

**Pollution Prevention and Control Act 1999
Pollution Prevention and Control (England and Wales)
Regulations 2000 (as amended) Schedule 1**

Permit Reference No. PPC11

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Section One

Introductory Note & Description of Permitted Installation

**Pollution Prevention and Control Act 1999
Pollution Prevention and Control (England and Wales) Regulations 2000
(as amended) Schedule 1**

Permit Reference No. PPC11

Introductory Note

Permit Holder:	Mr A Funnell & Mrs J Funnell T/A Car Services
Installation Address:	Car Services 23 Birch Road Eastbourne BN23 6PD
Registered Address of Company:	Car Services 23 Birch Road Eastbourne BN23 6PD

Provenance	Date
Application for Authorisation (EPA 90)	26/05/95
Authorisation issued	27/03/96
Permit 'deemed' application	1 st April 2003
Permit issued	1 st March 2005

Mr A Funnell & Mrs J Funnell T/A Car Services are hereby permitted by Eastbourne Borough Council to carry on a Vehicle Respraying Process as prescribed in Section 6.4(B), of Schedule 1, of The Pollution Prevention and Control (England and Wales) Regulations 2000 (as amended) as described below and within the installation boundary as marked red on the attached plan reference PPC11/1 and in accordance with the conditions detailed in Section 2 of this Permit.

Signed..... Date.....

Head of Environmental Health

Process Description

- 1.1** The process operated is the respraying of road vehicles using more than half a tonne of volatile organic solvent in 12 months. As a whole the installation falls within Sections 6.4(B) of Schedule 1 of the Pollution Prevention and Control (England and Wales) Regulations 2000 (as amended). It is therefore a defined Solvent Emissions Directive activity as well as the other identified activities. However for vehicle refinishing processes which are using compliant coatings and water based paint products then the forthcoming Paint Product Directive proposes to exempt certain aspects of SED compliance routes for vehicle refinishers. For this purpose conditions relating to SED solvent compliance routes are not included in this Permit as advised by Additional Guidance Note (AQ14(04) issued by DEFRA.
- 1.2** The respraying of road vehicles can be broken down into the following stages:-
- (a) Preparing of the vehicle
 - (b) Mixing the coating
 - (c) Loading the spray gun
 - (d) Applying the coating
 - (e) Cleaning the gun
 - (f) Drying the coating
 - (g) Curing the coating.
- 1.3** The preparation of the vehicle may include cleaning, surface preparation and panel rectification. Any dust or particulate produced is collected in local extraction units.
- 1.4** A variety of materials are used in the process which would include:-
- (i) Paint
 - (ii) Primers
 - (iii) Thinners
 - (iv) Hardeners
 - (v) Special Products.
- 1.5** The materials are received in sealed containers and are stored in the paint store until required for use. Paint, clear lacquer and primers are activated in the mixing room. Local fume extraction is provided in the mixing room to the outside.
- 1.6** All paint spraying takes place in 2 enclosed Dalby spray booths. The booths provide a controlled environment during spraying and allow an increase in temperature for the stoving or baking cycle.

During spraying clean air is constantly being introduced. Air is filtered both on entry and exit of the spray booths.

- 1.7** Spray applications are carried out by the use of a high volume low pressure (HVLV) spray gun.
- 1.8** Any surplus material from the spraying operation not required for further use is stored in sealed containers in the paint mixing room.
- 1.9** Spray guns are cleaned after use in a fully enclosed gun cleaning machine in the mixing room.
- 1.10** The principal sources of releases to air from the process are:-
- (i) particulates from preparation of vehicles
 - (ii) VOC emissions from storage of paint and preparation of paint
 - (iii) VOC emissions from paint spraying booths
 - (iv) VOC emissions from cleaning of spray guns.

Section Two

Permit Conditions

**Pollution Prevention and Control Act 1999
Pollution Prevention and Control (England and Wales) Regulations 2000
(as amended) Schedule 1**

Permit Reference No. PPC11

The conditions contained within this Permit are based upon Guidance Note PG 6/34 (04), "Respraying of Road Vehicles"

The requirements of the conditions attached to this permit shall come into effect on the date indicated in the individual condition or if no date is indicated shall take effect forthwith.

