



**POLLUTION PREVENTION AND CONTROL ACT 1999
ENVIRONMENTAL PERMITTING (ENGLAND AND WALES) REGULATIONS 2010
AS AMENDED**

Permit Number: 1.2/074785/LT2

**Installation Address:
ASDA Sheffield Drakehouse Superstore
Beighton Road East
Sheffield
S20 7AB**

In accordance with Regulation 13(1) of the Environmental Permitting (England and Wales) Regulations 2010 as amended, ASDA Stores Limited, operating as ASDA Sheffield Drakehouse Superstore, Beighton Road East, Sheffield S20 71AB is hereby permitted to operate a scheduled activity at the Sheffield address detailed above, namely the unloading of petrol as described in Schedule 1, Part 2, Chapter 1, Section 1.2, Part B, subsection (d) and subject to the following 20 conditions of this Permit.

Signed

Dated this day 6th October 2016

**Commercial Team Manager
Environmental Protection Service
Authorised by Sheffield City Council to sign on their behalf**

The Secretary of States Guidance PG 1/14 (13) Unloading of Petrol into Storage at Petrol Stations has provided the framework for the conditions in this Permit. This guidance can be viewed at <http://www.defra.gov.uk/industrial-emissions/las-regulations/guidance/>

The Operator:

ASDA Stores Limited

Company Registration Number: 464777

Registered Office:

ASDA Stores Limited
ASDA House
Southbank
Great Wilson Street
Leeds
LS11 5AD

Address of Permitted Installation:

ASDA Sheffield Drakehouse Superstore
Beighton Road East
Sheffield
S207AB

Tel: 0114 229 1001

Petrol/PVR Contact:

Eleanor Parry
Permitting and Licensing Assistant
Compliance Team
ASDA Stores Limited
ASDA House
Southbank
Great Wilson Street
Leeds
LS11 5AD

Tel: 0113 8263828

Email: Eleanor.Parry@asda.co.uk

Site Contact: 0114 229 1001 (Ext 269)

The Regulator:

Environmental Protection Service
Sheffield City Council
5th Floor (North)
Howden House
1 Union Street
Sheffield
S1 2SH

Any communication with the Regulator should be made to the above address, quoting the Permit Number. Alternatively;

Email: ippc@sheffield.gov.uk or epsadmin@sheffield.gov.uk

Tel: (0114) 273 4651

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Explanatory Note to Pollution Prevention and Control Permit for Part B Installations
(This note does not form a part of the Permit)

The following Permit is issued under Regulation 13 of the Environmental Permitting (England and Wales) Regulations 2010 (S.I. 2010 No.675), as amended, (“the EP Regulations”) to operate an installation carrying out activities covered by the description in Part 2, Chapter 1, Section 1.2, Part B, subsection (d) of Schedule 1 of those Regulations, to the extent authorised by the Permit:

Process Changes

Under the provisions of the EP Regulations, you are required to notify the Council of any proposed change in operation at least 14 days before making the change. This must be in writing and must contain a full description of the proposed change in operation and the likely consequences. Failure to do so is an offence.

If you consider that a proposed change could result in the breach of the existing Permit conditions or is likely to require the variation of Permit conditions then you may apply in writing under Regulation 20(1) of the EP Regulations. Additionally, if this involves a SUBSTANTIAL CHANGE to the installation you will be required to submit an application, pay the relevant fee and advertise the application accordingly. You may serve a Notice on the Council requesting that they determine whether any change that is proposed would constitute a substantial change before you proceed with application.

Variations to the Permit

The Permit may be varied in the future by the Council serving a Variation Notice on the Operator. If the Operator wishes any of the Conditions of the Permit to be changed, a formal Application must be submitted.

Surrender of the Permit

Where the Operator of a Part B installation or mobile plant ceases or intends to cease the operation of the activity the Operator may notify the Regulator of the surrender of the whole Permit, in any other case, notify the Regulator of the surrender of the Permit in so far as it authorises the operation of the installation or mobile plant which he/she has ceased or intends to cease operating. The notification shall contain information as described in Regulation 24 or 25 of the EP Regulations.

Transfer of the Permit or Part of the Permit

Before the Permit can be wholly or partially transferred to another person, a joint application to transfer the Permit has to be made by both the existing and proposed holders, in accordance with Regulation 21 of the EP Regulations. A transfer will be allowed unless Sheffield City Council considers that the proposed holder will not be the person who will have control over the operation of the installation or will not ensure compliance with the conditions of the transferred Permit.

Annual Subsistence Fee

In accordance 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 Regulation 65 (5) of the EP Regulations, if you fail to pay the fee due promptly, Sheffield City Council may revoke the Permit. You will be contacted separately each year in respect to this payment.

Public Register

The Council is required by Regulation 46 of the EP Regulations to maintain a Public Register containing information on all LAPPC installations and mobile plant. The register is available for inspection by the public free of charge during office hours (Monday to Friday 9.00 am to 5.00 pm) at the following address:

Environmental Protection Service
Sheffield City Council
5th Floor (North)
Howden House
1 Union Street
Sheffield
S1 2SH

Tel: 0114 273 4651

Email: ippc@sheffield.gov.uk or epsadmin@sheffield.gov.uk

Confidentiality

Sheffield City Council has a duty to consider the question of confidentiality of information supplied to it. If any information supplied is considered confidential, a statement of which information this applies to and the reasons why it is considered confidential should be specified. The Operator is reminded that he may apply to Sheffield City Council for the exclusion of information from the public register under the provisions of the Environmental Permitting (England and Wales) Regulations 2010 As Amended.

Appeals

Under Regulation 31 of the EP Regulations Operators have the right of appeal against the conditions attached to their Permit. Schedule 6 of the EP Regulations sets out the detailed procedures.

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.

Notice of appeal against the conditions attached to the Permit must be given within six months of the date of the Notice, which is the subject matter of the appeal.

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:

- Written notice of the appeal;
- A statement of the grounds of appeal;
- 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.
- (Appellants must copy the above three items to the local authority when the appeal is made)
- A copy of any relevant application;
- A copy of any relevant Permit;
- A copy of any relevant correspondence between the appellant and the Regulator; and
- A copy of any decision or notice, which is the subject matter of the appeal.

Where to Send Your Appeal Documents

Appeals should be addressed to:

**The Planning Inspectorate
Environmental Appeals Administration
Room 4/19 – Eagle Wing
Temple Quay House
The Square
Temple Quay
Bristol BS1 6PN**

In the course of an Appeal process the main parties will be informed of procedural steps by the Planning Inspectorate.

To withdraw an appeal the appellant must notify the Planning Inspectorate in writing and copy the notification to the local authority.

Enforcement

An **Enforcement Notice** may be served if the Local Authority believes an Operator has contravened, is contravening or is likely to contravene any condition of his Permit.

A **Suspension Notice** may be served if in the opinion of the Local Authority the operation of an installation involves an imminent risk of serious pollution. This applies whether or not the Operator has breached a Permit condition.

The Local Authority can revoke a Permit by written notice at any time by serving a **Revocation Notice**. The Permit then ceases to authorise the operation of the installation.

Offences

A limited summary of the offences is listed below:

- a) operation of an installation without a Permit
- b) failure to comply with or contravene a Permit condition
- c) failure to comply with the requirements of an enforcement or suspension notice

A full list is available under Regulation 38 of the Environmental Permitting (England & Wales) Regulations 2010 as amended.

Penalties

The maximum penalties for the above offences are a fine not exceeding £50,000 and/or up to twelve months imprisonment per offence for a summary conviction (in a Magistrates Court); and a fine and/or up to five years imprisonment for conviction on indictment (in a Crown Court).

Definitions

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

“Application” means the application for this Permit, together with any response to a notice served under Schedule 4 to the EPR Regulations and any operational change agreed under the conditions of this Permit.

