

Our ref: EP/000000028  
Please ask for: D Rowe  
Direct Dial: 01473 433016  
Email: david.rowe@ipswich.gov.uk

Company Secretary  
Shell UK Ltd  
Shell Centre  
London  
SE1 7NA



Grafton House  
15-17 Russell Road  
Ipswich Suffolk  
IP1 2DE

[www.ipswich.gov.uk](http://www.ipswich.gov.uk)

19 August 2011

Dear Sirs

**Shell UK Ltd, Shell Orwell, Ipswich Bypass, A14 Westbound, Suffolk. IP10 0NZ**

I write with reference to your permit for the above site. I enclose a variation notice and revised permit.

Please contact me if you wish to discuss the matter

Yours Faithfully



David Rowe  
Environmental Protection Services

CC Kerry Toms, Shell UK Ltd, PO Box 403, Staines. TW18 3ZB

Graham Cahill, Shell Uk Ltd, Shell Orwell, Ipswich Bypass, A14 Westbound, Suffolk. IP10 0NZ

VARIATION NOTICE

Pollution Prevention and Control Act 1999  
The Environmental Permitting (England and Wales) Regulations 2010,  
Regulation 20

Certified a true copy of a notice served by me. Addressed as

this copy

RECORDED Date 19/8/11

IPSWICH BOROUGH COUNCIL

James Lowe Signature

PPC Permit Ref: 1.2/RJD/16/05  
Variation notice Ref: WK201104801  
EP Permit Ref: PS15/DJR/08/11

To:

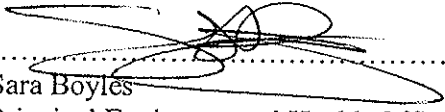
Shell UK Ltd, Shell Centre, London. SE1 7NA

Ipswich Borough Council ("the Council"), in the exercise of the powers conferred upon it by regulation 20 of the Environmental Permitting (England and Wales) Regulations 2010 hereby gives you notice as follows:

The Council has decided to vary the conditions of permit reference 1.2/RJD/16/05 granted under The Pollution Prevention and Control (England and Wales) Regulations 2000 in respect of the operation of the installation at Shell UK Ltd, Shell Orwell, Ipswich Bypass, A14 Westbound, Suffolk. IP10 0NZ

The varied consolidated permit and the date on which it takes effect are specified in Schedule 1 to this notice.

Signed on behalf of Ipswich Borough Council

  
.....  
Sara Boyles  
Principal Environmental Health Officer  
An authorised Officer of the Council

Date: 19<sup>th</sup> August 2011

Permit issued by:

Environmental Protection Services  
Ipswich Borough Council  
Floor 3W  
Grafton House  
15-17 Russell Road  
Ipswich  
IP1 2DE

Telephone: 01473 433115  
Fax: 01473 433062  
Website: [www.ipswich.gov.uk](http://www.ipswich.gov.uk)  
Email: [environmentalprotection@ipswich.gov.uk](mailto:environmentalprotection@ipswich.gov.uk)


**Schedule 1**

Amend the number of petrol storage tanks to 3

Add conditions 29 and 31 and renumber accordingly

The conditions contained in the varied consolidated permit PS15/DJR/08/11 overleaf come into effect immediately and supersede any previous permits.

Signed on behalf of Ipswich Borough Council

  
Sara Boyles  
Principal Environmental Health Officer  
An authorised Officer of the Council

Date: 19<sup>th</sup> August 2011

## Guidance for operators receiving a Variation Notice

(This guidance does not form part of the Variation Notice, but it is for the guidance of those served with the notice.) Further guidance can be found in the PPC General Guidance Manual at <http://www.defra.gov.uk/environment/quality/pollution/ppc/localauth/pubs/guidance/manuals.htm>.

### Dealing with a Variation Notice

This notice varies the terms of the permit specified in the Notice by amending or deleting certain existing conditions and/or adding new conditions. The Schedules attached to the notice explain which conditions have been amended, added or deleted and the dates on which these have effect.