1.0 Emission Limits and Controls

- 1.1** All emissions to air, other than steam or water vapour shall be colourless, free from visible mist and free from visible fume and droplets.
- 1.2** Emissions from combustion processes shall, in normal operation be free from smoke and in any case shall not exceed the equivalent of Ringelmann Shade 1 as described in British Standard BS 2741: 1969.
- 1.3** A visual and olfactory assessment of the emissions from the two Dalby Spray booths shall be made daily within the first 10 minutes of use to assess whether there is an emission of visible particulate matter or dour from VOC's. The assessment shall be recorded in the logbook.
- 1.4** All spray booths shall comply with the 10mg/m³ limit for particulate matter. A compliance certificate shall be obtained from the constructor with a guarantee that the booth will meet this emission concentration limit. This guarantee shall be accompanied by relevant and comprehensive test data and retained with the spray booth documentation.
- 1.5** All emissions shall be free from offensive odour outside the installation boundary as indicated in red on the attached plan **PPC11/1**. This will be monitored on a daily basis downwind at the installation boundary.
- 1.6** The height of the chimney/vent from the spray booths shall not be less than 3 metres above the ridge of any building within 15metres of the base of the chimney or vent.
- 1.7** The chimney/vent height of the spray booth shall take into account the need to render harmless any residual odour.

- 1.8** The chimneys shall not be fitted with any final opening restriction other than a cone fitted at the chimney exit to increase the efflux velocity. Discharge shall be vertically upwards.
- 1.9** The chimneys/vents shall all be inspected and cleaned regularly as necessary to prevent accumulations of material.
- 2.0** **Compliance Demonstration**
- 2.1** The filters serving each of the spray booths and the extraction systems serving the body repair shop/paint mixing room shall be maintained/changed in accordance with the manufacturers instructions.
- 2.2** The process operator shall keep a detailed record of all paint, hardener, organic solvent and substrate and equipment cleaning materials used. The record shall be kept in such a way that the organic solvent usage can be calculated.
- 2.3** Evidence shall be retained to show that “compliant coatings” are being used as defined in table 1 of this Permit.
- 2.4** The determination of solvent usage shall be made every **six** months and the figure submitted in writing to the Head of Environmental Health at Eastbourne Borough Council on 1st April and 1st October each year.
- 2.5** Coatings other than topcoats shall be applied by high volume low pressure spray equipment at a maximum pressure of 67.5kPa or air assisted airless equipment or electrostatic equipment or any other method achieving at least 65% paint transfer efficiency
- 2.6** All paint spraying operations shall only be carried out in the totally enclosed spray booths.
- 2.7** A logbook shall be kept specifically and solely for the purpose of recording all maintenance carried out in compliance with Conditions 2.1, 4.1 and all monitoring carried out under Conditions 1.3 of this Permit. The records contained in the log book shall be retained for at least four years and shall be made available for inspection by an Officer of the Enforcing Authority on request.
- 2.8** All operations such as welding, sanding and mechanical grinding shall be carried out within a building.
- 2.9** The local extraction system shall be used on all power tools, that are likely to give rise to odour, fumes or particulate matter.

Table 1

	Solvent grams per litre
Gunwash	850
Pre cleaner	200
Wash primer	780
Precoat	540
Primer surfacer	540
Non-sand surfacer	540
Primers for wet-on-wet topcoat application	540
Topcoats	
1 coat conventional	420
2 coat base and clear	420
3coat topcoat systems	420
Special products	840

3.0 Materials Handling

3.1 All paint mixing and equipment cleaning shall take place in a dedicated area which shall be provided with an extract ventilation system. The discharge from the system shall comply with condition 1.1 and in any case shall be released so as not to give rise to an offensive odour at the process boundary site.

3.2 All spray guns and equipment cleaning shall be carried out in an automatic totally-enclosed equipment cleaning machine provided with the minimum rate of exhaust ventilation necessary to prevent the fugitive emission of solvent vapour when the machine is open for placing or retrieving equipment or for replacing the cleaning solvent.

3.3 All spray gun testing and spray out following cleaning shall be done into the equipment cleaning machine with the extraction system running, or into a separate chamber which is provided with extraction, and a receptacle shall be provided to collect the solvent which is put through the spray gun.

