

Revocation Notice

EP Permit Ref: EP42/4
Revocation Ref: wk/202106804

Ipswich Borough Council
The Environmental Permitting Regulations 2010
Regulation 22



To: Mr Halil Kilic of Kevdest Ltd trading as Magic Touch, 21 Norwich Road, Ipswich, Suffolk, IP1 2ET

Ipswich Borough Council ("the Council"), in the exercise of the powers conferred upon it by regulation 22 of the Environmental Permitting (England and Wales) Regulations 2010 ("the 2010 Regulations") hereby gives you notice as follows -

It appears to the Council that *condition(s) as detailed in attached Schedule 1 are being and are likely to be contravened*. The permit no EP42/4 granted to you by this Council on 23rd September 2013 is hereby revoked.

The permit reference EP42/4 is hereby revoked with effect from 31st January 2022. (not being less than 20 working days from the date of this notice).

Signed on behalf of Ipswich Borough Council:

Ben Atkinson
Public Protection Officer
An authorised officer of the Council

Date: 23rd December 2021

Revocation Notice Schedules

EP Permit Ref: EP42/4
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IPSWICH
BOROUGH COUNCIL

Schedule 1

Conditions Contravened

| Condition(s) which are in the opinion of the Council are being and are likely to be contravened | Date(s) of contravention |
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| 2. A weekly inventory of solvent usage, product cleaned, and solvent waste sent for recovery or disposal shall be maintained and held on site for inspection by the regulator for at least 12 months. Further, the operator shall retain records of solvent purchased for at least 12 months. | 20 th January 2021 1 st July 2021 23 rd December 2021 |
| 3. The operator shall send of copy of the following to the Council at the frequency given below: | 20 th January 2021 1 st July 2021 23 rd December 2021 |
| 4. The operator shall implement the schedule of procedures, checks and maintenance requirements to each dry-cleaning machine as listed in Appendix 3. | 20 th January 2021 1 st July 2021 23 rd December 2021 |
| 6. All operating staff shall know where the operating manual for each dry cleaning machine can be found and have ready access to it. | 20 th January 2021 1 st July 2021 23 rd December 2021 |
| 7. All operating staff shall be trained in the operation of each dry-cleaning machine and the control and use of dry-cleaning solvents. The training received shall be recorded. | 20 th January 2021 1 st July 2021 23 rd December 2021 |
| 12. Where cleaning solvents containing VOCs are not received in bulk they shall be stored: <ul style="list-style-type: none">• in the containers they were supplied in with the lid securely fastened at all times other than when in use; and• within spillage collectors, of suitable size and made of impervious and corrosion-proof materials and• away from sources of heat and bright light; and• with access restricted to only appropriately trained staff.• The lids of the containers shall only be removed when the container is next to the cleaning machine ready for filling. Cleaning | 20 th January 2021 1 st July 2021 |

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| solvents shall be obtained in containers of a size which allows the entire container to be emptied into the machine at each topping up. Once emptied, the lid of the container shall be replaced securely. | |
| 21. Prior to disposal, containers contaminated with solvent shall be stored with the lids securely fastened to minimise emissions from residues during storage prior to disposal and labelled so that all that handle them are aware of their contents. | 23 rd December 2021 |
| 22. Solvent contaminated waste, for example still residues, shall be stored: <ul style="list-style-type: none"> • in suitable sealed containers with the lid securely fastened at all times other than when in use; and • on a suitable impervious floor (such as a concrete floor, if necessary coated with flooring paint); and • away from any drains which may become contaminated with residues as a result of spillage Magic Touch - Dry Cleaning EP42/4 9 • away from sources of heat and bright light; and • with access restricted to only appropriately trained staff. | 23 rd December 2021 |
| 24. The operator shall maintain records incorporating details of all maintenance, testing, repair work carried out on each dry-cleaning machine and the scales used to weigh the loads, along with details of training required under condition 7. The records shall be available within 7 days upon request by the regulator. | 20 th January 2021 1 st July 2021 23 rd December 2021 |

Schedule 2

Activities Revoked

The permit reference no: EP42/4 is revoked to the extent detailed in the table below.

| Activities within the installation to be revoked | Dates(s) of revocation |
|--------------------------------------------------|-------------------------------|
| All activities | 31 st January 2022 |

Schedule 3

Actions Required

The revocation of the permit will be withdrawn if the following actions are completed:

| Action to be taken to avoid pollution risk / return the site to a satisfactory state | Date(s) of completion |
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| 1. Operations shall be carried out in such a manner that no more than 20 grams of solvent per kilogram of product cleaned and dried shall be emitted as measured and reported annually. The 20 grams includes all organic solvents used within the installation e.g. dry-cleaning solvent, water-proofing solutions and spot cleaning solutions. | 31 st January 2022 |
| 2. A weekly inventory of solvent usage, product cleaned, and solvent waste sent for recovery or disposal shall be maintained and held on site for inspection by the regulator for at least 12 months. Further, the operator shall retain records of solvent purchased for at least 12 months. Note: The revised solvent management balance sheet for dry cleaning installations (found on the DEFRA website: www.defra.gov.uk) can be used to demonstrate compliance with conditions 1 and 2 above. | 31 st January 2022 |
| 3. The operator shall send of copy of the following to the Council at the frequency given below: The monthly inventory sheets for the previous quarter. (Once a quarter) The record of regular maintenance during the previous 12 months, referred to in Condition 4. (Once a year) A list of staff nominated and trained in accordance with Conditions 6 and 7. (Once a year) | 31 st January 2022 |
| 4. The operator shall implement the schedule of procedures, checks and maintenance requirements to each dry-cleaning machine as listed in Appendix 3. Magic Touch - Dry Cleaning EP42/4 and evidence shall be recorded and held on site for inspection by the Regulator. | 31 st January 2022 |
| 5. All operating staff shall know where the operating manual for each dry cleaning machine can be found and have ready access to it. | 31 st January 2022 |