The Council may have included a 'consolidated permit', which takes into account these and previous variations. Where a consolidated permit is not included this variation notice must be read in conjunction with your permit document.

### Offences

Failure to comply with a Variation Notice is an offence under regulation 38(2) of the 2010 Regulations. A person guilty of an offence under this regulation could be liable to (i) a fine of up to £50,000 or imprisonment for a term not exceeding 6 months or both; or (ii) to an unlimited fine or imprisonment for a term not exceeding 5 years or both, depending on whether the matter is dealt with in the Magistrates or Crown Court.

### Appeals

Under regulation 31 and Schedule 6 of the 2010 Regulations operators have the right of appeal against the conditions attached to their permit by a variation notice. The right to appeal does not apply in circumstances where the notice implements a direction of the Secretary of State/Welsh Ministers given under regulations 61 or 62 or a direction when determining an appeal.

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, or any of the mentioned notices.

Notice of appeal against a Variation Notice must be given within two months of the date of the variation notification, which is the subject matter of the appeal. The Secretary of State/Welsh Ministers may in a particular case allow notice of appeal to be given after the expiry of this period, but would only do so in the most compelling circumstances.

### 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 the Secretary of State or Welsh Minister with the following (see paragraphs 2(1) and (2) of Schedule 6 of the 2010 Regulations):

- written notice of the appeal
- a statement of the grounds of appeal;
- a copy of any relevant application;
- a copy of any relevant environmental permit;
- a copy of any relevant correspondence between the appellant and the regulator;
- a copy of any decision or notice which is the subject matter of the appeal; and

- a statement indicating whether the appellant wishes the appeal to be in the form of a hearing or dealt with by way of written representations.

Appellants should state whether any of the information enclosed with the appeal has been the subject of a successful application for confidentiality under regulation 48 of the 2010 Regulations, and provide relevant details – see below. Unless such information is provided all documents submitted will be open to inspection.

#### Where to send your appeal documents

Appeals should be despatched on the day they are dated, and addressed to:

The Planning Inspectorate  
Environment Team, Major and Specialist Casework  
Room 4/04 Kite Wing  
Temple Quay House  
2 The Square  
Temple Quay  
Bristol  
BS1 6PN

Or for appeals in Wales:

The Planning Inspectorate  
Crown Buildings  
Cathays Park  
Cardiff  
CF10 3NQ

If an appeal is made, the main parties will be kept informed about the next steps, and will also normally be provided with additional copies of each other's representations.

To withdraw an appeal – which may be done at any time - the appellant must notify the Planning Inspectorate in writing and copy the notification to the local authority who must in turn notify anyone with an interest in the appeal.

#### Costs

The operator and local authority will normally be expected to pay their own expenses during an appeal. Where a hearing or inquiry is held as part of the appeal process, by virtue of paragraph 5(6) of Schedule 6, either the appellant or the authority can apply for costs. Applications for costs are normally heard towards the end of the proceedings and will only be allowed if the party claiming them can show that the other side behaved unreasonably and put them to unnecessary expense. There is no provision for costs to be awarded where appeals are dealt with by written representatives.

#### Confidentiality

An operator may request certain information to remain confidential, ie not be placed on the public register. The operator must request the exclusion from the public register of confidential information at the time of supply of the information requested by this notice or any other notice. The operator should provide clear justification for each item wishing to be kept from the register. The onus is on the operator to provide a clear justification for each item to be kept from the register. It will not simply be sufficient to say that the process is a trade secret.

The test of whether information is confidential for the purposes of being withheld from the public register is complex and is explained, together with the procedures, in chapter 8 of the PPC General Guidance Manual.

#### National security

Information may be excluded from the public register on the grounds of National Security. If it is considered that the inclusion of information on a public register is contrary to the interests of national security, the operator may apply to the Secretary of State/Welsh Ministers, specifying the information and indicating the apparent nature of risk to national security. The operator must inform the local authority of such an application, who will not include the information on the public register until the Secretary of State/Welsh Ministers has decided the matter.

# Permit With Introductory Note



**IPSWICH**  
BOROUGH COUNCIL

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

Shell UK Ltd  
Shell Centre  
London  
SE1 7NA

LAPPC Permit Ref no:  
**PS15/DJR/08/11**

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## Chronicle

<b>Detail</b>	<b>Date</b>	<b>Comments</b>
First Authorised	25 June 1999	1.14/4/PB
Variation Notice	3 February 2003	1.4/7/4/V1
LAPPC Deemed Application	2 April 2005	Duly Made
Temporary Permit	27 May 2005	1.2/RJD/16
Consultation Permit	24 October 2005	1.2/RJD/16/05
Permit Issued	22 November 2005	1.2/RJD/16/05
Variation Notice	19 August 2011	WK201104801
Permit Issued	19 August 2011	PS15/DJR/08/11

Permit issued by:

Environmental Protection Services  
Ipswich Borough Council  
Floor 3 West  
Grafton House  
15-17 Russell Road  
Ipswich  
IP1 2DE

Telephone: 01473 433115  
Fax: 01473 433062  
Website: [www.ipswich.gov.uk](http://www.ipswich.gov.uk)  
Email: [environmentalprotection@ipswich.gov.uk](mailto:environmentalprotection@ipswich.gov.uk)

## **INTRODUCTORY NOTE**

### ***This introductory note does not form part of the permit***

The following Permit is issued under Regulation 13 of the Environmental Permitting (England and Wales) Regulations 2010, to operate a scheduled installation carrying out an activity, or activities covered by the description in section 1.2 in Part 2 to Schedule 1 of the EP regulations, 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 Secretary of State's Process Guidance Note 1/14(06) 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 EP 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 EP Regulations. 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 EP Regulations.

### **Surrender of the Permit**

Where an operator intends to cease the operation of an installation (in whole or in part) the Regulator should be informed in writing. Such notification must include the information specified in Regulation 24(3) of the EP Regulations.



## **Responsibility under Workplace Health and Safety Legislation**

The permit is given in relation to the requirements of the EP Regulations. It must not be taken to replace any responsibilities an Operator may have under the workplace health and safety legislation.

## **Appeal Against Permit Conditions**

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  
Environmental Appeals Administration  
Room 4/19 – Eagle Wing  
Temple Quay House  
2 The Square  
Temple Quay  
Bristol, BS1 1PN**

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

At the same time, the notice of appeal and documents (a) and (e) must be sent to the Council, and the person making the appeal should inform the appropriate Secretary of State that this had 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.

### **Copyright of any maps if provided with this Permit**

Any Ordnance Survey mapping included if within this publication is provided by Ipswich Borough Council, under licence from the Ordnance Survey in order to fulfil its public function to provide information regarding environmental searches, site notices or authorisations for prescribed processes. Persons viewing this mapping should contact Ordnance Survey copyright for advice where they wish to licence Ordnance Survey mapping for their own use.

### **Talking to us**

Please quote the Permit Number if you contact the Regulator about this permit. To give a notification, the Operator should telephone 01473 433115 or any other number notified in writing by the Regulator for that purpose.

*~ End of Introductory Note~*

# Permit

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



**IPSWICH**  
BOROUGH COUNCIL

LAPPC Permit Ref No: **PS15/DJR/08/11**

**Ipswich Borough Council** (hereinafter known as the Regulator) in exercise of its powers under Regulation 13 of The Environmental Permitting (England and Wales) Regulations 2010, hereby authorises:

**Shell UK Ltd** (hereinafter known as the Operator)

whose Registered Office is:

Shell UK Ltd  
Shell Centre  
London  
SE1 7NA

to operate an installation at:

Shell UK LTd  
Shell Orwell  
Ipswich Bypass  
A14 Westbound  
Suffolk  
IP10 0NZ

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

Signature:

Sara Boyles  
Principal Environmental Health Officer  
The Authorised Officer for this purpose

Date: 19<sup>th</sup> August 2011

Permit issued by:

Environmental Protection Services  
Floor 3 West  
Ipswich Borough Council  
Grafton House  
15-17 Russell Road  
Ipswich  
IP1 2DE

Telephone: 01473 433115  
Fax: 01473 433062  
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Email: [environmentalprotection@ipswich.gov.uk](mailto:environmentalprotection@ipswich.gov.uk)

## OPERATING CONDITIONS

### Process Description and General Information

The unloading of petrol into stationary storage tanks at Shell UK Ltd, Shell Orwell, Ipswich Bypass, A14 Westbound, Suffolk, IP10 0NZ, within the process boundary marked on the attached site plan in the appendix.