The receptacle used to collect the solvent shall be kept lidded at all times when not in use.

3.4 Where dirty solvents or waste paint are returned for recycling/re-use the operator shall ensure that receipts are provided and these receipts shall be retained at the process site for a period of four years.

All full, partially full or nominally empty containers, which hold or have held materials containing organic solvents shall be stored tightly lidded.

3.5 All solvent soaked wiping cloths shall be stored in enclosed containers.

3.6 A supply of absorbent material shall be held at the site for use in the event of spillages or organic solvents. Such spillages shall be cleared up immediately, and the collected material shall be held in an enclosed container pending removal from the site.

4.0 General Operations

4.1 Effective preventive maintenance shall be employed on all plant and equipment concerned with the control of emissions to the air.

4.2 Essential spare and consumables (especially those subject to continual wear) shall either be held on site or available at short notice from suppliers in order to rectify breakdowns rapidly.

4.3 Any malfunction or breakdown leading to abnormal emissions shall be dealt with promptly and process operations adjusted until normal operations can be restored. All such malfunctions shall be recorded in a log book and the log book shall be retained for a period of four years.

4.4 In the event of any malfunction or accident which leads to the escape of volatile organic compounds, or particulate matter in such quantities as to have an effect upon the occupiers of other premises in the neighbourhood, the process operator shall immediately notify Environmental Services by telephone or facsimile message within one hour, with details of the nature of the problem, the action taken so far, and the proposed action to deal with the situation.

4.5 A comprehensive written maintenance programme shall be produced and implemented. It shall cover all the plant and equipment associated with the prescribed process. All plant and equipment shall be maintained within the manufacturers instructions.

4.6 A high standard of housekeeping shall be maintained.

4.7 Staff at all levels shall receive the necessary formal training and instruction in their duties relating to control of the process and emissions to air. A record of each person's training and instruction shall be kept for the duration of their employment connected with the equipment described within this Permit.

4.8 A responsible person shall be nominated to act of behalf of the company, who will be responsible for ensuring that tests, emission monitoring and maintenance measures that are required under this Permit are carried out. The responsible person shall be named in the log book.

4.9 Complete and immediate access to the premises shall be granted to a duly authorised officer of the Local Authority upon request.

4.9.1 A copy of this Permit shall be kept on the premises.

Section Three

Location of Permitted Installation and Site Plan

Section Four

Explanatory Notes And Appeals Procedure

Eastbourne Borough Council
The Pollution Prevention Control Act 1999
The Pollution Prevention & Control (England & Wales) Regulations 2000 SI 1973
(As Amended)

EXPLANATORY NOTE

These notes are provided for the operator of an installation or mobile plant to assist in the interpretation of their duties under the provisions of the above-mentioned legislation, with particular reference to the permit issued by North Tyneside Council. These notes do not form part of the Permit or conditions attached to it.

1. RESIDUAL BAT CONDITION

You should note that regulation 11(2) of the Pollution Prevention & Control (England & Wales) Regs 2000 (the PPC Regs) require that installation and mobile plant should be operated in accordance with the general principles such that -

- (a) all the appropriate preventative measures are taken against pollution, in particular through application of the best available techniques; and
- (b) no significant pollution is caused.

Schedule 2 of the PPC Regs describes the concept BAT and the special requirements.

In relation to the Permit you should be aware that, amongst other aspects of the installation operation and management, this residual duty will apply to:-

- the control of emissions to ensure that offensive odours are not caused beyond the installation boundary,
- maintenance, service and repair of equipment,
- keeping of spares and consumables,
- the training of installation operators, and supervision of workers
- management of the installation in relation to maintenance of a high standard of housekeeping.

2. STATUTORY REQUIREMENTS

This Permit is issued under regulation 10 of the PPC Regs and does not detract from any of the following statutory requirements where applicable:-

- (a) The requirement to obtain Planning Permission for the installation and any new construction.
- (b) The requirement to obtain discharge consent from the Environment agency.
- (c) The requirement to obtain Building Regulation approval for any construction work.

- (d) The requirement of a Waste Disposal Licence.
- (e) The requirement to comply with the Health and Safety at Work etc Act 1974.

