BARROW-IN-FURNESS BOROUGH COUNCIL

POLLUTION PREVENTION AND CONTROL ACT 1999

ENVIRONMENTAL PERMITTING (ENGLAND & WALES) REGULATIONS 2010 (AS AMENDED)

A2 Permit with Introductory Note

Ref: PPC/A2/01

Furness Brick & Tile Co. Ltd.

Installation Address

Furness Brick & Tile Co. Ltd.
Askam-in-Furness
Cumbria
LA16 7HF

Application Received: 30th March 2004

A2 Permit Issued: 5th January 2015

Introductory note

This introductory 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) ("the EP Regulations") to operate an installation carrying out one or more of the activities listed in Part A2 and B to Schedule 1 of those Regulations, to the extent authorised by the Permit.

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 those conditions are subject to the Operator shall using the best available techniques (BAT) for preventing or, where that is not practical, reducing emissions from the installation.

Article 2(11) of the IPPC Directive defines "best available techniques" as follows:

- **'Best available techniques' [BAT] shall mean the most effective and advanced stage in the development of activities and their methods of operation which indicate the practical suitability of particular techniques for providing in principle the basis for emission limit values designed to prevent and, where that is not practicable, generally to reduce emissions and the impact on the environment**
- **as a whole.**

- **'techniques' shall include both the technology used and the way in which the installation is designed, built, maintained, operated and decommissioned,**

- **'available' techniques shall mean those developed on a scale which allows implementation in the relevant industrial sector, under economically and technically viable conditions, taking into consideration the costs and advantages, whether or not the techniques are used or produced inside the Member State in question, as long as they are reasonably accessible to the operator,**

- **'best' shall mean most effective in achieving a high general level of protection of the environment as a whole.**

In determining the best available techniques, special consideration should be given to the items listed in Annex IV.

Description of the installation regulated by this permit

The installation manufactures bricks from mudstone sourced at High Greenscoe Quarry (600 metres away) and fireclay transported from North East England. Approximately 50 000 tonnes of mudstone and 1500 tonnes of fireclay are used per year to produce around 15 million bricks.

The clay is stored in large open-air stockpiles at the south end of the site along with waste bricks that are to be re-used in the brick making process.

The mudstone, fireclay and waste bricks are transferred from the stockpiles by a loading shovel into a chute and then onto a conveyor that leads to the crusher. Dust from the brick making process is also added at this point.

The crushed material then enters a silo where water can be added if required. The material is then transported by conveyor to one of the two brick making machines. The 'green' bricks are then transported by conveyor (where additional water can be added if required) to the manual stacking area. Some are removed for further treatment (shaping/texturing).

The green bricks are stacked by hand onto pallets. The pallets are then transferred by forklift truck into the kiln.

The 20 chamber transverse arch kiln is top-fired with propane/air (around 800 tonnes/year) and crushed coal singles (around 1500 tonnes/year). The coal is stored in bunkers to the east of the kiln and is transferred to the top of the kiln using a loading shovel and a conveyor. The propane is stored in tanks to the east of the site.

The firing of the kiln is continuous with each of the 20 chambers at various stages of the firing cycle i.e. at any one time a chamber is being prepared to take green bricks while another chamber at the end of the cycle is being emptied of fired bricks. Thus the drying and firing of bricks takes place at the same time in different chambers in the kiln and the emissions are drawn by a fan into a single stack 42 metres high at the northern end of the kiln.

The fired bricks are unloaded from the kiln using forklift trucks and taken to brick sorting areas. Some bricks are cut using re-circulated water system. All acceptable bricks are then placed on pallets and wrapped in polythene and stored to the east of the installation. Any waste bricks are stored at the northern end of the site prior to re-use within the installation or for repairing the road at High Greenscoe quarry.

Contacting the Regulator

This Permit is issued by Barrow-in-Furness Borough Council as the Regulator for this installation and the address below is the principal contact address for matters relating to the Permit.

Contact details:

Geoff Dowker , Barrow-in-Furness Borough Council, Environmental Protection Unit, Town Hall, Duke Street, Barrow-in-Furness, Cumbria, LA14 2LD.

