Variation Notice

CITY OF WOLVERHAMPTON COUNCIL

Environmental Permit ref. no: B/7/185
Variation Notice ref. no: B/7/185/V1

Pollution Prevention and Control Act 1999

Environmental Permitting (England and Wales) Regulations 2016, Regulation 20

To: **Mr C D Cheshire, trading as "Villiers Launderette and Dry Cleaners" 3 Villiers Square, Bilston, West Midlands, WV14 6QN** ("the operator")

City of Wolverhampton Council ("the Council"), in exercise of the powers conferred on it by regulation 20 of the Environmental Permitting (England and Wales) Regulations 2016, ("the Regulations") hereby gives you notice as follows:

1. The Council has decided to vary the conditions of the permit reference B/7/185 granted under regulation 13(1) of the Regulations in respect of the operation of the installation at **"Villiers Launderette and Dry Cleaners" 3 Villiers Square, Bilston, West Midlands, WV14 6QN**.

2. The variations to the permit and the date on which they shall take effect are specified in Schedule 1 of this notice. A consolidated permit as varied by this notice is set out in Schedule 2.

Dated this **23rd** day of **November 2018**

(Signed).....
Alex Hyatt
District Officer, Public Protection (Environmental Protection)
(the Officer appointed for this purpose)

Schedule 1

The variations to the permit	The date on which variation is to take place
1. Any reference to 'the Environmental Permitting (England & Wales) Regulations 2010 (as amended)' shall be amended to read 'the Environmental Permitting (England & Wales) Regulations 2016 (as amended)' 2. Any reference to 'Mr S G Cheshire' shall be deleted.	Immediately

Dated this **23rd** day of **November 2018**

(Signed)..... A Hyatt .....
Alex Hyatt
District Officer, Public Protection (Environmental Protection)
(the Officer appointed for this purpose)

Schedule 2

Consolidated environmental permit, reference B/7/185, as varied by this notice:

Description of the Activity

Operator: **Mr C D Cheshire**

Installation address: **"Villiers Launderette and Dry Cleaners" 3 Villiers Square, Bilston, West Midlands, WV14 6QN**

The above named person is permitted to operate a dry cleaning installation containing the dry cleaning machine as detailed below, subject to compliance with the conditions laid out in this Schedule:

Make	Model	Serial Number	Load capacity	Dry Cleaning solvent
Firbimatic	**918L**	114190063	**18 kg**	**Perchloroethylene**

The installation consists of one dry cleaning machine located at the aforesaid address, which cleans garments and fabrics, using the organic solvent perchloroethylene. The activity of dry cleaning to which this permit relates, encompasses the entire process from receipt of raw materials, through processing, to the dispatch of finished products and includes the treating, handling and storage of all materials and wastes relating to the process.

Permit Conditions

1 Emission Limits

1.1 Operations must be carried out in such a manner that no more than 20 grams of solvent per kilogram of product cleaned and dried shall be emitted as measured. The 20 grams includes all organic solvents used within the installation e.g. dry cleaning solvent, water-proofing solutions and spot cleaning solutions.

Total Emission Limit	Equivalent to	Monitoring
20 grams of solvent released per kilogram of product cleaned and dried per installation	**For Perchloroethylene -** 80 kilograms of product cleaned and dried per litre emitted	Monitoring of solvent input Monitoring of solvent losses Monitoring of mass of garments, etc, cleaned By weekly recording and annual mass balance to demonstrate compliance

For the purposes of this permit, perchloroethylene is a volatile organic compound (VOC).

2 Recording and reporting

2.1 A weekly inventory of solvent usage, product cleaned and solvent waste sent for recovery or disposal shall be maintained and held on site for inspection by an officer of the Council for at least 12 months. The operator shall also retain records of solvent purchased for at least 12 months.

2.2 For the purposes of demonstrating compliance with condition 1.1, the operator shall submit to the Council on an annual basis, a copy of the solvent inventory for the previous year. The period to which the inventory relates, or the frequency at which the submission shall be made, may be changed at any time by the Council and notified to the operator.

