



MALDON DISTRICT
COUNCIL

Environmental Permit

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

Installation address:	Loamylands Farm Loamy Hill Road Tolleshunt Major Maldon Essex CM9 8LS
Operator:	Mr B Appleton (trading as B.G Appleton (Contracts)) Loamylands Farm Loamy Hill Road Tolleshunt Major Maldon Essex CM9 8LS
Permit reference:	MLD/EPR/MP/005

Status log

Detail	Date	Comment
Application	5 th January 2009	Duly made
First Permit	9 th April 2009	PPC Permit
Second Permit	3 rd October 2009	EPR Permit
Third Permit	23 rd January 2011	Crusher changed

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Introductory Note

This introductory note does not form part of your Environmental Permit conditions, however it does provide useful information about your obligations under 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 3.5 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 (PG3/16(04)), 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 requires 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, including the application, 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 has to 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. To give a notification under condition 5.1, the Operator should telephone **01621 875817** or any other number notified in writing by the Regulator for that purpose.

Environmental Permit



Permit Reference Number: MLD/EPR/MP/005

Maldon District 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 **Mr B Appleton (trading as B.G Appleton (Contracts))** ("the Operator").

Of:

**Loamylands Farm
Loamy Hill Road
Tolleshunt Major
Maldon
Essex
CM9 8LS**

to operate a mobile activity to the extent authorised by and subject to the conditions of this Permit.

Signed



Dated this day

23rd January 2011

**Shirley Hall
Senior Environmental Health Officer
The Authorised Officer for this purpose**

Environment Services, Maldon District Council, Princes Road, Maldon, Essex CM9 5DL.
Tel. 01621 875817 Fax. 01621 875899

Conditions

1. General conditions

1.1 Permitted activities

1.1.1 The Operator is permitted to carry out the following activities:

- The crushing and screening of bricks, tiles and concrete with machinery designed for the purpose (Part 2 to Schedule 1, Section 3.5 B(c) & (d), 'other mineral activities' of the Environmental Permitting (England and Wales) Regulations 2010 ('the EPR') as described, and in accordance with the conditions contained in this permit.

And the following associated activities:

- Storage of waste bricks, tiles or concrete which is intended to be crushed at the place where crushing is carried on (Schedule 3, Part 1 paragraph 24 to the Environmental Permitting (England and Wales) Regulations 2007).
- Crushing and screening activities where T5 and T7 exemptions would otherwise apply.

This Permit shall be subject to replacement, variation or amendment as may be considered appropriate by Maldon District Council, at any time, according to the provisions of Regulation 20 of the EPR.

1.2 Mobile plant

1.2.1 **Mr B Appleton (trading as B.G Appleton (Contracts))** operates the following mobile crushing and/or screening equipment. The crusher is transported to demolition and/or construction sites nationally, and is used to crush demolished buildings and structures to produce hardcore and infill material. Crushed materials may be stockpiled on site prior to re-use, or may be transported from site to other construction projects. The crushed material may be screened according to the required specification using a single or multi-way mechanical screen. Screened material (stockpiled according to grade prior to dispatch from site for re-use in construction (and similar) projects or may be re-used on site as hardcore and infill material. The mobile plant comprises:

Make	Model	Serial number
Rubblemaster	RM70	RM70 0017

1.2.2 The Operator is permitted to store waste bricks, tiles or concrete intended for crushing at the place of production in accordance with the following requirements:

- a) the total quantity of such waste stored at that place at any time shall not exceed 20,000 tonnes; and
- b) where the crushing is carried on otherwise than at the place where such waste is produced, the crushing is carried on with a view to the recovery or reuse of the waste.

In this condition, 'crushing' means crushing, grinding or other size reduction under an environmental permit to the extent it is an activity within paragraph (a) of Part B of Section 3.5 of Part 2 of Schedule 1.

1.3 Operational changes

1.3.1 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.

Operating conditions

2.1 Best available techniques

- 2.1.1 The installation shall, subject to the conditions of this Permit, be operated using the techniques, and in the manner described in the documentation submitted in the Permit application, or as otherwise agreed in writing by the Regulator in accordance with condition 1.3.1 of this Permit.
- 2.1.2 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 activity which is not specifically regulated by any condition of this permit.