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| All operating staff shall be trained in the operation of each dry-cleaning machine and the control and use of dry-cleaning solvents. The training received shall be recorded and held on site for inspection by the Regulator. | |
| <p>6. Where cleaning solvents containing VOCs are not received in bulk they shall be stored:</p> <p>(i) in the containers they were supplied in with the lid securely fastened at all times other than when in use; and</p> <p>(ii) within spillage collectors, of suitable size and made of impervious and corrosion-proof materials and away from sources of heat and bright light; and</p> <p>(iii) with access restricted to only appropriately trained staff.</p> <p>(iv) The lids of the containers shall only be removed when the container is next to the cleaning machine ready for filling.</p> <p>(v) Cleaning solvents shall be obtained in containers of a size which allows the entire container to be emptied into the machine at each topping up. Once emptied, the lid of the container shall be replaced securely.</p> | 31st January 2022 |
| <p>7. Spot cleaning with organic solvents or organic solvent borne preparations shall not be carried unless they are the only method of treating a particular stain on a material to be cleaned.</p> <p>Magic Touch - Dry Cleaning EP42/4 8</p> | 31st January 2022 |
| <p>8. The dry-cleaning machine loading door shall be kept closed when not in use. (Note: Where an extract fan is fitted to maintain a negative pressure within the machine during unloading, the exhaust from this fan should be directed to a carbon adsorption filter prior to discharge to atmosphere).</p> | 31st January 2022 |
| <p>9. The dry-cleaning machine loading door shall be closed before the start-up of the machine, and kept closed at all times through the drying and cleaning cycle.</p> | 31st January 2022 |
| <p>10. The still, button trap and lint filter doors shall be closed before the start-up of the machine and kept closed at all times through the drying and cleaning cycle.</p> | 31st January 2022 |

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| 11. All new and substantially refurbished machines shall have a spillage tray with a volume greater than 110% of the volume of the largest tank within the machine. (Note: This does not remove the need to comply with health and safety recommendations relating to the fitting of spill trays to existing machines) | |
| 12. Solvent contaminated waste, for example still residues, or containers contaminated with solvent, shall be labelled so that all that handle them are aware of their contents and stored: (i) in suitable sealed containers with the lid securely fastened at all times other than when in use (ii) on a suitable impervious floor (such as a concrete floor, if necessary coated with flooring paint) (iii) away from any drains which may become contaminated with residues as a result of spillage (iv) in a ventilated area, away from sources of heat and bright light; and (v) with access restricted to only appropriately trained staff. | 31st January 2022 |
| 13. Appropriate equipment to clean up spillages shall be quickly accessible in all solvent handling and storage areas. | 31st January 2022 |
| 14. The operator shall maintain records incorporating details of all maintenance, testing, repair work carried out on each dry-cleaning machine and the scales used to weigh the loads, along with details of training required under condition 7. The records shall be available within 7 days upon request by the regulator. | 31st January 2022 |
| 15. Spares and consumables in particular, those subject to continual wear shall be held on site, or, should be available at short notice from guaranteed suppliers, so that plant breakdowns can be rectified rapidly. | 31st January 2022 |
| 16. Where a continuous PER monitoring device has been fitted for health and safety reasons, it shall be maintained and calibrated in accordance with the manufacturers recommendations. As a high reading on the monitor indicates leaks and other malfunctions which have lead to the release of PER, then this will also indicate | 31st January 2022 |

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| potential non compliance with the environmental requirements of this permit. (Note: An alternative is to use a hand-held device to detect leaks as this can be used in close proximity to the machine to detect minor leaks that would not be detected by a remote monitor). | |
| 17. Appropriate weighting scales commensurate with the receptacle being weight (for example clearly readable when load is on them) shall be used to weight loads | 31st January 2022 |

Signed on behalf of Ipswich Borough Council:



Ben Atkinson
Public Protection Officer
An authorised officer of the Council

Date: 23rd December 2021

Guidance for Operators receiving a Revocation Notice

(This guidance does not form part of the Revocation Notice, but it is for the guidance of those served with the Notice. Further guidance can be found in the PPC General Guidance Manual.)



Dealing with a Revocation Notice

This Notice revokes the permit (in whole or in part) for operation of the installation specified in the Notice.

The revocation/partial revocation takes effect from the date given in the Notice. From that date onwards continuation of the operation of the installation or that part specified will constitute an offence.

Appeals

Except in the case of a revocation for non-payment of charges, operators have the right of appeal against a revocation notice under regulation 31(2)(f) of the 2010 Regulations. The right to appeal also 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 or when determining an appeal.

Appeals against a Revocation Notice will suspend the operation of the Notice. Appeals do not have the effect of suspending permit conditions.

Notice of appeal against a revocation notice must be given before the date specified for revocation of the permit. 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. Further guidance on commercial confidentiality can be found in chapter 8 of the PPC General Guidance Manual.

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 and 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 proceeding 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.

Offences

The operation of an installation subject to LA-IPPC or LAPPC without the benefit of a permit is an offence under regulation 38(3) of the 2010 Regulations. A person guilty of an offence under this regulation could be liable to (i) on conviction in the Magistrates Court, a fine of up to £50,000 or to imprisonment for a term not exceeding 6 months or both; or (ii) on conviction in the Crown Court, to an unlimited fine or imprisonment for a term not exceeding five years or both (regulation 38).