The service station has 3 petrol storage tanks.

The deliveries of petrol can occur at any time and may occur outside normal operating hours. The deliveries are directly supervised by a service station operator or controlled entirely by the road tanker driver.

### Emission Limits, Monitoring and Other Provisions

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 mobile container delivering the petrol. Unloading operations may not take place unless the arrangements are in place and properly functioning, subject to conditions 3, 4 and 5.
2. The Operator shall implement the following schedule of preventative maintenance. Once per year the Operator shall carry out the following checks and maintenance work.
  - (i) a visual inspection of fill pipe adaptors and caps and replace as required;
  - (ii) a visual inspection of the vapour connection point, including the condition of the adaptor, poppet valve and dust cover and replace as required.
  - (iii) a visual inspection of the position and clarity of the notices required by condition 18 of this permit.
  - (iv) a visual inspection of the pressure/vacuum relief valve and clean flame arrestor/gauzes.

The inspections shall comprise checks for build up of deposits, wear, damage, blockage, leakage and correct operation.

Records of all maintenance checks shall be made and copies retained on site for a minimum of two years, and available for inspection by an authorised officer of Ipswich Borough Council.

- 3 All reasonably practicable steps shall be taken to prevent uncontrolled leaks of vapour from vents, pipes and connectors from occurring. Ipswich Borough Council shall be advised without delay of the circumstances of such a vapour leak if there is likely to be an effect on the local community, and in all cases such a vapour leak shall be recorded in the logbook required under condition 10.
- 4 The Operator shall advise Ipswich Borough Council of the corrective measures to be taken and the timescales over which they will be implemented in the event of a vapour leak described in condition 3.
- 5 Instances of vapour leak shall be recorded in the log book and, under the circumstances detailed in condition 3, Ipswich Borough Council be advised.
- 6 The procedures in condition 2 to 5 inclusive shall be reviewed in light of any modifications which occur to the facilities. Ipswich Borough Council shall be advised of any proposed alteration in operating procedures.
- 7 Petrol delivery and vapour return lines shall be tested in accordance with the following:
  - (i) when any modification is made to the system, or
  - (ii) if any leak or malfunction is suspected.
- 8 Pressure vacuum relief valves on petrol storage tank vents shall be checked for correct functioning, including extraneous matter, seating and corrosion at least once every three years.
- 9 The Operator shall maintain a log book at the authorised premises, 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.
- 10 The log book shall also detail any suspected vapour leak together with action taken to deal with any leak, in conditions 3, 4 and 5.
- 11 Venting of the petrol vapour shall be through the vent pipes marked on the site plan.

#### Control Techniques

- 12 The vapour collection systems shall be of a size and design, as approved by the regulator, to minimise vapour emissions during the maximum petrol and vapour flow, in accordance with conditions 1 and 13.
- 13 The number of tanker compartments being discharged simultaneously shall not exceed 2, excluding the diesel compartment(s).