3 Process control

3.1 The dry cleaning machine shall be installed and operated in accordance with supplier recommendations so as to minimise the release of VOC to air, land and water.

3.2 All operating staff must know where the operating manual for each dry cleaning machine can be found and have ready access to it.

3.3 The operator shall implement the schedule of procedures, checks and maintenance requirements to each dry cleaning machine as listed in Appendix 2. Any records must be kept for a minimum period of 24 months

3.4 Spot cleaning with organic solvents or organic solvent borne preparations shall only be carried out if no other method of treating a particular stain on the material to be cleaned is available.

3.5 Dry cleaning machines shall be operated as full as the type of materials to be cleaned will allow (e.g. full loads for light non-delicates such as suits. Delicates and heavy materials such as wedding dresses and blankets may need to be cleaned in part loads).

3.6 The dry cleaning machine loading door shall be closed before the start-up of the machine and kept closed at all times through the drying and cleaning cycle.

- all machines installed after 19 May 2005 shall have interlocks to prevent start-up of the machine until the loading door is closed and to prevent opening of the loading door until the machine cycle has finished and the cage has stopped rotating.
- all machines installed after 19 May 2005 shall have interlocks to automatically shut down the machine under any of the following conditions: cooling water shortage, failure of the cooling ability of the still condenser, failure of the cooling ability of the refrigeration system or failure in the machine heating system resulting in the inability to dry the load.

3.7 The dry cleaning machine loading door shall be kept closed when the machine is not in use. (Where an extract fan is fitted to maintain a negative pressure within the machine during unloading, the exhaust from this fan should be directed to a carbon absorption filter prior to discharge to atmosphere).

3.8 The still, button trap and lint filter doors shall be closed before the start-up of the machine and kept closed at all times through the drying and cleaning cycle.

- all machines installed after 19 May 2005 shall have interlocks to automatically shut down the machine if the still, button trap and lint filter doors are not properly closed.

3.9 The still shall have a thermostatic control device or equivalent with which to set a maximum temperature in accordance with manufacturers' recommendations for the solvent used.

3.10 All dry cleaning machines installed after 19 May 2005 shall have a secondary water separator to minimise potential solvent losses. Where this is not an integral part of the machine then the operator should select and install a method that will achieve an equivalent degree of separation. (When this is followed by an activated carbon unit, then the operator will need to demonstrate adequate procedures are in place to detect when the unit requires disposal via an acceptable route).

3.11 All new and substantially refurbished dry cleaning machines shall have a spillage tray with a volume greater than 110% of the volume of the largest single tank within the machine.

3.12 In the case of abnormal emissions, malfunction or breakdown leading to abnormal emissions, the operator must;

- investigate immediately and undertake correction action;
- adjust the activity to minimise those emissions and
- promptly record the events and actions taken

In this condition, abnormal emission will include any detectable solvent smell other than in the area of the dry cleaning machine.

3.13 In cases of non-compliance causing immediate danger to human health, operation of the activity must be suspended and the regulator informed within 24 hours.

VOC - Storage, Handling and Use

3.14 Where cleaning solvents containing VOC are not received in bulk they shall be stored:

- in the containers they were supplied in with the lid securely fastened at all times other than when in use; and
- within spillage collectors of suitable size made of impervious and corrosion-proof materials; and
- away from sources of heat and bright light; and
- with access restricted to only appropriately trained staff; and
- the lids of the containers shall only be removed when the container is next to the cleaning machine ready for filling. Cleaning solvents shall be obtained in containers of a size which allows the entire container to be emptied into the machine at each topping up. Once emptied the lid of the container shall be replaced securely.

Note: From a health and safety point of view, a well ventilated area should be used.

3.15 Prior to disposal, containers contaminated with solvent shall be stored with the lids securely fastened to minimise emissions from residues during storage and labelled so that all that handle them are aware of their contents.