2.2 Mobile plant movement notification conditions

- 2.2.1 Wherever practicable, the Operator shall notify the Regulator in writing not less than 48 hours before the plant and equipment permitted by this environmental permit is moved to another location. All notifications made under this condition shall include details of the proposed new operating location. All notifications made under this condition shall:
- a). Include details of the proposed new operating location, and shall;
 - a). Be made to the address given on page 1 of this permit.
- 2.2.2 A copy of this Permit shall be carried with the mobile plant at all times, and shall be made available to the Local Authority Regulator within whose boundary the mobile plant is situated.

2.3 Reporting conditions

- 2.3.1 The information detailed in table 2.3.1 shall be forwarded to the Regulator at the specified frequency:

Table 2.3.1	
Information required	Frequency at which the information must be sent
A summary of maintenance and servicing carried out in accordance with condition 2.6.1 for the previous 12 months.	Annually, by the 1 st March.

2.4 General operating conditions

2.4.1 Emission limits to air

- 2.4.1.1 The limits for emissions to air for the parameters set out in table 2.4.1.1 shall not be exceeded. Suitable alternative monitoring techniques must be agreed with the Regulator in advance and in writing.

Table 2.4.1.1				
Emission point reference	Parameter	Limit	Monitoring method	Monitoring frequency
Whole activity	Particulate matter	Avoidance of No visible emissions across site boundary	Recorded Operator observations.	On start up and on at least two more occasions each day of operation.

2.4.2 Controlling emissions of particulates from crushing and screening

- 2.4.2.1 Crushers and screens shall be loaded in such a way as to minimise airborne dust emissions.
- 2.4.2.2 Crushers shall be totally contained or fitted with a water suppression system over the crusher aperture.
- 2.4.2.3 Where the use of water as a method of dust suppression is necessary in order to meet the emission limits, it must be used. In such circumstances, and if water of the required pressure is not available for use on the suppression system, then the process must not operate.
- 2.4.2.4 Where water suppression does not provide adequate dust control to comply with the emission limits, or water suppression is not available, then the process must be carried out under cover. If necessary, dust extraction and arrestment shall be employed.
- 2.4.2.5 Where dust extraction and arrestment plant is required to meet the emission limits, this equipment shall be operational.
- 2.4.2.6 Conditioning with water or other proprietary conditioning agents shall take place at or before the point of discharge from the conveyor.
- 2.4.2.7 The discharge from crushers onto conveyors, into other equipment or onto stockpiles shall be enclosed as far as practicable.
- 2.4.2.8 Deposits of dust on external parts of the plant must be cleaned off at the end of each working day in order to minimise the potential for wind entrainment.

2.4.3 Controlling emissions of particulates from stockpiles and storage

- 2.4.3.1 Loading to and from stockpiles, and construction and management of stockpiles shall be carried out in such a manner as to minimise wind-borne dust, e.g. taking place at sheltered points.
- 2.4.3.2 No material shall be stored in the open except for:
- a). material that has been screened to remove material 3mm and under;
 - b). sand;
 - c). scalpings;
 - d). material used for road sub-bases (commonly known as "MOT material", or "type 1" or "type 2" material) that has been conditioned to suppress dust before deposition
 - e). crusher run material that has been conditioned to suppress dust before deposition;
 - f). material under 3mm where the volume is in excess of the internal storage capacity.
- 2.4.3.3 Where the only practicable option for the storage of material under 3mm is external stockpiles, particularly careful consideration of the guidance contained in the current Process Guidance note should be given.
- 2.4.3.4 Storage areas where there is vehicular movement shall either have a consolidated surface which must be kept clean and in a good state of repair, or must be kept wet.
- 2.4.3.5 Wherever practicable, storage bays shall be used to control dust emissions from stockpiles. Dust suppressants or covers shall be used on storage bays wherever necessary.
- 2.4.3.6 When using storage bays, storage height of materials must be lower than the external walls of the bays unless adequate suppression is provided to control emissions. Stock must not be piled forward of the storage bay.

- 2.4.3.7 Where dusty materials are stored, stockpiles must be wetted where necessary to minimise dust emissions. Fixed water sprays must be installed and used for long-term stocking areas if appropriate.
- 2.4.3.8 Stockpiles shall be suitably profiled and conditioned with water or proprietary conditioning agents, according to weather conditions.
- 2.4.3.9 All processed materials that have not been screened to remove material under 3mm must be conditioned with water or other proprietary conditioning agents at or before the point of discharge onto the stockpile.
- 2.4.3.10 Storage areas shall be kept in a condition that does not give rise to visible dust emissions.
- 2.4.3.11 Unused stocking areas must also be controlled to prevent visible dust emissions.

