

Variation Notice

The Environmental Permitting (England and Wales) Regulations 2010, Regulation 20

EP Permit ref: WP/1/2013

Variation ref: MAU000554/14


To Portland Stone Limited, 26 Tradecroft, Portland, Dorset, DT5 2LN.

Weymouth and Portland Borough Council ("the Council"), in the exercise of the powers conferred upon it by regulation 20 of the Environmental Permitting (England and Wales) Regulations 2010¹ ("the 2010 Regulations") hereby gives you notice as follows-

The Council has decided to vary the conditions of permit reference WP/1/2013 granted under regulation 13 of the 2010 Regulations in respect of the operation of the mobile installation at Perryfields Quarry, Wakeham, Portland.

The variation of the conditions of the permit and the dates on which they are to take effect are specified in Schedule 1 to this notice. A full and consolidated permit as varied by this notice is attached as Schedule 2.

Signed on behalf of Weymouth and Portland Borough Council



.....

Date 20/7/2015

Mr Nigel Emery
Environmental Health Manager
An authorised officer of the Council

All correspondence related to this Notice should be forwarded to:

Weymouth and Portland Borough Council
Community Protection
Council Offices
North Quay
Weymouth
Dorset
DT4 8TA

¹ SIXXX

EP Permit ref: WP/1/2013
Variation ref: MAU000554/14


Schedule 1

Variation to the conditions of the permit	Date(s) on which the variation is to take place
Condition 2 – Addendum: “unless operating in Perryfields Quarry or Broadcroft Quarry Waste Transfer Station as shown on maps 1 and 2, in Schedule A.”	As dated below.
Condition 6 – Addendum: “and Broadcroft Quarry area.”	As dated below.
Condition 11 - addendum: “including the transfer between the two agreed Sites, in Schedule A.”	As dated below.
Rename Schedule B as Schedule A and add additional map (2) showing the Broadcroft Quarry boundary and outlining the area where the mobile plant shall operate.	N/A.

Schedule 2

Permit reference WP/1/2013 as varied by this notice.

Signed on behalf of Weymouth and Portland Borough Council


.....

Date... 20/7/2015

Mr Nigel Emery
Environmental Health Manager
An authorised officer of the Council

Schedule 2

LOCAL AUTHORITY POLLUTION PREVENTION AND CONTROL (LAPPC)

Pollution Prevention and Control Act 1999

The Environmental Permitting (England and Wales) Regulations 2010 (as amended) – Regulation 13

Permit Reference Number: WP/1/2013



WEYMOUTH AND PORTLAND BOROUGH COUNCIL, (the "Regulator") in exercise of its powers under Regulation 13 of The Environmental Permitting Regulations 2010 (as amended), hereby Permit:

PORTLAND STONE LIMITED
26 TRADECROFT
PORTLAND
DORSET
DT5 2LN

to operate an installation from

PERRYFIELDS QUARRY AND BROADCROFT QUARRY
PORTLAND

in which an activity is being carried out as listed in Schedule 1 to the above-mentioned Regulations and as detailed below:

Operate mobile plant for the activity of mobile crushing, grinding and screening as listed in Part 2, Chapter 3, Section 3.5, Part B of Schedule 1 to the Regulations.

The permitted plant is.

Plant	Serial Number
Terex Pegsun ZA400 Crusher	400350ELXA
Powerscreen Chieftain 1400 3 Way Split Screen	PID00066J76D30097

The Permit is to the extent authorised by and subject to the Conditions contained in this Permit.

Signed
Mr Nigel Emery

A handwritten signature in blue ink, appearing to be 'Nigel Emery'.

Environmental Health Manager

on behalf of WEYMOUTH AND PORTLAND BOROUGH COUNCIL

20.7.15 (date)

Permit issued by:

Weymouth and Portland Borough
Council
Community Protection
Council Offices
North Quay
Weymouth
Dorset DT4 8TA

Telephone: 01305 838432

Fax: 01305 766684

Website: www.dorsetforyou.com

Email: env.health@weymouth.gov.uk

Contents

Permit

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Chronicle:

Detail	Date	Comments
1. Application received	10 th April 2013	
2. Permit issued	1 st May 2013	Under Environmental Permitting Regulations (England and Wales) 2010 (as amended)
3. Variation to Permit WP/1/2013	20 th July 2015	Addition of specific conditions for use.

General operating conditions

Asbestos

1. Asbestos shall not be crushed or screened.

Notifications

2. The operator shall, before the mobile plant is operated, notify the regulator of the site where the mobile plant is to be operated, and the regulator who issued the permit:
 - a. where and when the mobile plant is expected to start operating, and
 - b. the serial numbers of the mobile plant involved.

Unless operating in Perryfields Quarry or Broadcroft Quarry Waste Transfer Station as shown on maps 1 and 2, in Schedule A.

Emissions and monitoring

3. No visible particulate matter shall be emitted beyond the installation boundary.
4. The emission requirements and methods and frequency of monitoring set out in Table 1 shall be complied with.
5. All plant and equipment capable of causing, or preventing, emissions shall be maintained in accordance with the manufacturer's instructions. Records shall be kept of such maintenance.

