

Environmental Permit

Pollution Prevention and Control Act 1999
Environmental Permitting (England and Wales) Regulations 2016



Cupid Green (Arthur Foodstores Ltd) Service Station Redbourn
Road
Cupid Green Hemel
Hempstead Hertfordshire
HP2 7BA

Regulated activity:

Unloading of petrol into storage, and motor vehicle refuelling, at service stations

Permit Number:

DBC/EP/24v2

Permit Issued By:

Environmental and Community Protection Environmental
Health
Dacorum Borough Council The
Forum
Marlowes
Hemel Hempstead
Hertfordshire
HP1 1DN

Tel: 01442 228000
Email: ecp@dacorum.gov.uk

Permit Issued To:

Arthur Foodstores Ltd
(Wholly owned by Asda Group Ltd) Asda
House
Great Wilson Street Leeds
LS11 5AD

The address for all correspondence in relation to this Permit

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Permit Status Log

Holder	Date of Issue	Reference
Star Service Stations	30 December 1998	Pet/08/KSK/98
Somerfield Stores Ltd	20 January 2006	MAU 6032
Somerfield Stores Ltd	8 January 2010	SR 276495
The Co-operative Group	10 November 2016	DBC/EP/24
Arthur Foodstores Limited	June 2022	DBC/EP/24v1
Arthur Foodstores Ltd (Asda Group Ltd)	November 2023	DBC/EP/24v2

Introductory Note

These introductory notes are not Environmental Permit conditions, however, they do provide useful information about the Environmental Permitting Regulations:

The following Environmental Permit, 'the permit' is granted by Dacorum Borough Council, 'the regulator', under Regulation 13 of the Environmental Permitting (England and Wales) Regulations (EPR) 2016 (Statutory Instrument 2016 No. 1154) as amended, to operate an activity or activities covered by the descriptions in Section 1.2 of Part 2 of Schedule 1 of the EPR 2016, 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 LAPPC Process Guidance Note (PG 1/14(13) December 2013) 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 61 of the EPR provided that the request is reasonable.

Public Registers

Information relating to permits, including the application, is available on public registers in accordance with the EPR. 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 includes a summary of the permits and variation issued up to that point in time and state whether a consolidated version of the permit has been issued.

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 Regulations.

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 EPR.

Talking to us

Please quote the permit number if you contact the regulator about this permit. To give a notification under conditions in this permit, the operator should use the contact details on the cover of this permit.

Permit

Permit Reference Number:
DBC/EP/24v2



Dacorum Borough Council, 'the regulator' in exercise of its powers under Regulation 13(1) of the Environmental Permitting (England and Wales) Regulations 2016 (S.I. 2016 No.1154) as amended, hereby authorises **Arthur Foodstores Limited**, 'the operator',

whose company registration number is: 13966522 at

the following installation:

Cupid Green (Arthur Foodstores Ltd) Service Station
Redbourn Road
Hemel Hempstead
Hertfordshire
HP2 7BA

to carry out the following activities* to the extent authorised by the following paragraphs of Part B of Section 1.2B 'Gasification, Liquefaction and Refining Activities' of Part 2 of Schedule 1 of the EPR 2016 and subject to the conditions of this Permit:

(d) Motor vehicle refueling activities at an existing service station after the prescribed date, if the throughput of petrol at that service station in any 12-month period is or is likely to be in excess of 3,000m³

This permit shall be subject to replacement, variation or amendment as may be considered appropriate by Dacorum Borough Council, at any time, according to the provisions of Regulation 20 of the EPR 2016.

* This permit is given in relation to the requirement of the Environmental Permitting Regulations. It must not be taken to replace any responsibilities you may have under Workplace Health and Safety legislation. Nothing in this permit grants or implies any consent under the Town and Country Planning Act.

Signed:

Dated this day: 29th November 2023

A handwritten signature in black ink, appearing to read "David Carr".

