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.

## 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.

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. Our enforcement of your permit will be in accordance with the [Regulators' Compliance Code](#)

Where any condition of this Permit refers to the whole or parts of different documents, in the event of any conflict between the wording of such documents, the document with the most recent publication date shall be taken to be the most appropriate document to be used.

Appeals relating to installations in England should be received by the Secretary of State for Environment, Food & Rural Affairs. The address is as follows;

The Planning Inspectorate  
Environment Team, Major and Specialist Casework  
Room 4/04 – Kite Wing  
Temple Quay House  
2 The Square  
Temple Quay  
Bristol, BS1 PN

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 five items must be included;

- (a) A statement of the ground 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 Council;
- (e) A statement indicating whether the appellant wishes the appeal to be dealt with.
  - By a hearing attended by both parties and conducted by an inspector appointed by the Secretary of State; or
  - By both parties sending the Secretary of State written statements of their case (and having the opportunity to comment upon one another’s statements).

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 appropriate Secretary of State that this has been done.

- An appeal will not suspend the effect of the conditions appealed against; the conditions must still be complied with.
- In determining an appeal against one or more conditions, the Act allows the Secretary of State in addition to quash any of the other conditions not subject to the appeal and to direct the local authority to either vary any of these conditions or to add new conditions.

## Interpretations and Explanatory Notes

***These interpretations and explanatory notes does not form part of your Environmental Permit conditions, however they do provide useful information about the Environmental Permitting Regulations:***

In relation to this Permit, the following expressions shall have the following meanings:

<i>“Activity”</i>	An activity listed in Part 2 of Schedule 1 to the EP Regulations which will form part of an EP installation or be a mobile plant
<i>“The EPR / EP Regulation”</i>	Means the Environmental Permitting (England and Wales) Regulations 2010 S.I. 2010 No.675 (as amended) and words and expressions defined in the EPR shall have the same meanings when used in this Permit save to the extent they are explicitly defined in this Permit.
<i>“Change in Operation”</i>	In relation to an installation or mobile plant, a change in its nature or functioning or an extension which may have consequences for the environment.
<i>“Enforcement notice”</i>	A notice served by a local authority to enforce compliance with the permit conditions or require remediation of any harm following a breach of any condition.
<i>“Installation”</i>	A stationary technical unit where one or more activities listed in Part 2 of Schedule 1 to the EP Regulations are carried out and any other location on the same site where any other directly-associated activities are carried out. and any activities that are technically linked. The terms 'regulated facility' and 'installation' are, in effect, interchangeable for A(2) and B activities.
<i>“Operator”</i>	The person who has control over the operation of the installation/regulated facility (EP Regulation 7).
<i>“Permit”</i>	A permit granted under EP Regulation 13 by a local authority allowing the operation of an installation subject to certain conditions.
<i>“Pollution”</i>	Any emission as a result of human activity which may be harmful to human health or the quality of the environment, cause offence to any human senses, result in damage to material property, or impair or interfere with amenities and other legitimate uses of the environment (EP Regulation 2(1)).
<i>“Revocation notice”</i>	A notice served by the Regulator under EP regulation 22 revoking all or part of a permit.
<i>“Permitted Installation”</i>	Means the activities and the limits to those activities described in this Permit.
<i>“Monitoring”</i>	Includes the taking and analysis of samples, instrumental measurements (periodic and continual), calibrations, examinations, tests and surveys.
<i>“MCERTS”</i>	Means the Environment Agency's Monitoring Certification Scheme.
<i>“Fugitive Emission”</i>	Means an emission to air or water (including sewer) from the Permitted installation that is not controlled by an emission limit imposed by a condition of this Permit.
<i>“Regulator”</i>	Means any officer of Hertsmere Borough Council who is authorised under Section 108(1) of the Environment Act 1995 to exercise, in accordance with the terms of any such authorisation, any power specified in Section 108(1) of that Act.
<i>“Best Available Techniques (BAT)”</i>	<p>Best available techniques 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 practical, generally to reduce emissions and the impact on the environment as a whole.</p> <p>For those purposes:</p> <p>"Available techniques" means those techniques 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;</p> <p>"Best" means, in relation to techniques, the most effective in achieving a high general level of protection of the environment as a whole;</p> <p>"Techniques" includes both the technology used and the way in which the installation is designed, built, maintained, operated and decommissioned. Schedule 2 of the Regulations shall have effect in relation to the determination of best available techniques.</p>