Crushers and screening units

6. Crushers shall be totally contained or fitted with a water suppression system over the crusher aperture when in use away from the Perryfield Quarry area and Broadcroft Quarry area.
7. Where the use of water as a method of dust suppression is necessary in order to meet the emission limits, it shall be used. In such circumstances, if water of the required pressure is not available for use on the suppression system, then the process shall not operate.
8. Deposits of dust on external parts of the plant shall be cleaned off at the end of each working day in order to minimise the potential for wind entrainment when in use away from the Perryfield Quarry area

Loading, unloading and transport

9. No potentially dusty materials (including wastes) or finished products shall arrive on or leave the site unless they are transported in vehicles with adequate containment to prevent particulate emissions during transport, loading and unloading.

Roadways and transportation

10. All areas where there is regular movement of vehicles shall have a consolidated surface capable of being cleaned, and these surfaces shall be kept clean and in good repair, or shall be kept wet. Quarry haul roads are excluded from this provision.

11. Vehicles shall not track material from the site onto the highway, including the transfer between the two agreed sites, in Schedule A.

Records and training

12. Records of all tests and monitoring shall be kept by the operator for at least 24 months and they shall be made available for examination by the Council. Records shall be kept of operator inspections, including those for visible emissions when operating away from the Perryfields Quarry area.
13. Staff at all levels shall receive the necessary training and instruction to enable them to comply with the conditions of this permit. Records shall be kept of relevant training undertaken and be made available for examination by the Council

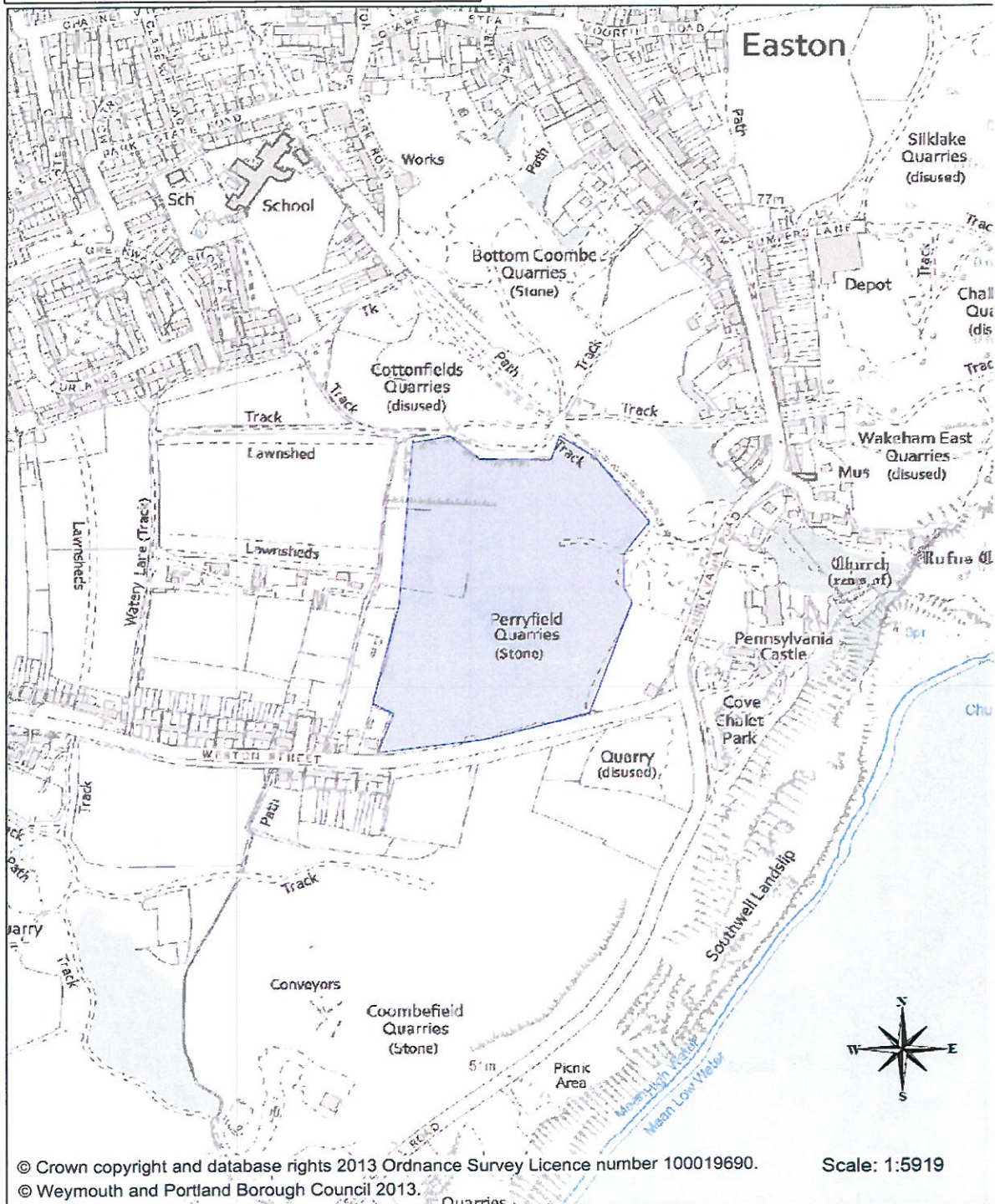
Best available techniques

14. Best available techniques shall be used to prevent or, where 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.
15. If the operator proposes to make a change in operation of the installation, he must notify the regulator in writing 14 days in advance. The notification must contain a description of the proposed change in operation.

Table 1 – Emission Limits, monitoring and other provisions				
Substance	Source	Emission limit / provisions	Type of monitoring	Monitoring frequency
Particulate matter	Whole process	Avoidance of visible emissions crossing the site boundary	Recorded operator observations	On start up and on at least two more occasions each day
smoke	engines	No visible smoke during normal operation	*Recorded operator observations	*On start up and on at least two more occasions each day

Schedule A
Principal Place of Business from which the
mobile plant is permitted to operated

Map 1 Perryfield Quarry



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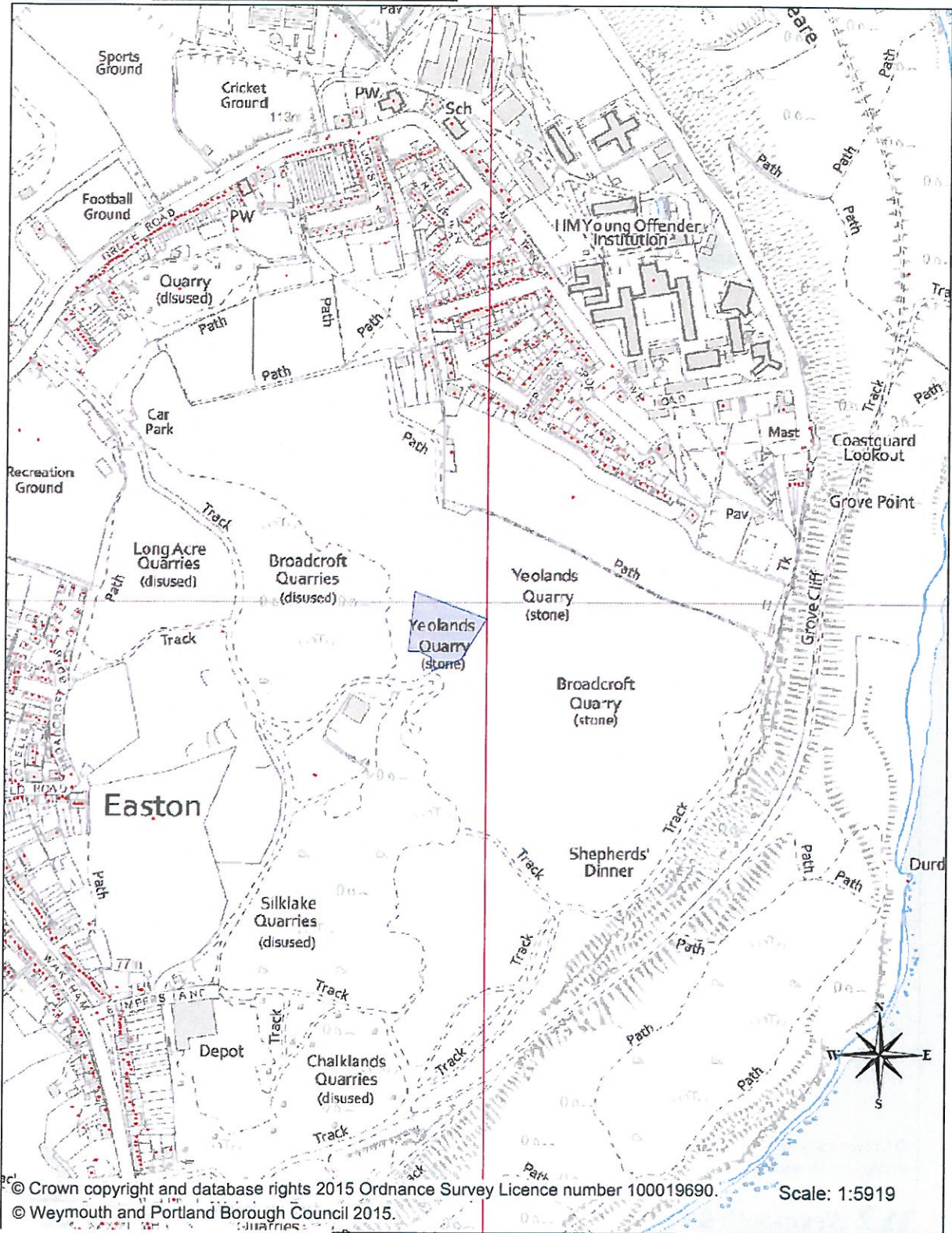
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W Weymouth & Portland
 Borough Council

Date Printed : 23-04-2013

Council Offices
 North Quay
 Weymouth
 Dorset, DT4 8TA

Map 2 Broadcroft Quarry



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.

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.