Tel: 01229 876366 **Fax: 01229 876411**

www.barrowbc.gov.uk **E-mail: gdowker@barrowbc.gov.uk**

Confidentiality

The Permit requires the Operator to provide information to Barrow-in-Furness Borough Council. The Council will place the information onto the public registers in accordance with the requirements of the EP Regulations. If the Operator considers that any information provided is commercially confidential, it may apply to the Council to have such information withheld from the register as provided in the Regulations. To enable Barrow Borough Council to determine whether the information is commercially confidential, the Operator should clearly identify the information in question and should specify clear and precise reasons.

Variations to the permit

This Permit may be varied in the future. If at any time the activity, or any aspect of the activity regulated by the following conditions changes such that the conditions no longer reflect the activity and require alteration, the Regulator should be contacted. Carrying on the activity beyond the extent authorised by the existing permit, or is doing so in contravention of an existing permit condition are both offences under EP Regulation 38.

A local authority may decide that the existing permit conditions require amendment without receiving any notification or application from the operator (EP regulation 20(1)). This is most likely to occur

when the authority decides that the conditions need varying having conducted a periodic review in accordance with EP regulation 34, or in the light of revised guidance from Defra/WAG, or because of the transfer of a permit to another operator. Other instances could be the revision of a relevant environmental quality standard, the declaration of an area as an air quality management area, or (in the case of LA-IPPC) a requirement from the Environment Agency to revise a water-related condition.

Surrender of the permit

EP regulation 25 enables an operator to surrender an LA-IPPC permit in whole or in part. This must be done by making an application in accordance with the procedures in Schedule 5 to the Regulations. Any application must be made on the form provided by the local authority.

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 the Authority 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.

Responsibility under workplace health and safety legislation

This Permit is given in relation to the requirements of the EP Regulations. It must not be taken to replace any responsibilities you may have under Workplace Health and Safety legislation.

Appeal against permit conditions

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 made in accordance with the requirements of Regulation 31 and Schedule 6 of the EP Regulations.

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

The Planning Inspectorate
Environment Team, Major and Specialist Casework
Room 3/13 - Kite Wing
Temple Quay House
2 The Square
Temple Quay
Bristol
BS1 6PN

Please Note - an appeal bought under Regulation 31 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.

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 regulator either to vary any of these other conditions or to add new conditions.

End of Introductory Note

Permit reference: PPC/A2/01

Barrow-in-Furness Borough Council (the "regulator") in exercise of its powers under Regulation 13 of the Environmental Permitting (England and Wales) Regulations 2010, hereby permits

Furness Brick & Tile Co Ltd ("the operator")

whose registered office is

Furness Brick & Tile Co. Ltd.
Askam-in-Furness
Cumbria
LA16 7HF

to operate an installation at

Furness Brick & Tile Co. Ltd.
Askam-in-Furness
Cumbria
LA16 7HF

subject to compliance with the conditions in this permit.

A Site Location & Boundary Plan is included in Appendix 2.

05th January 2015

Signed:……. **Date:…….**

Anne Pearson
Environmental Health Manager
Authorised to sign on behalf of
Barrow-in-Furness Borough Council

CONDITIONS

1. The Operator is permitted to carry out the activities and/or the associated activities specified in the following table:-

Activities under Schedule 1 of the Regulations/ Associated Activities	Description of specified activity	Schedule 1 activity reference (if applicable)	Limits of specified activity
Storage and handling of raw materials	Unloading, transport and storage of clays. Delivery and storage of other minor raw materials	Directly associated activity	Receipt and storage of raw materials for the production of bricks
Manufacture of heavy clay goods	Production of bricks using brick making equipment and kilns	3.6 (A2)	Manufacture within the confines of the buildings only
Packing and storage of finished product	Transfer to pallets and yard storage	Directly associated activity	From storage to dispatch from installation
Storage and handling of solid and liquid waste	Storage and handling of dust, waste bricks and all other waste	Directly associated activity	From separation of waste to dispatch from installation

2. The activities permitted under condition 1 shall not extend beyond the boundary of the site shown in red on the attached plan in Appendix 1.