2.4.4 Controlling emissions of particulates from materials handling and transport

- 2.4.4.1 Conveyors shall be of sufficient capacity to handle maximum loads without spillage.
- 2.4.4.2 Where dusty materials are conveyed, the conveyor and any transfer points shall be provided with adequate protection against wind whipping.
- 2.4.4.3 Conveyors shall be fitted with means for keeping the belt clean.
- 2.4.4.4 Where chevron belts are used, catch plates shall be fitted to contain dust falling from the underside of the belt at the turning point.
- 2.4.4.5 Conveyor belts must not be overloaded.
- 2.4.4.6 Where the design of the conveyor allows free fall of material to occur, techniques shall be used at the point of discharge to minimise this.
- 2.4.4.7 Where water is available, it shall be used at conveyor discharge points to control dust emissions.
- 2.4.4.8 Where practicable, the last metre of any final size discharge conveyor or stockpile discharge conveyor and the first 0.5 metre of the free fall of materials from conveyors carrying material of a constant size and shape, shall be fitted with a full hood.
- 2.4.4.9 Vehicles and equipment shall be unloaded and loaded in such a way as to minimise airborne dust emissions. For example, by loading with wet materials, or by using a loading area protected by enclosure or use of a dust suppression system.
- 2.4.4.10 Loaded vehicles must be sheeted or otherwise totally enclosed as soon as possible after loading crushed material and before leaving the site.
- 2.4.4.11 Processed materials likely to generate dust must be conditioned with water prior to internal transfer.

2.4.5 Fugitive emissions to air

2.4.5.1 The Operator shall use BAT so as to prevent, or where that is not practicable, to reduce fugitive emissions of substances, including particulates, to air from the Permitted installation, and in particular from:

- open storage areas (including waste storage areas).
- buildings (including roof vents).
- other transfer systems.
- open surfaces.

2.4.5.2 A high standard of housekeeping shall be maintained.

2.5 Monitoring

2.5.1 General monitoring requirements

2.5.1.1 A visual assessment of all emissions shall be undertaken at least three times daily and in accordance with table 2.4.1.1.

2.5.1.2 The Operator shall make a record of the assessments required by conditions 2.3.1.1 in the logbook kept in accordance with condition 2.6.1, including details of any abnormal emissions, its cause and action taken to rectify the problem. Details of the results of the monitoring, the person undertaking the monitoring and the date and time shall also be recorded, along with the location where that observation was made.

2.5.1.3 In the case of any abnormal emissions, malfunction or breakdown leading to abnormal emissions, the operator shall:

- investigate and undertake remedial action **immediately**;
- adjust or stop the process or activity to minimise those emissions; and
- (if necessary) notify the regulator in accordance with condition 5.1; and
- promptly record the events and corrective actions taken in the logbook kept in accordance with condition 2.6.1.

2.5.1.4 Where, in the opinion of the regulator, there is evidence of airborne dust from the process off the site, the operator should make their own inspection and assessment, and where necessary undertake ambient monitoring with the aim of identifying those process operations giving rise to the dust. The monitoring may either be by a British Standard method or by a method agreed with the regulator. In these situations, determination of wind direction may be required. Once the source of the emission is known, corrective action should be taken without delay.

2.5.1.5 The Operator shall notify the Regulator at least 7 days before any periodic or non-continuous monitoring exercise to determine compliance with emission limit values, including a provisional date, pollutant(s) to be tested and the methods to be used. The results from such monitoring shall be forwarded to the Regulator within 8 weeks of completion of the monitoring, and retained in the logbook kept in accordance with condition 2.6.1. Particular notes should be made of any factors that might have affected the monitored emission.

2.6 **Management**

- 2.6.1 The Operator shall implement suitable and sufficient management systems in order to provide an effective technique for ensuring that all other pollution prevention and control techniques are delivered reliably and on an integrated basis. This shall include but not be limited to:
- a). Documented procedures for dealing with abnormal emissions or the failure of key arrestment plant in order to minimise any adverse effects;
 - b). Documented preventative maintenance schedules (including cleaning), covering all plant, covers, dust suppression equipment and pipework, whose failure could lead to dust emissions and/or impact on the environment;
 - c). Documented procedures for monitoring emissions.
 - d). Effective recording systems for checks made, including the results of all monitoring, inspections and assessments and collectively referred to as 'the Logbook'. The logbook shall:
 - be kept up to date.
 - be made available for inspection by the Regulator at any time.
 - include the time, date, result and name of person undertaking the assessment, and where necessary, the location of the assessment, weather conditions and wind direction.
 - e). Contingences for the acquisition of replacement parts or consumables (particularly those subject to continual wear) if such spares and consumables are not held on site, so that plant breakdowns can be rectified rapidly.
 - f). Records of breakdowns (to be analysed by the Operator in order to eliminate common failures).
- 2.6.2 A suitable, sufficient and documented training system for all relevant staff shall be maintained, including:
- a). Awareness of their responsibilities under the Permit
 - b). How to deal with conditions likely to give rise to particulate emissions
 - c). Minimising emissions at start-up and shut-down
 - d). Action to minimise emissions during abnormal conditions

2. Records

- 3.1 The Operator shall ensure that all records required to be made by this Permit and any other records made by it in relation to the operation of the Permitted Installation shall:-
- Be made available for inspection by the Regulator at any reasonable time;
 - Be supplied to the Regulator on demand and without charge;
 - Be legible;
 - Be made as soon as reasonably practicable;
 - Be retained at the Permitted Installation, or other location agreed by the Regulator in writing, for a minimum period of 3 years from the date when the records were made, unless otherwise agreed in writing.

3. Reporting

- 4.1 All reports, and written and or oral notifications required by this Permit, and notifications required by Regulation 16 of the PPC Regulations shall be made or sent to the Regulator using the contact address indicated on page 1 of this Permit.
- 4.2 The Operator shall, unless otherwise agreed in writing, submit reports of the monitoring and assessments carried out in accordance with the conditions of this Permit.
- 4.3 The Operator shall, within 6 months of receipt of written notice from the Regulator, submit to the Regulator a report assessing whether all appropriate preventative measures continue to be taken against pollution, in particular through the application of best available techniques at the Installation. The report shall consider any relevant published technical guidance current at the time of the notice which is either supplied with or referred to in the notice, and shall assess the costs and benefits of applying techniques described in that guidance, or otherwise identified by the Operator, that may provide environmental improvement.

4. Notifications

- 5.1 The Operator shall notify the Regulator **without delay** of:-
- Any emission likely to affect the local community;
 - The failure or breakdown of any key abatement plant;
 - The detection of an emission of any substance, that has caused, is causing, or may cause significant pollution and that exceeds twice the emission limit or criterion in this Permit, specified in relation to the substance;
 - The detection of any fugitive emissions that has caused, is causing or may cause significant pollution, unless the quantity emitted is so trivial that it would be incapable of causing significant pollution;
 - The detection of any malfunction, breakdown or failure of plant or techniques which has caused, is causing or may cause significant pollution; and
 - Any accident, which has caused, is causing or may cause significant pollution.
- 5.2 The Operator shall give written notification as soon as practicable (and at least 30 days) prior to any of the following:
- Permanent cessation of the operation of part or all of the Permitted Installation;
 - Cessation of operation of all or part of the Permitted Installation for a period likely to exceed 1 year; and
 - Resumption of the operation of part or all of the Permitted Installation after a temporary cessation of activities as above.
- 5.3 The Operator shall notify the following matters to the Regulator in writing within 14 days of their occurrence:
- Any change in the Operator's trading name, registered name or registered office address;
 - Any change to the particulars of the Operator's ultimate holding company (including details of an ultimate holding company where an Operator has become a subsidiary);
 - Any steps taken by the Operator going into administration, entering into a company voluntary arrangement, being wound up or bankruptcy;
 - Any death of any of the named Operators (where the Operator consists of more than one named individual).

5. Interpretations and Explanatory Notes

6.1 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 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 Maldon District 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: "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>

6.2 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.

6.3 Any person who is aggrieved by the conditions attached to a Permit can appeal to the Secretary of State for Environment, Food & Rural Affairs. Appeals must be received by the Secretary of State no later than 6 months from the date of the decision (the date of the Permit).

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;
- f). 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.