Note: Empty containers should be returned to the supplier where possible.

3.16 Equipment to clean up spillages must be quickly accessible in all solvent handling and storage areas.

VOC – waste control

3.17 Prior to disposal in accordance with the waste regulations, solvent contaminated waste such as still residues shall be stored:

- in suitable sealed containers with the lid securely fastened at all times other than when in use; and
- on a suitable impervious floor; and
- away from drains which may become contaminated with residues as a result of spillage; and
- away from sources of heat and bright light; and
- with access restricted to only appropriately trained staff.

Note: From a health and safety point of view, a well ventilated area should be used.

4 General Operations

4.1 All operating staff must be trained in the operation of each dry cleaning machine and the control and use of dry cleaning solvents and shall include awareness of their responsibilities under the permit; in particular how to deal with conditions likely to give rise to VOC emissions, such as in the event of spillage. The training

received must be recorded. Any records must be retained for a minimum period of 24 months.

4.2 The operator shall maintain records incorporating details of all maintenance, testing, repair work carried out on each dry cleaning machine and the scales used to weigh the loads. The records shall be made available for inspection by officers of the Council on request. Any records must be retained for a minimum period of 24 months.

4.3 Spares and consumables for plant and machinery whose failure or abnormal operation could have an impact on emissions, particularly for those items subject to continual wear, shall be held on site or shall be available at short notice from guaranteed suppliers so that breakdowns can be rectified rapidly.

5 General Requirements

5.1 If the operator proposes to make a change in operation of the installation, he / she must, at least 14 days before making the change, notify the Council 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.

5.2 At all times whilst this permit is in force a copy of this permit shall be kept posted so as to be conveniently read by persons having duties which are or may be affected by the matters set out in this permit.

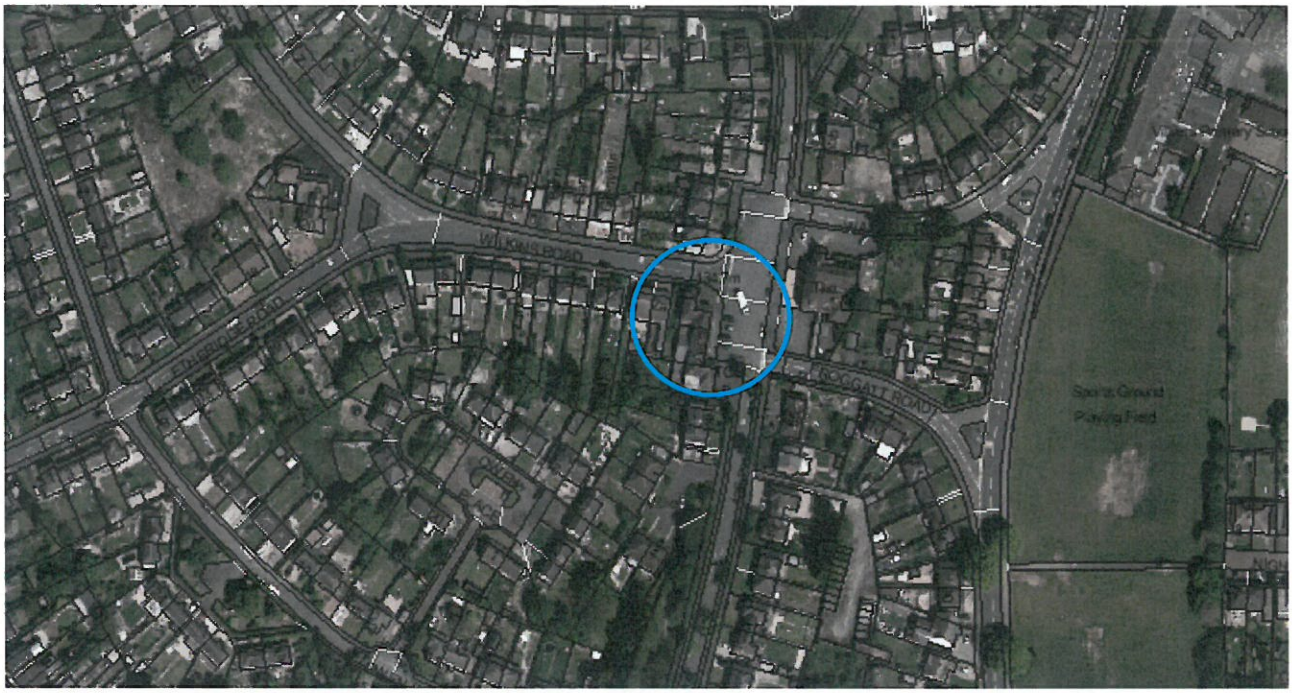
5.3 In relation to this permit, any reference to the Council shall mean City of Wolverhampton Council. In addition any information shall be sent to:

Environmental Protection
City Environment, Place
City of Wolverhampton Council
Civic Centre
St Peters Square
Wolverhampton
WV1 1RP

5.4 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.

Appendix 1 Maps and Plans

Map 1 below: General Site Location (not to scale)



Key

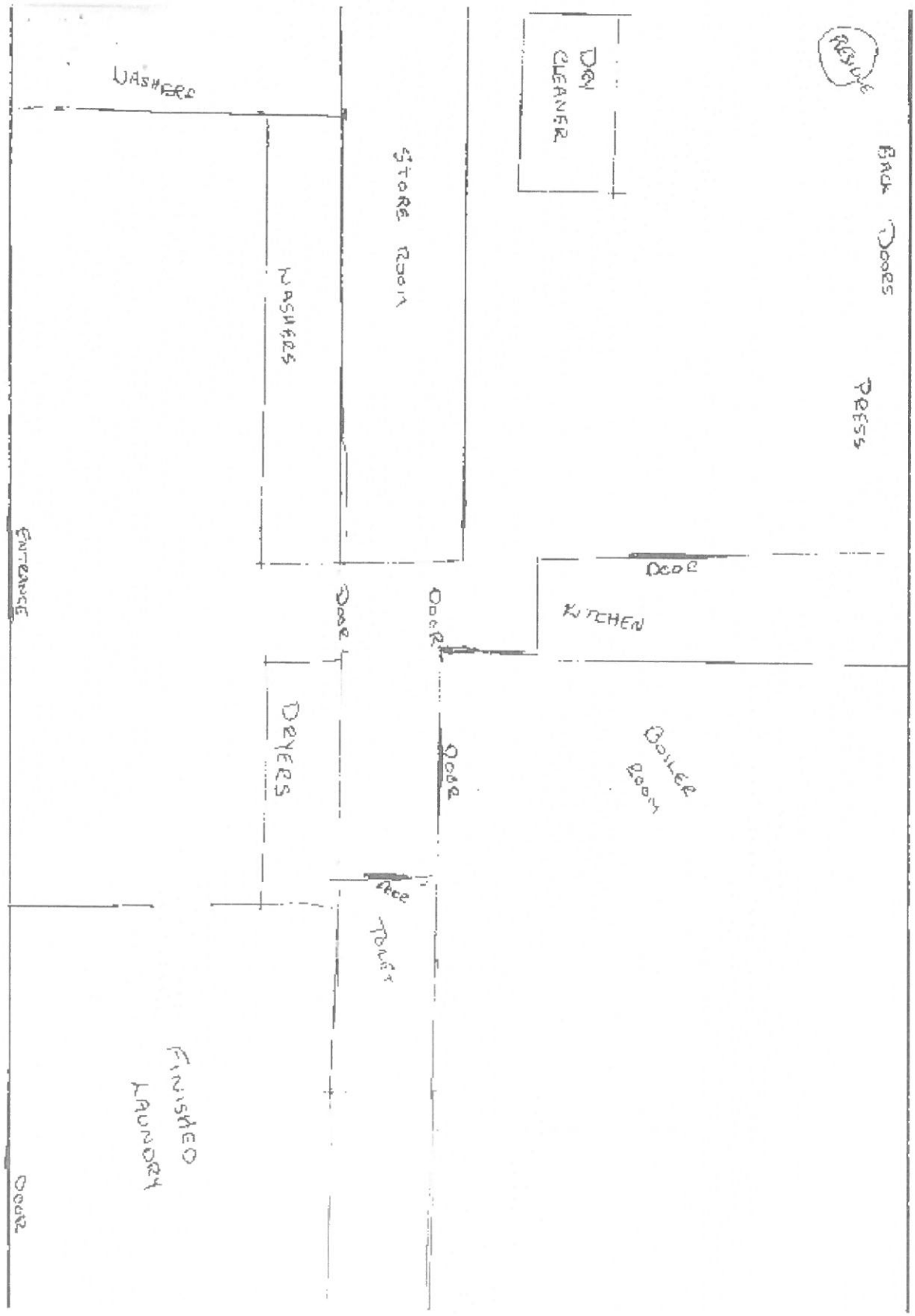
○ General Site Location

Map 2 below: Installation Site (not to scale)

Key

Installation site outlined in red

Plan 1 below: Installation Site Plan (Not to Scale)



Appendix 2 - Schedule of procedures, checks and maintenance requirements as required by condition 3.3

Daily Leak Checks

Visual checks shall be undertaken to the following:-

- cage door gasket
- button trap lid
- air duct inspection hatch
- filter seals
- lint filter
- main bearing seal
- vapour line
- filter dump valve
- fan housing inspection hatch
- heating coil battery
- fresh air dampers
- solvent valves
- recovery head
- cooling coil battery
- still doors
- solvent tank sight glasses
- solvent pipe flanges

Vapour leaks are best detected during the early stages of the drying cycle

Daily Maintenance

- door seals: wipe clean daily; (and replace annually)
- button trap: clean sieve twice daily and after lint loads
- lint filter: clean twice daily
- water separator: drain excess water daily; (and drain and clean every two weeks)
- filters: drain spent cartridges in the machine overnight; (and check for leaks after replacement)

Weekly Maintenance – check:

- all drying and still thermostats
- level controls in the cage and still
- the still pressure relief device
- draining line on the drum
- for evidence of by-passing of the lint filter (which may lead to blocking of the drying circuit)
- button trap is functioning correctly and debris cannot pass the trap
- still; (and empty at least once per week)

Monthly Maintenance