CONTROL OF EMISSIONS

Point source emissions to air

3. The following emission limits shall apply to the installation:

Determinand	Source	Limits	Monitoring	Monitoring Frequency
Particulate Matter	Kilns with net rated thermal input of 2MW or more	100mg/m^3	Isokinetic sample filtered and weighed using BS9096 (suitable for 20mg/m^3 to 1000mg/m^3) or BS EN 13284-1	Annually
Fluoride (expressed as hydrogen fluoride)	Kilns with a net rated thermal input of 2MW or more	10mg/m^3	Manual extractive testing ISO DIS 15713	Annually

4. Emissions from combustion processes, other than the kiln, in normal operation shall be free from visible smoke and in any case shall not exceed the equivalent of Ringelmann Shade 1 as described in British Standard BS 2742:1969.

5. The operator shall investigate the cause and nature of any persistent visible emissions and provide a report to the regulator.

6. All reasonably practicable steps shall be taken during changes of fuel or combustion load in order to minimise emissions.

7. Emissions of water vapour shall be free from droplet fallout.

8. All flues and ductwork shall be checked with a remote camera every 4 months and cleaned as required to prevent the accumulation of materials and as part of the preventative maintenance schedule.

9. The final opening of the stack shall not be fitted with any restriction e.g. a plate, cap or cowl, with the exception of a cone which may be necessary to increase the exit velocity of the emissions.

10. All emissions from the combustion process in the kilns shall exhaust through the stack which shall be at least 42 metres above ground level.

Control of Fugitive Emissions to Air

11. There shall be no visible fugitive emissions from anywhere on the site.

12. The loading and unloading of road vehicles shall be carried out so as to minimise dust emissions.

13. All vehicles delivering coal shall be sheeted.

14. External surfaces of the process buildings, roofs, guttering, ancillary plant, roadways and open yards and storage areas should be inspected at least annually. Cleaning operations should be carried out if necessary to prevent the accumulation of dusty material using methods which minimise emissions of particulate matter to air.

15. A means of spraying the internal roadways with water shall be used and available at all times to prevent fugitive dust emissions.

16. All mudstone and fireclay shall be stored in stockpiles at the southern end of the installation (see Appendix 2 – Site Plan).

17. Dust generated inside the brick making building shall be removed at regular intervals during each working day and re-used in the brick making process.

18. The plastic sheeting around the crusher shall be maintained in accordance with the preventative maintenance schedule.

19. Coal used as fuel for the kiln shall be stored within the bunkers adjacent to the kiln (see Appendix 2 – Site Plan).

20. A chute below the hopper shall be used to discharge coal into wheelbarrows on the top of the kiln.

21. A road sweeper shall be made available to clean the roads immediately after mudstone has been transported from High Greenscoe Quarry to the brickworks.

EMISSIONS TO SURFACE WATER AND GROUND WATER

TRADE EFFLUENT CONSISTING OF SITE DRAINAGE

Works Operation

22. The plant shall be operated and the effluent shall be treated in a manner which, so far as reasonably practicable, minimizes the polluting effects of the Discharge made from the plant on controlled waters.

23. Condition 22 does not require any alteration of the type of treatment used from that specified in the application.

Nature of Discharge

24. The Discharge shall consist solely of trade effluent consisting of site drainage.

Place of Discharge

25. The Discharge shall be made in a manner and at the place specified as:

    (a) discharging to a tributary of the Blea Beck
    (b) at National Grid Reference SD 2176 7625

Sampling Point Requirements

26. The outlet to controlled waters shall be constructed and maintained so that a representative sample of the Discharge may be obtained at National Grid Reference SD 2176 7625.

Recording and Reporting

27. The operator shall establish and operate a documented preventative maintenance schedule and record all non-routine actions undertaken that may have adversely affected effluent quality. Copies of the programme shall be made available for inspection by the Regulator at all reasonable times.