“EPR Regulations” means the Environmental Permitting (England and Wales) Regulations S.I.2010 No. 675 (as amended) and words and expressions defined in the EPR Regulations shall have the same meanings when used in this Permit save to the extent they are explicitly defined in this Permit.

“Permitted Installation” means the activities and the limits to those activities described in this Permit.

“Monitoring” includes the taking and analysis of samples, instrumental measurements (periodic and continual), calibrations, examinations, tests and surveys.

“Regulator” means any officer of Sheffield City 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.

“BAT” 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 bases 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. For those purposes:

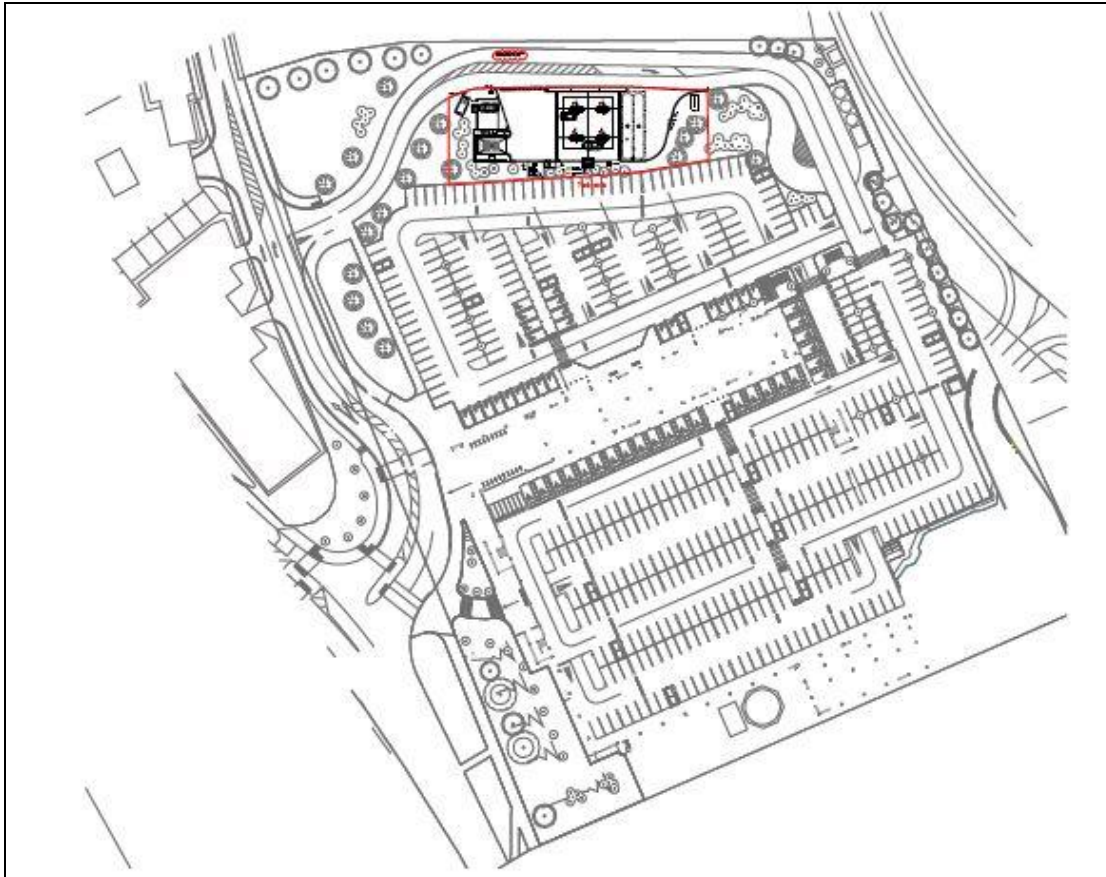
“available techniques” means those techniques which have been developed on a scale which allows implementation in the relevant industrial sector, under economically and technically viable conditions, taking into consideration the cost and advantages, whether or not the techniques are used or produced inside the United Kingdom, as long as they are reasonably accessible to the Operator;

“best” means, in relation to techniques, the most effective in achieving a high general level of protection of the environment as a whole; *“techniques”* include 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, and;

“Fugitive Emission” means an emission to air from the permitted installation that is not controlled by an emission limit imposed by a condition of this Permit. 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.

DESCRIPTION OF ACTIVITIES

The unloading of petrol into storage tanks and filling of vehicle petrol tanks at ASDA Sheffield Drakehouse Superstore, Beighton Road East, Sheffield S207AB within the installation boundary marked in red on the attached plan. The service station is fitted with petrol vapour recovery Stage I and Stage II controls serving 1 storage tank and 8 nozzles dispensing petrol.



Conditions of Permit

The following conditions shall be complied with immediately unless otherwise stated.

Petrol Delivery

1. Vapours displaced by the delivery of petrol into storage shall be returned through a vapour tight connection line to the tanker delivering the petrol.
2. Petrol delivery shall only be carried out using the vapour recovery system and deliveries shall only be made when the system is fully operational.
3. The Stage I petrol vapour recovery system shall be installed and operated as set out in Schedule 1 of this Permit.

Motor Vehicle Refuelling

4. 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 6.
5. The Stage II petrol vapour recovery system shall be installed and operated as set out in Schedule 2 of this Permit.
6. 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.
7. 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.
8. 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.
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 Sheffield City Council's Environmental Protection Service by telephone without delay.

Management

11. A copy of this Permit shall be kept at the 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 Sheffield City Council's Environmental Protection Service of any changes to the persons nominated in the application as the primary point of contact.
14. Maintenance and testing of vapour recovery systems shall be recorded.
15. 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 process shall:
 - a. Be made available for inspection by the Regulator at any reasonable time;
 - b. Be supplied to the Regulator on demand and without charge;
 - c. Be legible;
 - d. Be made as soon as reasonably practicable;
 - e. Indicate any amendments which have been made and shall include the original record wherever possible, and;
 - f. Be retained at the permitted installation, or other location agreed by the Regulator in writing, for a minimum period of 4 years from the date when the records were made, unless otherwise agreed in writing.
16. The Operator shall notify the following to Sheffield City Council's Environmental Protection Service, in writing, within 14 days of their occurrence:-
 - a. Any change in the trading name of the service station's registered name or registered office address;
 - b. A change to any particulars of any ultimate holding company of the service station (including details of an ultimate holding company where the service station has become a subsidiary);
 - c. Any steps taken with a view to the service station going into administration, entering into a company voluntary arrangement or being wound up.

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17. All reports and notifications required by this Permit, or under any Regulation under the Environmental Permitting Regulations 2010, as amended, shall be sent to Sheffield City Council's Environmental Protection Service. Unless notified in writing, all reports, notifications and communications in respect of this Permit shall be sent to:

Environmental Protection Service
Sheffield City Council
5th Floor (North)
Howden House
1 Union Street
Sheffield
S1 2SH

Best Available Techniques

18. The best available techniques outlined in Defra Process Guidance Note PG 1/14 (13) 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

19. The Operator shall notify Sheffield City Council's Environmental Protection Service of any proposed operational changes including any alterations to the process involving the provision of new plant or equipment which may affect emissions or have consequences for the environment. The information shall be submitted at least 14 days before the changes take place.
20. The Operator shall give written notification to Sheffield City Council's Environmental Protection Service in the following instances;
- a. Permanent cessation of the operation of any part of, or all of the permitted installation;
 - b. Cessation of the operation of any part of, or all of the permitted installation for a period, likely to exceed 1 year;
 - c. Resumption of the operation of any part of, or all of the permitted installation after a cessation notified under (b) above.

Please Note

Where a complaint is attributable to the operation of the installation and is, in the opinion of the Local Authority, justified, or if new knowledge develops on the potential for harmful effects from emissions, an immediate review of the Permit shall be undertaken. The Local Authority shall subsequently specify any new requirements and compliance time scales.

An annual subsistence fee as prescribed by the Secretary of State for the Environment shall be payable, for this Permit, by the process Operator, to this Authority within 2 weeks of the 1st April of each year.

In the event that the Permit has been issued after the 1st April in the initial year then the subsistence fee shall be pro rata for the complete months remaining and shall be due within 2 weeks of the Permit issue date.

If the relevant payment is not received by Sheffield City Council's Environmental Protection Service then Permit revocation procedures shall be initiated in accordance with Section 22 of the Environmental Permitting (England & Wales) Regulations 2010 (as amended) or any statutory re-enactment of the same.

The requirements of this Permit are not to be taken as planning permission. Where any structural alterations are necessary to ensure compliance with this Permit then the normal planning channels should be followed.

Schedule 1 – Petrol Vapour Recovery Stage I Controls

1. Vapours displaced by the delivery of petrol into storage installations at service stations shall be returned through a vapour tight connection line to the road tanker delivering the petrol or to dedicated vapour abatement plant. Unloading operations shall not take place unless the arrangements are in place and properly functioning.
2. The vapour tight connection line shall be taken to include the hoses and connectors used to return vapour to the road tanker, but not the orifice vent device.
3. Petrol delivery and vapour return lines shall be tested for vapour containment integrity prior to operation. Vapour return lines shall be tested every 5 years for vapour containment integrity.
4. Pressure vacuum relief valves or other similar devices on fixed tank vents shall be checked for correct functioning (including checking for extraneous matter), correct seating, and the presence of corrosion at least once every three years.
5. The Operator shall maintain a log book at the permitted installation incorporating details of all maintenance, examination and testing, inventory checking, installation and repair work carried out, along with details of training given to operating staff at the service station. The log book shall also detail any suspected vapour leaks together with action taken to deal with any leak.
6. A competent person shall remain near the tanker during unloading. A competent person is one who has received training for deliveries.
7. All reasonably practicable steps shall be taken to prevent uncontrolled leaks of vapour from vents, pipes and connectors from occurring. An uncontrolled leak is defined as any leak except those which occur through the orifice vent device.
8. Sheffield City Council's Environmental Protection Service shall be advised without delay of the circumstances of such a vapour leak if there is likely to be an effect beyond the site boundary. In all cases such a vapour leak shall be recorded in the log book. The Operator shall advise Sheffield City Council's Environmental Protection Service of the corrective measures to be taken and the timescales over which they will be implemented.
9. Any instances of vapour lock shall be recorded in the log book and, where appropriate, Sheffield City Council's Environmental Protection Service shall be informed. If this is a persistent occurrence the Operator shall advise Sheffield City Council's Environmental Protection Service of the corrective measures proposed and the time scales over which they will be implemented.

Schedule 2 – Petrol Vapour Recovery Stage II Controls

1. The vapour recovery equipment shall be designed to ensure recovery of at least 85% but not more than 115% of the displaced petrol vapours resulting from filling of vehicle petrol tanks in service stations.
2. Vapours displaced by the filling of petrol into vehicle petrol tanks at service stations shall be recovered through a vapour recovery system to a storage installation, which shall include the service station's underground storage tank or other appropriate vessel. Filling of vehicle petrol tanks shall not take place unless such a vapour recovery system is in place and fully functioning.
3. The vapour recovery system shall be approved for use under the regulatory regime of at least one European Union or European Free Trade Association country ("type approval"). A certificate to confirm such compliance shall be retained at the petrol station with the log book. The vapour recovery system shall be certified by the Manufacturer to have a hydrocarbon capture efficiency of not less than 85% or more than 115% determined through the aforementioned type approval test.
4. All vapour recovery equipment used shall be designed, installed and tested in accordance with the relevant British, European and international standards or national methods in place at the time that the equipment was installed.
5. Petrol delivery and vapour recovery systems for vehicle petrol tanks shall be tested in accordance with the manufacturer's specifications prior to commissioning and for:
 - a. Vapour containment integrity at least once every three years, and always following substantial changes or significant events that lead to the removal or replacement of any of the components required to ensure the integrity of the containment system;
 - b. Effectiveness of the vapour recovery system at least once every three years. For open active systems this shall be undertaken by measuring the ratio of the volume of vapour recovered to liquid petrol dispensed i.e. vapour/petrol ratio (V/P). The V/P ratio shall be at least 95% and, where the vapours are recovered into the fuel storage tank, not greater than 105%. The V/P ratio shall be determined by simulating the dispensing of petrol using measuring equipment approved for use in any European Union or European Free Trade Association country. The method to be used shall involve measuring 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 shall 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');

- c. For other systems, the effectiveness of the vapour recovery system shall be tested for effectiveness in accordance with the manufacturer's specification with details of this testing retained with the service station log book.
6. The Operator shall either install an automatic monitoring system or ensure a greater frequency of other regular testing as per manufacturer's instructions.
7. An automatic monitoring system shall:
 - a. Automatically detect faults in the proper functioning of the petrol vapour recovery system including the automatic monitoring system itself and indicate faults to the Operator. A fault shall be deemed to be present where continuous monitoring during filling of vehicle petrol tanks indicates that the V/P ratio averaged over the duration of filling has fallen below 85% or has exceeded 115% for ten consecutive filling operations. This only applies to filling operations of at least 20 seconds duration and where the rate of petrol dispensed reaches at least 25 litres per minute.;
 - b. Automatically cut off the flow of fuel on the faulty delivery system if the fault is not rectified within 1 week;
 - c. Be approved for use under the regulatory regime of at least one European Union or European Free Trade Association country.
8. Where an automatic monitoring system is not used, the Operator shall ensure an increased level of manual monitoring is undertaken after commissioning. The frequency of monitoring shall be in accordance with the following table:

Type of System	Tests Required (post-commissioning)
Active system <i>with</i> automatic monitoring	Vapour containment integrity = 3 yearly Vapour recovery effectiveness (V/P ratio ¹) = 3 yearly
Active system <i>without</i> automatic monitoring	Vapour containment integrity = 3 yearly Vapour recovery effectiveness (V/P ratio) = 1 yearly
Other systems	Vapour containment integrity = 3 yearly Vapour recovery effectiveness = 1 yearly (according to manufacturer's specification)

9. The Operator shall record in a log book details of all maintenance, examination and testing, installation and repair work carried out for Stage II controls. Details of training given to operating staff at the service station shall also be recorded. The Operator shall maintain the log book at the permitted installation.
10. The Operator shall also undertake a weekly check to verify functionality of the vapour recovery system where an automatic monitoring system is not employed. Such checks shall include:

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- a. A test of functionality of the vapour recovery system using appropriate equipment;
 - b. An inspection for torn, flattened or kinked hoses and damaged seals on vapour return lines;
 - c. An entry of the checks and findings in the station log book.
11. Where weekly functionality checks are required, the Operator shall ensure that all relevant staff are trained to perform the checks in accordance with the manufacturers' instructions. In all cases, relevant staff shall be trained in the use of preventative maintenance for vapour recovery systems to the manufacturers' instructions.
12. Adverse results from any monitoring activity (both continuous and non-continuous) shall be investigated by the Operator as soon as the monitoring data has been obtained / received. The Operator shall:
- a. Identify the cause and take corrective action;
 - b. Record as much detail as possible regarding the cause and extent of the problem, and the action taken by the Operator to rectify the situation;
 - c. Re-test to demonstrate compliance as soon as possible; and
 - d. Notify Sheffield City Council's Environmental Protection Service as soon as practicable and in any case no later than 10.00 hours on the day following receipt of the information.