



Permit to Unload Petrol into Storage at Service Stations

Pollution Prevention and Control Act 1999

Environmental Permitting (England and Wales) Regulations 2016 (as amended)

Arthur Foodstores Ltd, Asda House, Great Wilson Street, Leeds LS11 5AD is hereby permitted to carry out the activity of the unloading of petrol into stationary storage tanks as prescribed in Section 1.4 of Schedule 1 to the Environmental Permitting (England and Wales) Regulations 2016 (as amended), within the installation boundary as outlined in red on the location plan, in accordance with the conditions specified within this Permit, at the following address:

Address of Installation: Asda Express Marksbury PFS
Westway Garage
Bath Road
Marksbury
BA2 9HN

Company Registration Number: 13966522

Signed on behalf of Bath and North East Somerset Council

Signed: 

Date: 15th December 2023

Leigh Sanderson
Specialist Officer – Water & Environmental Permitting
An authorised officer of the Council

Introductory Note

Confidentiality

The Permit requires the Operator to provide information to Bath & North East Somerset Council. The information will be placed on a public register in accordance with the requirements of the EP Regulations. If the Operator considers that any information provided is commercially confidential, it may apply to Bath & North East Somerset Council to have such information withheld from the register as provided in the EP Regulations. To enable Bath & North East Somerset Council to determine whether or not the information is commercially confidential, the Operator should clearly identify the information in question and should specify clear and precise reasons.

Changes to the Operation

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.

Variations to the Permit

This Permit may be varied in the future. If at any time the activity or any aspect of the activity regulated by the following conditions changes such that the conditions no longer reflect the activity and require alteration, then an application form providing these details shall be submitted to the Regulator. Please contact the Regulator for an application to vary the Permit conditions.

Surrender of the Permit

Where an Operator intends to cease the operation of an installation (in whole or in part), then an application form providing these details shall be submitted to the Regulator. Please contact the Regulator for an application to surrender the Permit.

Transfer of the Permit or part of the Permit

Before the Permit can be wholly or partially transferred to another person, a joint application to transfer the Permit must be made by both the existing and proposed holders, in accordance with Regulation 21 of the EP Regulations. A transfer will be allowed unless the Local Authority considers that the proposed holder will not be the person who will have control over the operation of the installation or will not ensure compliance with the conditions of the transferred Permit. Please contact the Regulator for an application to transfer the permit.

Responsibility under workplace health and safety legislation

This Permit is given in relation to the requirements of the EP Regulations. It must not be taken to replace any responsibilities you may have under workplace health and safety legislation.

Appeals

Anyone who is aggrieved by the conditions attached to a Permit can appeal to the Secretary of State for the Environment or the Secretary of State for Wales, as appropriate. Appeals must be received by the appropriate Secretary of State no later than 6 months from the date of the decision (normally the date on the bottom of the Permit).

Appeals relating to processes in England and Wales should be sent to the Planning Inspectorate at the following address:

The Planning Inspectorate
Environment Appeals Team
3A Eagle Wing
Temple Quay House
2 The Square
Temple Quay
Bristol
BS1 6PN

Guidance on the appeals procedure is contained in Regulation 31 and Schedule 6 of the EP Regulations.

The appeal must be in the form of a written notice or letter stating that the Operator/person wishes to appeal, and must list the condition(s) which is/are being appealed against. For an appeal to be valid, the following items **must** be included:

- a) a statement of the grounds of appeal
- b) a statement indicating whether the appellant (the person making the appeal) 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 on one another's statements)
- c) a copy of any relevant application
- d) a copy of any relevant permit
- e) a copy of any relevant correspondence between the appellant and the Regulator
- f) a copy of any decision or notice which is the subject matter of the appeal.

At the same time, the Notice of Appeal and documents a) and b) must be sent to the Council, and the appellant should inform the appropriate Secretary of State that this has been done.

Please Note

- 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 either to vary any of these conditions or to add new conditions.
- 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.

Contact details of the Regulator

Bath & North East Somerset Council
Public Protection & Development
Keynsham Civic Centre
Market Walk
Keynsham
BS31 1FS

Tel: 01225 396693

Email: environmental_monitoring@bathnes.gov.uk
www.bathnes.gov.uk

Permit History

Superseded Licences/Consents/Authorisations relating to this installation		
Holder	Reference Number	Date Issued
Arthur Foodstores Ltd	EP065/1	22 nd June 2022
The Co-operative Group Ltd	EP 065	7 th September 2015
The Co-operative Group Ltd	LAPPC 065v5	28 th June 2013
The Co-operative Group Ltd	LAPPC 065v4	21 st December 2009
The Co-operative Group Ltd	LAPPC 065	11 th October 2007

Plans to which this Permit refers

Location plan – Appendix i

Description of Activity

The service station has 2 petrol storage tanks. Stage I and Stage II vapour recovery is installed.

The location of the vapour return vent pipes is shown on the location map (v).

PERMIT CONDITIONS

Arthur Foodstores Ltd is authorised to operate the unloading of petrol into storage at Asda Express Marksbury service station 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 Refuelling

3. Motor vehicle refuelling 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 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. Where automatic monitoring systems have not been installed, the in-service petrol vapour capture efficiency of the Stage II petrol vapour recovery systems shall be tested and the results recorded at least once a year by checking the vapour/petrol ratio under simulated petrol flow conditions, or by any other appropriate methodology.
8. Where automatic monitoring systems have not been installed, a weekly functionality check shall be undertaken to verify the operation of the vapour recovery system.

9. 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

10. In the event of any incident at the site which could have an impact beyond the site boundary, the operator shall notify Bath and North East Somerset Council by telephone without delay on 01225 396693.

Management

11. 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.
12. All relevant staff shall receive the necessary training and instruction to enable them to comply with the conditions of this permit.
13. The operator shall notify Bath and North East Somerset Council of any changes to the persons nominated in the application as the primary point of contact, and deputy.
14. Maintenance and testing of vapour recovery systems shall be recorded.
15. 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

16. The best available techniques, outlined in the **DEFRA Process Guidance Note PG 1/14 (13)**, 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

17. 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.

Appendix i: Marksbury Filling Station

Marksbury, Bath, BA2 9HN

Compiled by P Rowland, 04 May 2007

Scale 1:2500

Environmental Services
Bath & North East Somerset Council
9-10 Bath Street
Bath
BA1 1SN
Tel: 01225 477000



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