14. The connection points on the tank filling pipes and vapour return pipe shall be fitted with secure seals to reduce vapour leaks when not in active use. If apertures are provided on storage tanks for the use of a dipstick, these shall be securely sealed when not in active use.
15. The fittings for delivery and vapour return pipes shall be different to prevent misconnection.
16. Petrol storage tank vent pipe(s) shall be fitted with a pressure vacuum relief valve to minimise vapour loss during unloading and storage of petrol. The pressure vacuum relief valve shall be sized and weighted to prevent vapour loss, except when the storage tanks are subject to potentially hazardous pressurisation.
17. When connecting hose prior to delivery, the vapour return hose shall be connected before any delivery hose. The vapour return hose shall be connected by the road tanker end first, and then at the storage tank end.
18. Adjacent to each vapour return connection point for the storage tank, there shall be a clearly legible and durable notice instructing "Connect vapour return line before off-loading" or similar wording. The sign shall also refer to the maximum number of tanker compartments which may be unloaded simultaneously in accordance with condition 13. In this instance it is 2 compartments.
19. There shall be no dip testing of storage tanks or road tanker compartment before delivery.
20. A competent person shall remain near the tanker and keep a constant watch on hoses and connections during unloading.
21. All road tanker compartment vent and discharge valves shall be closed on completion of the delivery.
22. On completion of unloading, the vapour hose shall not be disconnected until the delivery hose has been discharged and disconnected. The delivery hose shall be disconnected at the road tanker end first. The vapour return hose shall be disconnected at the storage tank end first.
23. All connection points shall be securely sealed after delivery.
24. Storage tanks and road tanker compartments shall not be dipped after delivery.
25. Manhole entry points to storage tanks shall be kept securely sealed except when maintenance and testing are being carried out which require entry to the tank.

## Management

26. The Operator shall be aware that important elements for effective control of emissions shall include:
  - (i) proper management; supervision and training for process operations
  - (ii) proper use of equipment
  - (iii) effective preventative maintenance on all plant and equipment concerned with the control of emissions to the air; and
  - (iv) it is good practice to ensure that spares and consumables are available at short notice in order to rectify breakdowns rapidly. This is important with respect to arrestment plant and other necessary environmental control. It is useful to compile a list of essential items.
27. The Operator shall keep spares and consumables on site, in particular those subject to continual wear, or shall be available at short notice from a guaranteed supplier.
28. The Operator shall implement suitable and sufficient management systems to provide an effective technique for ensuring that all pollution prevention and control techniques (BAT) are delivered reliably and on an integrated basis.
29. BAT 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.
30. The Operator shall follow the procedures for safe operation for petrol unloading operations laid down in petroleum licence conditions and in the Carriage of Dangerous Goods by Road Regulations 1996, SI 2095.
31. 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 the 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.

## Training

32. The Operator shall ensure staff at all levels need the necessary training and instruction in their duties relating to control of the process and emissions to air.
33. The Operator shall ensure that training of all staff with responsibility for operating the process shall include:
  - (i) awareness of their responsibility under the permit; in particular supervising and performing unloading operations of tankers
  - (ii) actions to minimise emissions during abnormal conditions

- 34 The Operator shall maintain a statement of training requirements for each operational part and keep a record of the training received by each person whose actions may have an impact on the environment. These documents shall be made available to an authorized officer of Ipswich Borough Council at their request.

#### Maintenance

35. The Operator shall employ an effective preventative maintenance on all aspects of the process including all plant, buildings and the equipment concerned with control of emissions to air. In particular:
- (i) a written maintenance programme shall be provided to the regulator with respect to pollution control equipment; and
  - (ii) a record of such maintenance shall be made available for inspection.

#### Notifications

36. The Operator shall notify Ipswich Borough Council without delay of:-
- the detection of any malfunction, breakdown or failure of plant or techniques which has caused, is causing or has the potential to cause significant pollution; and
  - any accident, which has caused, is causing or has the potential to cause significant pollution.
37. The Operator shall give written notification as soon as practicable prior to any of the following:-
- (i) permanent cessation of the operation of part or all of the Permitted Installation;
  - (ii) cessation of operation of part or all of the Permitted Installation for a period likely to exceed one year; and
  - (iii) resumption of the operation of part or all of the Permitted Installation after a cessation has been notified.
38. The Operator shall notify the following matters to Ipswich Borough Council in writing within 14 days of their occurrence:
- (i) any change to the operation capable of altering the substances from the operation;
  - (ii) any change in the Operator's trading name, registered name or registered office address;
  - (iii) any change to particulars of the Operator's ultimate holding company (including details of an ultimate holding company where an Operator has become a subsidiary);
  - (iv) any steps taken with a view to the Operator going into administration, entering into a company voluntary arrangement, or being wound up.



## Appendix