28. On request, the Operator shall supply the Regulator with a written report on the maintenance undertaken and all non-routine actions that may have adversely affected effluent quality.

29. The Operator shall as soon as reasonably practicable report to the Regulator all non-routine actions that may have adversely affected effluent quality.

Composition

30. Discharge from the site drainage settlement tank shall not exceed limit values specified as:

Determinand	**Benchmark Release Concentration, mg/l**
Suspended solids	60mg/l
BOD	40mg/l
Oil	5mg/l

31. The pH value of the Discharge shall not be greater than 9 nor less than 6.

Oil

32. As far as is reasonably practicable, the Operator shall prevent the discharge from containing any significant trace of visible oil or grease.

Maintenance

33. The plant shall be operated and maintained in accordance with good operational practice such that:

    (a) it remains fully operational except at times of unavoidable mechanical or electrical breakdown which shall be attended to, and the regulator informed of the failure, as soon as practicable after the failure;

    (b) following a failure, all equipment shall be returned to normal operation as soon as practicable;

    (c) tanks shall be de-sludged at sufficient frequency and in such a manner to prevent excessive carryover of suspended solids.

Monitoring Condition

34. The discharge from the site drainage settlement tank shall be monitored as follows:

Determinand	Location	Frequency of Sampling
Suspended solids	Discharge from site drainage settlement tank	Quarterly or under high flow
pH	Discharge from site drainage settlement tank	Quarterly or under high flow
Presence of oil and grease	Discharge from site drainage Settlement tank	Quarterly or under high flow

Fugitive Emissions to Surface Water, Sewer and Groundwater

35. The operator shall ensure that all operational areas are equipped with an impervious surface and that surface water flows towards the settling tank.

36. Records of the design and condition of the surfacing of all operational areas shall be kept.

37. The operator shall have documented, and implement, a preventative maintenance schedule for the impervious surface and any maintenance arising should be recorded in the log book.

38. The operator shall have a detailed site drainage plan and shall include the location of all drains, soakaways, sub surface pipework and settling tanks.

39. All fixed liquid storage tanks shall be located within bunds that are designed, constructed and located away from watercourses and drains to appropriate standards and ensuring that the volume is more than 110% of the largest tank.

40. Liquid storage tanks that are located externally should be fitted with a cover/ roof within 6 months of the date of issue of this permit to prevent rainwater entering the bund, any rainwater accumulations should be removed as soon as possible in line with Condition 42.

41. Storage tanks shall be fitted with high-level alarms or volume indicators to warn of overfilling and where practicable the filling system shall be interlocked to the alarm system to prevent overfilling. Delivery connections shall be located within a bunded area, fixed and locked when not in use.

42. All tanks, bunds and sumps shall be subject to weekly visual inspection and placed on a preventative maintenance programme. The contents of bunds and sumps shall be pumped out or otherwise removed as soon as is practicable after checking for contamination.

43. (confidential condition)

44. Storage areas and containers shall be designed and operated to minimise the risk of fugitive releases to surface water and groundwater, in particular:

    a. storage areas shall be located away from watercourses and shall be protected against vandalism;
    b. the maximum storage capacity of storage areas shall be stated and not exceeded;
    c. the maximum storage period for containers shall be specified;
    d. storage areas shall be inspected at least once a week to check for signs of leakage or potential leakage.

45. The settling tank holding re-circulating water for the cutting of bricks shall be inspected for defects and maintained according to the preventative maintenance schedule.

46. There shall be no emission to land other than using fired reject bricks to repair the roadway at High Greenscoe Quarry.

ODOUR

47. There shall be no offensive odour beyond the installation boundary as perceived by the regulator.

MANAGEMENT

Environmental Management System

48. Operators shall use an effective Environmental Management System with policies and procedures for environmental compliance and improvements. It shall include all the records, schedules, procedures and any other documentation required for complying with conditions of this permit.

Operations and Maintenance

49. Effective operational and maintenance systems shall be employed on all aspects of the installation whose failure could impact on the environment. Such systems shall be reviewed and updated annually.

50. Environmentally critical process equipment (whose failure could impact on the environment) shall be identified and listed.