- recovery condensers: clean condenser fins on air cooled refrigeration systems

Other

- solvent pump: check for leaks after repair or maintenance

Dated this **23rd** day of **November 2018**

(Signed)_____
Alex Hyatt, District Officer
Public Protection (Environmental Protection)
(the Officer appointed for this purpose)

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 Environmental Permitting General Guidance Manual at:

http://www.defra.gov.uk/environment/quality/industrial/las-regulations/guidance/)

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(1) (b) of the 2016 Regulations. A person guilty of an offence under this regulation could be liable to (i) a fine of up to £20,000 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 2016 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 given under regulations 61 or 62 or a direction or 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 or 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 is detailed guidance on environmental permit appeals available on the GOV.UK website accessible at the following link:

https://www.gov.uk/government/collections/environmental-appeals

Notwithstanding the above guidance, the Regulations legally require the appellants (the person/operator making the appeal) to provide the following detail (see paragraphs 2(1) and (2) of Schedule 6 of the 2016 Regulations):

- the appropriate authority 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 2016 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 Appeals Team
Room 3/H Hawk Wing
Temple Quay House
2 The Square
Temple Quay
Bristol BS1 6PN Tel: 0303 444 5584

E-mail: environment.appeals@pins.gsi.gov.uk

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, i.e. 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 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, 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.