David Carr (Lead Scientific Officer)
Authorised to sign for Dacorum Borough Council

Activity Description:

Fuel is stored in a total of **4no.** underground storage tanks at this site, incorporating a vapour balancing system on the **2no.** petrol tanks ('Stage 1b' vapour recovery). Fuel deliveries are carried out by the road tanker driver, using a standard DCD system. Prior to delivery, the ullage is checked using an electronic wet stock control system to ensure the amount to be delivered matches the capacity of the storage tank. Mobile tankers delivering fuel are connected to the vapour balancing systems prior to the commencement of the delivery using a vapour recovery hose. Petroleum-laden vapours displaced from the storage tanks during unloading are carried through the vapour recovery hose and are collected in the road tanker. The vapour balancing system incorporates two high-level vent pipes that are fitted with pressure/vacuum valves to minimise emissions of petrol vapour to the atmosphere during tank breathing. The pressure/vacuum valves also protect the fuel storage tanks from rupture in case of hazardous pressurisation. At the end of the delivery, the road tanker disconnects from the vapour balancing system, and returns to the petrol refinery. Diesel tanks do not form part of the vapour balancing system. The diesel tanks are vented to their own vent pipes fitted with pressure/vacuum valves separately.

Petrol is dispensed through **12no.** nozzles, which incorporate a petrol vapour extraction system ('Stage II' vapour recovery). Petroleum-laden vapours emitted during vehicle refuelling are captured and returned to the service station storage tanks. An automatic monitoring system, is installed at this site, to automatically detect faults in the proper functioning of the Stage II petrol vapour recovery system including the automatic monitoring system; to indicate faults to the operator; and to automatically cut off the flow of fuel on the faulty delivery system if the fault is not rectified within a seven day period.

Conditions

The operator is authorised to operate the activity* at the installation subject to the following conditions.

Petrol Delivery

1. Vapours displaced by the delivery of petrol into storage tanks shall be returned through a vapour-tight connection line to either the mobile container delivering the petrol or a container on the site.
2. Petrol delivery shall only be carried out using the Stage I petrol vapour recovery system and deliveries shall only be made when the system is fully operational.

Motor Vehicle Refueling

3. Motor vehicle refueling with petrol shall only take place when the Stage II petrol vapour recovery system is fully operational and operating in accordance with the requirements of Condition 4.
4. The petrol vapour capture efficiency of the Stage II petrol vapour recovery system shall be equal to or greater than 85% but less than 115% as certified by the manufacturer in accordance with relevant European technical standards or type approval procedures.
5. Where the recovered petrol vapour is transferred to a storage tank, the vapour/petrol ratio shall be equal to or greater than 0.95 but less than or equal to 1.05.
6. Where an automatic monitoring system has been installed, the petrol vapour capture efficiency shall be tested and the results recorded at least once every three years by checking that the vapour/petrol ratio under simulated petrol flow conditions, or by any other appropriate methodology. Any such automatic monitoring system shall automatically detect faults in the proper functioning of the Stage II petrol vapour recovery system and in the automatic monitoring system itself, indicate faults to the operator and automatically stop the flow of petrol from any faulty dispenser if the fault is not rectified within seven days.
7. A sign, sticker or other notification shall be displayed on, or in the vicinity of, the petrol dispenser, informing consumers that a Stage II petrol vapour recovery system is in use.

Incident Reporting

8. In the event of any incident at the site which could have an impact beyond the site boundary, the operator shall notify the Council by telephone without delay on 01442 228000.

Management

9. A copy of this permit shall be kept at the permitted installation. All staff who should be aware of its content shall be told where it is kept.
10. All relevant staff shall receive the necessary training and instruction to enable them to comply with the conditions of this permit.

11. The operator shall notify the Council of any changes to the persons nominated in the application as the primary point of contact, and deputy.
12. Maintenance and testing of vapour recovery systems shall be recorded.
13. All records made in compliance with this permit shall be kept in a written or computer log book or by using some other systematic method, and shall be clear and legible. If any entry is amended, a clear statement of the reason for doing so shall be included. Unless otherwise stated in this permit, all records required to be taken shall be kept available for inspection for at least 4 years from the date of its being made. A copy of the manufacturer's instructions referred to in this permit shall be available for inspection on request.

Best available techniques

14. The best available techniques 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.

Process changes

15. 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 this 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.