3. PUBLIC REGISTER

The Council is required by regulation 29 to maintain a Public Register containing information on all LAPPC installations and mobile plant. The register is available for inspection by the public free of charge during office hours (Monday to Friday 9.00am to 5.00pm) at

**Eastbourne Borough Council,
Environmental Health Department
1 Grove Road
Eastbourne
East Sussex
BN21 4TW**

Subject to exclusions of commercially confidential information and information affecting national security, registers will contain the following:

- a. Applications for a permit;
- b. Notices asking for information and responses to such;
- c. Advertisements and representations in response to such (unless requested not to by the person responding)
- d. In the case of c) above, a statement to the effect that representations were made but have been omitted – must not identify the person making the representation;
- e. Statutory consultee responses to applications or applications for variations;
- f. Permits;
- g. Notifications of changes in the operation of installations;
- h. Applications for variations, transfers or surrenders of permits;
- i. Variations, transfers and surrenders granted;
- j. Revocations;
- k. Enforcement or suspension notices;
- l. Notices withdrawing enforcement and suspension notices;
- m. notice of an appeal including the grounds of the appeal, relevant correspondence between the appellant and the regulator, and the decision/notice which is the subject of the appeal;
- n. Representations in response to appeal (unless requested not to by the person responding);
- o. In the case of n) above, a statement to the effect that representation were made but have been omitted – must not identify the person making the representations;
- p. The appeal decision and any accompanying report;
- q. Convictions, formal cautions; to include the name of the person, date of conviction/caution, and (where appropriate) penalty and name of court. This requirement does not override the Rehabilitation of Offenders Act 1974 regarding spent conditions, and authorities must take care to remove relevant entries at the appropriate time;

- r. Monitoring data obtained by the authority from its own monitoring, or sent to the authority on accordance with a permit condition or regulation 28(2) notice;
- s. If any monitoring information is omitted because it is commercially confidential, the authority must put a statement on the register indicating whether relevant permit conditions are being complied with, based on the withheld information;

Commercial Confidentiality

An operator may request certain information to remain confidential i.e. not be placed on the public register. The operator must request the exclusion from the public register of commercially 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 amount of information excluded from the register should be kept to the minimum necessary to safeguard the operator's commercial advantage

The general principle is that information should be freely available to the public. Information that maybe considered commercially confidential is that which if it "were being contained within the register would prejudice to an unreasonable degree the commercial interests of an individual or any other person" (regulation 31(12) of the 2000 Regulations).

Local authorities will also take into account whether the information at issue could be obtained or inferred from other publicly accessible sources.

The local authority will determine this request within 28 days of the date of such an application and will issue a Determination Notice detailing their decision. The notice may specify a time period over which the information is to remain commercially confidential (if not specified, it will be four years beginning with the date of the determination). The operator may appeal to the Secretary of State within 21 days of the notification of the decision.

If the application is granted the local authority will place a statement on the public register stating that certain information has been withheld and stating the reasons why, plus whether this information is relevant to a permit condition, and whether the permit condition has been complied with.

Further guidance on commercial confidentiality can be found in Chapter 8 of the LA-IPPC and LAPPC 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, 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 has decided the matter.

4. UPGRADING PROGRAMMES

The following information does not comprise part of the Permit, but contains guidance, which should be noted when considering the upgrading programme.

Aim of Upgrading Programme

To identify the areas where the existing installation does not meet the required standards ("new process" standards), as detailed in the relevant Secretary of State's Process Guidance Note, the steps to be taken to meet these standards, and the time-table of dates by which these steps are to be implemented. (You are advised to refer to the Department of Environment, General Guidance Note 4 - Interpretation of terms used in Process Guidance Notes (available from H.M. Stationery Office)).

Content of Upgrading Programme

There is not a specified format for an upgrading programme but, wherever possible, it should identify reasonably precise actions to be taken and the dates on which these actions will be instigated. If abatement plant is to be installed technical specifications and schematic drawings along with operational procedures should be detailing in the upgrading plan.

Council Action upon receipt of Upgrading Programmes

It is an offence not to submit the upgrading programme by the date specified in the Permit.

The Council will assess the adequacy of the submission and if satisfied with the content, will place it on the Public Register (operators may apply for matters which are considered to be commercially confidential to be excluded from the Register).