51. Records of breakdowns shall be kept and analysed by the operator in order to eliminate common failure modes.

Competence and Training

52. The competent person who shall liaise with the regulator and the public with regard to complaints is Richard Collinge. In his absence, Nicholas Collinge, Mark Collinge or James Collinge shall take over this role.

53. Within 3 months of issue of this permit, an updated formal structure shall be provided to clarify the extent of each level of employee's responsibility with regard to the control of the process and its environmental impacts. This structure shall be prominently displayed within the process building at all times. Alternatively, there must be a prominent notice referring all relevant employees to where the information can be found.

54. Personnel at all levels shall be given training and instruction sufficient to fulfil their designated duties under the structure detailed in Condition 53. Details of such training and instruction shall be entered into the employees record and be made available for inspection by the regulator.

55. The potential environmental risks posed by the work of contractors shall be assessed and instructions provided to contractors about protecting the environment while working on site.

Accidents/incidents/non conformance

56. There shall be written procedures for investigating incidents, (and near misses) which may affect the environment, including identifying suitable corrective action and following up.

RAW MATERIALS

Waste Minimisation (optimising the use of raw materials)

57. The operator shall record materials usage and waste generation in order to establish internal benchmarks. Assessments should be made against internal benchmarks to maintain and improve resource efficiency.

Water Use

58. The operator shall carry out a regular review of water use (water efficiency audit) at least as frequently as the permit review period.

59. Using information from the water efficiency audit, opportunities for reduction in water use shall be assessed and, where appropriate, shall be carried out in accordance with a timescale approved by the regulator.

WASTE HANDLING

60. The operator shall produce an inventory of the quantity, nature, origin and where relevant, the destination, frequency of collection, mode of transport and treatment method of any waste which is disposed of or recovered.

61. Operators shall segregate the main waste types described in paragraph 3.226. of Sector Guidance Note IPPC SG7, Issue 2.0.

62. Operators shall ensure that waste stored in containers that are durable for the substances stored and that incompatible waste types are kept separate.

63. Operators shall ensure that waste storage areas are clearly marked and signed, and that containers are clearly labelled.

WASTE RE-USE, RECOVERY, RECYCLING AND DISPOSAL

64. The operator shall carry out an annual review to demonstrate that the best environmental options are being used for dealing with the waste streams from the installation.

65. At a minimum of every two years, the operator shall investigate potential markets for the recovery/re-use of wastes that are currently disposed of to landfill.

ENERGY

66. The operator shall maintain participation in a Climate Change Agreement or a Direct Participation Agreement with the Government.

67. The operator shall produce a report annually on the energy consumption of the installation.

68. The operator should monitor energy flows and target areas for reduction which should be updated annually. ("Sankey" diagrams and energy balances would be useful as aids.)

69. All plant shall be operated and maintained to optimise its use and minimise the loss of energy.

70. All appropriate containment methods (e.g. seals and self closing doors) shall be employed and maintained to minimise energy loss.

ACCIDENTS

71. The operator shall have a written procedure for investigating incidents and near misses, including identifying suitable corrective action and following up.

72. The operator shall maintain an accident management plan covering the matters listed in paragraphs 3.237 to 3.239 of Sector Guidance Note IPPC SG7, Issue 2.0 and to the satisfaction of the regulator. The plan shall be available for inspection by the regulator.

73. In the case of abnormal emissions arising from an accident, such as a spillage for example, the operator shall:

    a. investigate undertake remedial action immediately
    b. promptly record the events and actions taken
    c. ensure the regulator is made aware without delay

74. The operator shall maintain procedures for the control of spills and of firewater to ensure containment and disposal of liquids in order to prevent or minimise pollution.

75. Operators shall use safe systems for the handling and storage of dust in order to minimise the risk of fire and explosion.

76. Operators shall design delivery routes to minimise accidental damage by vehicles to any storage facilities for liquids or dusts. Where a risk of vehicular damage to such storage areas has been identified, crash barriers should be fitted.

NOISE AND VIBRATION

77. The operator shall identify key plant and equipment (or operations) with the potential to give rise to significant noise and take such measures as are necessary by way of mitigation and maintenance of existing plant and equipment in order to minimise noise having regard to paragraph 3.243 and Table 9 of the Sector Guidance Note IPPC SG7, Issue 2.0.

MONITORING

78. The operator shall monitor emissions, make tests and inspections of the process and keep records; in particular the operator shall keep records of audits, inspections, tests and monitoring, including all non-continuous monitoring, inspections and visual assessments. Monitoring may include process variables and operating conditions where relevant to emissions. In such cases:

    a. current records shall be kept on site and be made available for the regulator to examine
    b. records shall be kept by the operator for at least two years

79. The regulator shall be informed at least 7 days in advance of any periodic monitoring exercise to determine compliance with emission limit values. This notification shall state the provisional time and date of monitoring, pollutants to be tested and the methods to be used.

80. The results of non–continuous emission testing shall be forwarded to the regulator within 8 weeks of the completion of the sampling.

81. All results submitted to the regulator shall include details of the process conditions at the time of monitoring, monitoring uncertainty, as well as any deviations from the procedural requirements of standard reference methods and the error invoked from such deviations.

82. Results exceeding the emission limit value from any monitoring activity and malfunction or breakdown leading to abnormal emissions shall be investigated and corrective action taken immediately. The operator shall ensure that the regulator is notified without delay identifying the cause and corrective action taken. Where there is immediate danger to human health, operation of the activity should be suspended.

83. Sampling systems shall be designed and located to obtain representative samples at all release points.

84. Sampling points on new plant shall be designed to comply with the British or equivalent standards, e.g. BS ISO 9096:2003, BS EN 13284-1 or BS ISO 12141: 2002 for sampling particulate matter in stacks.

85. Adequate facilities for sampling shall be provided on stacks and ducts.

86. Where available, operators shall use monitoring equipment and instruments certified to MCERTS and use a stack-testing organisation accredited to MCERTS standards or such alternative requirements as approved by the regulator.

Monitoring and Reporting of Emissions to Air

87. The concentration of fluoride and particulate matter emissions into air from the kiln shall be reported as the concentration in dry air at a temperature of 273K, at a pressure of 101.3 kPa, with **no** correction for oxygen content and averaged over the firing cycle of the kiln.

88. Exhaust flow rates of gases shall be consistent with the efficient capture of emissions, good operating practice and meeting the requirements of the legislation relating to the workplace environment.

89. The introduction of dilution air to achieve emission concentration limits shall not be permitted.

90. Dilution air may be added for waste gas cooling or improved dispersion where justified, but this shall not be considered when determining the mass or concentration of a pollutant in the waste gases.

91. Periodic visual assessment of releases shall be undertaken as required, or at least once a day during operations to ensure that all final releases are colourless, free from persistent visible emissions and free from droplets. The time, location and result of this assessment shall be recorded in the log book.

Monitoring and Reporting of Waste

92. The following shall be monitored and recorded for all waste which is consigned off-site:

    c. Quantity nature and origin of the waste
    d. the physical description of the waste
    e. a description of the composition of the waste
    f. any relevant hazardous properties (hazard and risk phrases)
    g. European Waste Catalogue code
    h. Handling precautions and substances with which in cannot be mixed
    i. Disposal routes for each waste category

93. As part of the annual E-PRTR exercise, all information is to be reported by the operator of the facility in accordance with Article 5 of the Regulation (EC) No 166/2006 concerning the establishment of a European Pollutant Release and Transfer Register for each calendar reporting year. This will include all 'Pollutant Release' and 'Waste Transfer' data.

Records

94. All records shall be made available for inspection by the Regulator at any reasonable time.

95. A copy of any record shall be supplied to the Regulator on demand and without charge.

96. Records shall:-

    a. be legible;
    b. be made as soon as reasonably practicable; and
    c. indicate any amendments which have been made and shall include the original wherever possible.

97. Records shall be retained for a minimum period of 4 years from the date the record was made.

98. A record shall be made at the Permitted Installation of any complaints concerning the installation's effect on the environment. The record shall give the date of complaint, a summary of any investigation and the results of such investigation. Such records shall be made in a log kept for this purpose.

Reporting

99. All reports and notifications required by this Permit or by the Environmental Permitting Regulations 2010 (as amended) shall be sent to the regulator at the address in the introductory note to this permit.

Notifications

100. The Operator shall notify the Regulator **without delay** of: -

    a. the detection of an emission of any substance which exceeds any limit or criteria in this Permit specified in relation to the substance.
    b. the detection of any fugitive emission which has caused or may cause pollution unless the quantity emitted is so trivial that it would be incapable of causing pollution.
    c. the detection of any malfunction, breakdown or failure of plant or techniques which has caused or may have the potential to cause pollution; and
    d. any accident which has caused or may have the potential to cause pollution.

101. 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.

102. The Operator shall give written notification as soon as practicable, of any of the following;

    a. permanent cessation of the operation of any part 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; and

    c. resumption of the operation of any part of or all of the Permitted Installation after a cessation notified under 5.2 (b).

103. The Operator shall notify the following matter to the Regulator, in writing, within 14 days of their occurrence:

    a. any change in the Operator's trading name, registered name or registered office address;

    b. a change to any particulars of the Operator's ultimate holding company (including details of an ultimate holding company where the Operator has become a subsidiary);

    c. any steps taken with a view to the Operator going into administration, entering into a company voluntary arrangement or being wound up.

104. Where the Operator has entered into a Climate Change Agreement with the Government, the Operator shall notify the Regulator within one month of: -

    a. A decision by the Secretary of State not to re-certify that Agreement.

    b. A decision by either the operator or the Secretary of state to terminate that Agreement; and

c. Any subsequent decision by the secretary of State to re-certify such an agreement.

105. Where the Operator has entered into a Direct Participant Agreement in the Emissions Trading Scheme which covers emissions relating to the energy consumption of the activities, the operator shall notify the Regulator within one month of any decision by the Operator to withdraw from or by the Secretary of State to terminate the Direct Participant Agreement.

106. Adverse results from any monitoring activity shall be investigated as soon as the monitoring data has been determined or received. The following items shall be undertaken: -

a. The cause shall be identified and corrective action taken.
b. A detailed record of the extent of the problem and action taken to rectify the situation.
c. A re-test to demonstrate compliance shall be undertaken as soon as possible.
d. The regulator shall be informed.

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

"Annual average"
means the average of all daily averages in a calendar year.

"Regulator"
means any person authorised by Barrow-in-Furness Borough Council under the Provisions of the Environmental Permitting Regulations 2010 and Section 108(1) of The Environment Act 1995 to exercise, in accordance with the terms of any such authorisation, powers specified in Section 108(4) of that Act.

"Climate Change Agreement"
means an agreement entered into with the Government for the saving of energy at the installation.

"Daily"
means a 24 hour period commencing at 00.00 hours.

"Fugitive emission"
means an emission from any point other than that specified in condition 10 of this Permit.

"L_{Aeq}"
means the A-weighted equivalent continuous equal energy level (dBA)

"Reference time interval"
means the specified interval over which an equivalent continuous A-weighted sound pressure level is determined, and is I hour during the day and 5 minutes at night. (According to BS 4142: 1997 night is the period when the general adult population are asleep or preparing for sleep which, in practice, can be regarded as between 23:00 and 07:00 hours).

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

"Permitted Installation"
means the activities and the limits to those activities described in Condition 1 of this Permit.

"E-PRTR"
means the 'European Pollutant Release and Transfer Register' which is the Europe-wide register that provides easily accessible key environmental data from industrial facilities.
"EP Regulations"

means the Environmental Permitting (England and Wales) Regulations (S.I. 2010 No. 675) and words and expressions defined in the EP Regulations shall have the same meanings when used in this Permit.

“Staff”
includes employees, directors or other officers of the Operator, and any other person under the Operator’s direct or indirect control, including contractors.

"year"
means calendar year ending 31 December.

End of Permit