End of conditions

Right to Appeal

You have the right of appeal against this permit within 6 months of the date of the decision (details are provided within the introductory note). You will normally be expected to pay your own expenses during an appeal.

You will be liable for prosecution if you fail to comply with the conditions of this permit. If found guilty, the maximum penalty for each offence if prosecuted in a Magistrates Court is £50,000 and/or 6 months imprisonment. In a Crown Court it is an unlimited fine and/or 5 years imprisonment.

Our enforcement of your permit will be in accordance with the Regulators' Compliance Code.

Interpretations and Explanatory Notes

These interpretations and explanatory notes does not form part of your Environmental Permit conditions, however they do provide useful information about the Environmental Permitting Regulations:

In relation to this Permit, the following expressions shall have the following meanings:

<i>“Activity”</i>	An activity listed in Part 2 of Schedule 1 to the EP Regulations which will form part of an EP installation or be a mobile plant
<i>“The EPR / EP Regulation”</i> (as	Means the Environmental Permitting (England and Wales) Regulations 2016 S.I. 2016 No.1154 amended) and words and expressions defined in the EPR shall have the same meanings when used in this Permit save to the extent they are explicitly defined in this Permit.
<i>“Change in Operation”</i>	In relation to an installation or mobile plant, a change in its nature or functioning or an extension, which may have consequences for the environment.
<i>“Enforcement notice”</i>	A notice served by a local authority to enforce compliance with the permit conditions or require remediation of any harm following a breach of any condition.
<i>“Installation”</i>	A stationary technical unit where one or more activities listed in Part 2 of Schedule 1 to the EP Regulations are carried out and any other location on the same site where any other directly associated activities are carried out. and any activities that are technically linked. The terms 'regulated facility' and 'installation' are, in effect, interchangeable for A(2) and B activities.
<i>“Operator”</i> Regulation 7).	The person who has control over the operation of the installation/regulated facility (EP
<i>“Permit”</i>	A permit granted under EP Regulation 13 by a local authority allowing the operation of an installation subject to certain conditions.
<i>“Pollution”</i>	Any emission as a result of human activity which may be harmful to human health or the quality of the environment, cause offence to any human senses, result in damage to material property, or impair or interfere with amenities and other legitimate uses of the environment (EP Regulation 2(1)).
<i>“Revocation notice”</i>	A notice served by the Regulator under EP regulation 22 revoking all or part of a permit.
<i>“Permitted Installation”</i>	Means the activities and the limits to those activities described in this Permit.
<i>“Monitoring”</i> continual),	Includes the taking and analysis of samples, instrumental measurements (periodic and calibrations, examinations, tests and surveys.
<i>“MCERTS”</i>	Means the Environment Agency's Monitoring Certification Scheme.
<i>“Fugitive Emission”</i>	Means an emission to air or water (including sewer) from the Permitted installation that is not controlled by an emission limit imposed by a condition of this Permit.

<i>"Regulator"</i>	Means any officer of Dacorum Borough Council who is authorised under Section 108(1) of the Environment Act 1995 to exercise, in accordance with the terms of any such authorisation, any power specified in Section 108(1) of that Act.
<i>"Best Available Techniques (BAT)"</i>	<p>Best available techniques means the most effective and advanced stage in the development of activities and their methods of operation which indicates the practical suitability of particular techniques for providing in principle the basis for emission limit values designed to prevent, and where that is not practical, generally to reduce emissions and the impact on the environment as a whole.</p> <p>For those purposes:</p> <p>"Available techniques" means those techniques which have been developed on a scale which allows implementation in the relevant industrial sector, under economically and technically viable conditions, taking into consideration the cost and advantages, whether or not the techniques are used or produced inside the United Kingdom, as long as they are reasonably accessible to the Operator;</p> <p>"Best" means, in relation to techniques, the most effective in achieving a high general level of protection of the environment as a whole;</p> <p>"Techniques" includes both the technology used and the way in which the installation is designed, built, maintained, operated and decommissioned. Schedule 2 of the Regulations shall have effect in relation to the determination of best available techniques.</p>

Where any condition of this Permit refers to the whole or parts of different documents, in the event of any conflict between the wording of such documents, the document with the most recent publication date shall be taken to be the most appropriate document to be used.

