

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

Permit Reference No. PPC/4

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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. PPC/4

Introductory Note

Permit Holder:	Cemex Uk Materials LTD
Installation Address:	Cemex Uk Materials LTD Hammonds Drive Eastbourne BN23 6PW
Registered Address of Company:	Cemex Uk Materials LTD Cemex House Coldharbour Lane Thorpe Egham Surrey TW20 8TD

Provenance	Date
Application for Authorisation (EPA 90)	28 th February 1992
Authorisation issued	21 st December 1995
Permit 'deemed' application	1 st April 2003
Permit issued	1 st March 2005

Transfer of Permit	3 rd January 2008
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RMC South East is hereby permitted by Eastbourne Borough Council to carry on a cement and lime manufacture and associated process, namely the batching of ready mixed concrete as prescribed in Section 3.1 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 PPC/4/2 and in accordance with the conditions detailed in Section 2 of this Permit.

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

Head of Environmental Health

Process Description

The batching ready mixed concrete involves the following operations:-

- The receipt and storage of aggregates
- The receipt and storage of cement in silos
- The batching of raw materials and water into trucks

The activity is covered by the Secretary of States Guidance Note PG 3/1(04) for “Blending, Packing, Loading, Unloading and Use of Bulk Cement”.

Aggregates and washed sand are delivered to the site in tipper trucks which discharge into the ground hopper. The conveyor from the ground hopper conveys the materials up into covered storage bins.

Ordinary Portland Cement and cement substitutes are stored in two silos with maximum capacities of 38 tonnes.

Delivery is by pneumatic means from tanker into the silos. Discharged air during delivery passes through reverse air jet filters sited at the top of the silos. High level alarms sound to prevent a delivery continuing and overfilling the silo.

For the production of semi-dry concrete the cement is fed through a sock connector to a pan mixer rated to suit 1.5m³ of concrete. Aggregates and sand are lifted to the pan mixer by conveyor. The contents are satisfactorily mixed prior to the materials being discharged from the pan mixer through a discharge chute into the back of a tipper truck or other vehicle.

For dry batched products the cement, aggregates and sand are all weighed and discharged into the back of a truck mixer via a flexible sock which fits into the back of the truck mixer. Water is added to the truck mixer, which will then deliver the wet batch concrete to the customer.

All finished products (semi-dry and dry batched concrete) are loaded into vehicles underneath the loading canopy which is fitted with water spray dust suppression equipment.

Potential releases to atmosphere

The following parts of the process may give rise to particulate emissions

- Unloading of cement from bulk tankers
- Mixing operations
- Discharging of mixer contents to truck
- Unloading of raw materials such as aggregates, sand etc.
- Vehicles movements within the installation boundary
- Wind whipping from conveyors.

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. PPC/4

The conditions contained within this Permit are based upon Guidance Note PG 3/1(04), "Blending, Packing, Loading, Unloading and Use of Bulk Cement"

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.

Emissions Limits and Controls

- 1 All emissions to air, other than steam or water vapour, from the particulate matter control equipment serving the cementitious materials silos and other discharge points (including building openings and conveyors) shall be colourless and free from persistent mist. All emissions to air from the particulate matter control equipment serving the cementitious materials silos and other discharge points (including building openings and conveyors) shall be free from droplets and free from persistent fume. There shall be no emissions of visible dust from bag filters, building openings, yards, conveyors, aggregate storage bins and the truck mixer loading area beyond the installation boundary as indicated in red on the attached plan **PPC/4/2**.

Monitoring, Sampling and Measurement of Emissions

2. Emissions from the particulate matter control equipment fitted to the cementitious material silos and from building openings shall be visually observed over a period of 5 minutes in each day when the process is in operation in order to assess any visual emissions. Remedial action shall be initiated where any visible emissions are observed. Any emissions observed shall be recorded in the log book required to be kept in accordance with condition 4. The record shall include the location and nature of the emission and any investigation and remedial action undertaken.
- 3 Emissions from the particulate matter control equipment serving the cementitious material silos shall be visually observed for 5 minutes at the start and the end of the cementitious material off loading operation. The start and finish times of all deliveries and any emissions observed shall be recorded in the log book required to be kept in accordance with condition 4. The record shall include the location and nature of the emission any investigation and remedial action undertaken. If any emissions of dust are observed, the off loading operation shall be immediately suspended until the necessary remedial

works have been undertaken to identify and rectify the cause of the emission. Tanker drivers shall be informed of the correct procedure to be followed.

- 4 A log book shall be kept containing a record of all visual assessments made in accordance with conditions 2 and 3. The record shall include the time and date of the assessment, the result, and the name of the person undertaking the assessment. In addition, any arrestment equipment, continuous monitor or process malfunction or failure shall be recorded in this log book as well as the steps taken to deal with any such recorded incident. The log book shall be kept available for inspection by an authorised Inspector of the Council on the premises occupied by the installation and shall contain at least the previous 2 year records.

Materials Handling

5. All road transport of dusty materials within the site shall be carried out in sheeted vehicles or in enclosed tankers.
6. Adequate water spray dust suppression equipment shall be available and used to minimise dust emissions from the handling and storage of aggregates and other dusty raw materials in the open air.
7. All aggregates and sand shall be stored in enclosed hoppers or reception bays. The material stored in any reception bays shall not exceed the height of the bay.
8. The cement weigh hopper shall be vented to suitable arrestment plant.
9. Spillages shall be cleared as soon as possible, and where the spilled materials are finely divided and potentially dusty, cleaning shall be carried out using vacuum cleaning or wet methods. This includes deposits and spillages on the aggregate receiving hopper and overhead storage bins.
10. In the event of a major spillage a vacuum cleaning system shall be obtained and used on the same day that the spillage occurs and dampening measures to minimise emissions must be taken immediately.
11. All potentially dusty wastes, which are stored outside, shall be stored in a wet condition or in covered or enclosed skips or containers.
12. All storage silos shall be fitted with high-level alarms to warn of potential overfilling. The alarms shall be tested on a regular basis and recorded in the sites maintenance log.
13. The pressure relief vents fitted to the cementitious materials silos shall be inspected at least once per week.

14. The cementitious materials storage silos shall be fitted with particulate matter arrestment equipment (reverse air jet filters) to control the emission of particulate matter caused by displacement of air during charging or movement of materials. The remaining silo capacity shall be checked prior to the off loading or delivery of materials by physical stock check and making reference to the computerised stocking system.
15. Cementitious materials shall be off loaded on delivery by pressure feed from the delivery tanker. All enclosed conveyance pipe work shall be leak proof.

Operational Controls

16. All pipes and connecting valves shall be inspected at least once per day to identify any leaks or malfunctions, which could lead to the release of dust from the system. Any faults identified shall be recorded in the logbook required by condition 4 in addition to the action taken to rectify the fault.
17. Should dry batching take place at the site then adequate water spray dust suppression equipment shall be available inside the building area where the truck mixers are loaded.
18. The discharge of cementitious materials into the truck mixer shall be provided with a "sock" which extends into the receiving container of the truck mixer to minimise dust emissions.

Arrestment Equipment

19. The particulate matter control equipment (reverse air jet filters) shall be checked and physically examined at least once a month. If defects or significant blinding are detected, corrective action must be taken promptly and wherever possible before the next delivery of cementitious material. A record of the defect, action taken and any delivery made prior to corrective action being taken must be recorded in the log book required by condition 4.

General Operations

20. All process buildings shall be cleaned regularly at intervals sufficient to minimise fugitive emissions.
21. All yards shall be cleaned at least once per week where appropriate using methods which minimise the release of dust. The frequency of cleaning shall be increased where necessary to prevent the deposition of particulate matter beyond the process boundary as indicated in red on the attached plan **PPC4/2**. Where necessary adequate water spray dust suppression equipment shall be available. Such equipment shall be used as required to minimise dust

emissions from yard surfaces. Where dust suppression techniques are used, the wetted materials shall be handled in a manner to prevent them drying on roads or yard areas where they may then generate airborne dust by wind whipping or traffic movements.

22. If any malfunction or breakdown occurs in the installation equipment or air pollution control equipment leading to abnormal emissions into the air, the malfunction or breakdown shall be dealt with immediately and the incident and the remedial actions taken recorded in the log book required to be kept by condition 4 of this Permit.

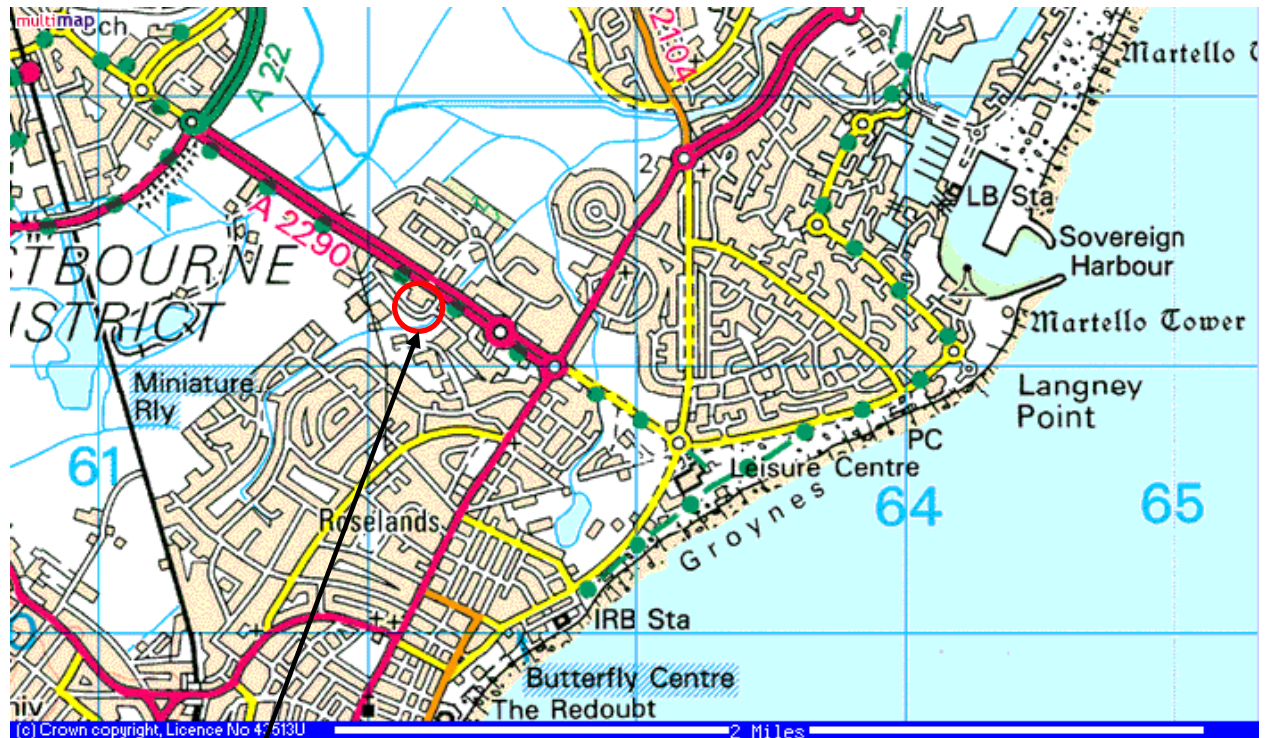
Any emissions which may have an effect upon the local community the Head of Environmental Health at Eastbourne Borough Council shall be informed immediately.

23. The Council shall be notified at least 28 days before any of the following changes are made to the installation:-
- Any change to the capacity of the installation, including storage capacity
 - Any new or replacement silos or conveyance systems.
 - The installation of new or replacement equipment where this will increase the installation capacity or involve an increase or change in the nature of emissions into the air.
 - Any new or replacement air pollution control equipment.
24. Staff at all levels shall receive adequate training and instruction in their duties relating to the proper control of the process and emissions to air. Particular emphasis shall be given to training for start-up, shut-down and abnormal conditions.
25. Essential spares for plant such as fuses, belts, bags etc and material for emergency repairs shall be kept on site or are readily available from approved stockists.
26. A good standard of house keeping shall be maintained at all times.
27. There shall be no emissions of smoke from the site.
29. Complete and immediate access to the premises shall be granted to a duly authorised officer of the Local Authority upon request.
30. A copy of the Permit shall be kept on the premises at all times.

Section Three

Location of Permitted Installation and Site Plan

Site Location Map (PPC/4/1)



**Cemex UK Materials
UK
Hammonds Drive.
Eastbourne**

Site Plan (PPC/4/2)

— Site boundary in red



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 :

	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