The Council will bring the upgrading programme within the terms of the Permit by issuing a Variation Notice to add the programme as a condition to the initial Permit. This will ensure that commitments given are made into enforceable conditions (this may not preclude changes to the programme where there are sound reasons for such a change).

5. FEES

In accordance with regulation 22(2)c of the PPC Regs, the holder of a permit is required to pay a fee for the subsistence of the Permit. This fee is payable annually on 1st April. You are advised that under the provisions of regulation 21 of the PPC Regs, if you fail to pay the fee due promptly, the Council may revoke the Permit.

6. TRANSFER OF PERMITS

Under the provisions of regulation 18 of the PPC Regs, where you wish to transfer the Permit to another person (the proposed transferee) then the operator and the proposed transferee shall jointly make an application to the Council. The council will determine the transfer application within 2 months. A fee is also available. For further details on this please contact the Council.

7. PROCESS CHANGES

Under the provisions of regulation 16 of the PPC Regs, you are required to notify the Council of any proposed change in operation at least 14 days before making the change. This must be in writing and must contain a full description of the proposed change in operation and the likely consequences.

If the change could result in the breach of the existing permit conditions or is likely to require the variation of permit conditions then you must apply in writing under regulation 17(2), or involves a SUBSTANTIAL CHANGE to the installation you will be required to submit an application, pay the relevant fee and advertise the application accordingly. You should notify the Council 28 days before undertaking such changes in the installation operation. You may serve a Notice on the Council requesting that they determine whether any change, which is proposed, would constitute a substantial change before you proceed with application.

8. APPEALS

Under regulation 27(1)c of the 2000 Regulations operators have the right of appeal against the conditions attached to their permit. The right to appeal does not apply in circumstances where the notice implements a direction of the Secretary of State given under regulations 12(15) (directions to regulators), 36 (general directions to regulators), paragraph (4) of regulation 27 (Appeals), paragraph 14(6) of Schedule 4 (directions determining applications for permits) or 6(6) of Schedule 7 (directions determining variation of permits).

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 the conditions attached to the permit must be given within six months of the date of the notice, which is the subject matter of the appeal. The Secretary of State 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 (see Schedule 8 of the 2000 Regulations, paragraph 1):

- written notice of the appeal;
- a statement of the grounds of appeal;
- a statement indicating whether the appellant wishes the appeal to be dealt with by written representations procedure or a hearing - a hearing must be held if either the appellant or enforcing authority requests this, or if the Planning Inspector or the Secretary of State decides to hold one.
- (appellants must copy the above three items to the local authority when the appeal is made)
 - a copy of any relevant application;
 - a copy of any relevant permit;

- a copy of any relevant correspondence between the appellant and the regulator; and
- a copy of any decision or notice, which is the subject matter of the appeal.

Appellants should state whether any of the information enclosed with the appeal has been the subject of a successful application for commercial confidentiality under regulation 31 of the 2000 Regulations, and provide relevant details. 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 LA-IPPC and LAPPC manual.

Where to send your appeal documents:

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

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

On receipt of an appeal and during the appeal process the main parties will be 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

Guidance from the Planning Inspectorate states that operator and regulator would be normally expected to pay their own expenses during an appeal. Where a hearing or enquiry is held as part of the appeal process, by virtue of Schedule 8, paragraph 4(10) of the 2000 Regulations, either the appellant or the local 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.

9. Secretary of State's Guidance

This permit is covered by the relevant Secretary of State's Guidance and :

PG6/34(04) Secretary of State's Guidance for Respraying of Road Vehicles	www.defra.gov.uk/environment/index.htm
Pollution Prevention and Control Act 1999	
Pollution Prevention and Control (England & Wales) Regs 2000	ISBN – 0- 099621 -6
General Guidance Manual on Policy and Procedures for A2 and B Installations	ISBN – 0-85521-028-1

10. Reporting Requirements and Contact Details

Where a Permit condition imposes a requirement to forward documents to the Local Authority or to report a specified occurrence the following address and telephone number shall be used:

By Post

**Eastbourne Borough Council,
Environmental Health Department
1 Grove Road
Eastbourne
East Sussex
BN21 4TW**

By Telephone

During office hours: 01323 415379
Facsimile No.: 01323 415997

Email :- environmentalhealth@eastbourne.gov.uk