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

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 ground 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 ("the appellant") 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 has been done.

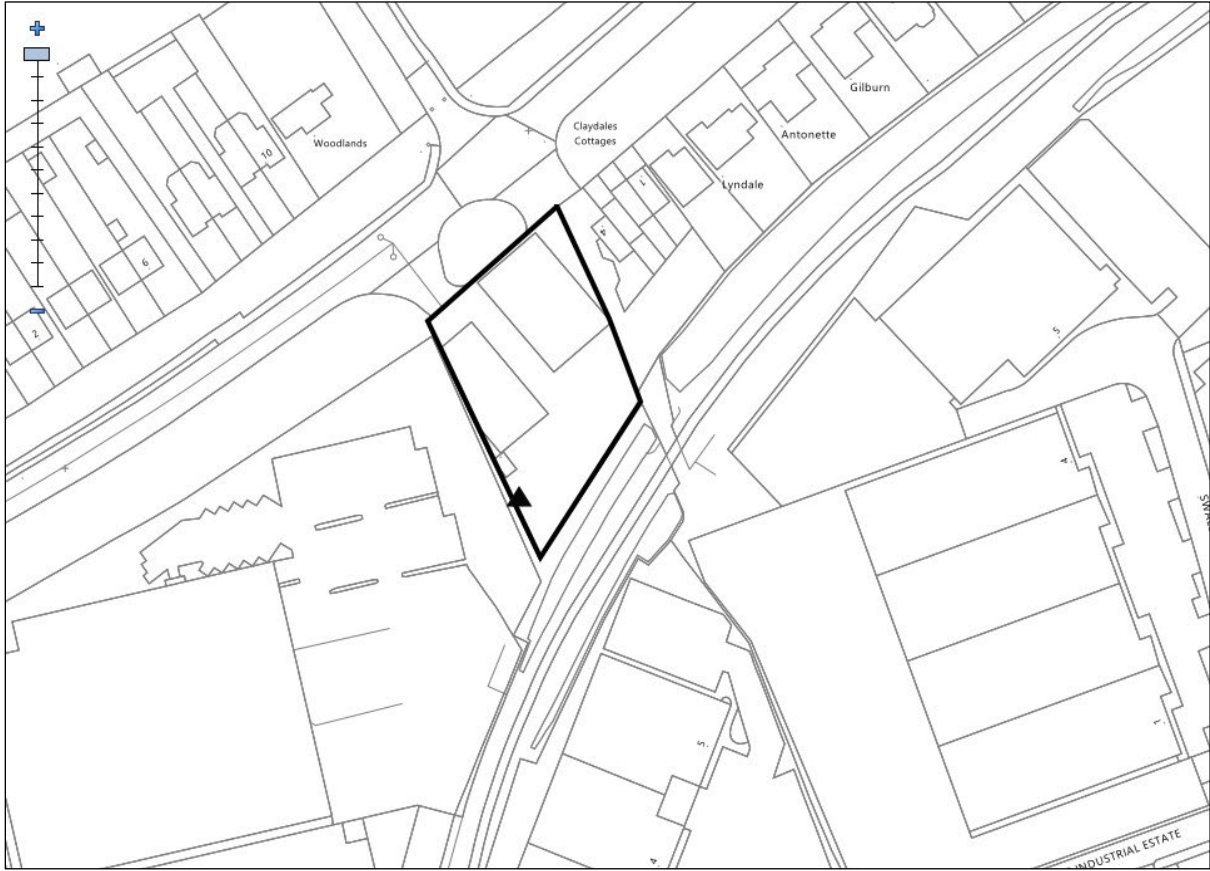
- An appeal will not suspend the effect of the conditions appealed against; the conditions must still be complied with.

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.

SCHEDULES:

INSTALLATION LOCATION AND SITE LAYOUT

Installation Location:



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Key

- Black outline: Installation boundary
- ▲: Vapour recovery vent pipework

Site Layout:

