TO: Lafarge Aggregates Limited
   The Old Rectory
   Misterton
   Lutterworth
   Leicestershire
   LE17 4JP

Walsall Metropolitan Borough Council, in exercise of the powers conferred on it by Regulation 8 of the Pollution Prevention and Control (England and Wales) Regulations 2000 [“the Regulations”], hereby gives you notice as follows:

1. The Council has decided to vary the permit, reference number 33, granted under Regulation 10 of the Regulations, in respect of the carrying on of the permitted mineral installation at Lafarge Readymix Plant, Fenchurch Close, Walsall, WS2 2LJ

2. The variations and the date on which they are to take effect are specified in Schedule 1 to this notice.

Walsall Metropolitan Borough Council, Engineering & Transportation, The Civic Centre, Darwall Street, Walsall, WS1 1DG.

                      Dated:  12th June 2007

John Roseblade
Pollution Control Manager
(Authorised to sign on behalf of Walsall Metropolitan Borough Council)
SCHEDULE 1

Schedule 1 to Variation Notice Ref. No. 33/1

The variations to the permit, which the Council has decided to make are listed below.

Variations

1. Condition numbers 1 to 22, Appendix 1 and Appendix 2, as specified in permit reference No. 33 shall be deleted and replaced by Schedule 2 of this notice.

2. The variations shall take effect forthwith.
SCHEDULE 2

Schedule 2 to Variation Notice Ref. No. 33/1
Walsall Metropolitan Borough Council (the Regulator) in exercise of its powers under Regulation 10 of the Pollution Prevention and Control Regulations 2000 (SI 2000 No. 1973) hereby permits:

**Lafarge Aggregates Limited**

whose registered address is

**The Old Rectory**  
**Misterton**  
**Lutterworth**  
**Leicestershire**  
**LE17 4JP**

To operate an installation at

**Lafarge Readymix Plant**  
**Fenchurch Close**  
**Walsall**  
**WS2 2LJ**

To the extent permitted by and subject to the conditions of this document (“the Permit”) and operated within the area edged green and white on site layout plan Ref Laf/wal01, Appendix II of this permit.
Address for correspondence:

Walsall Metropolitan Borough Council,
Planning and Transportation Services,
2nd Floor Civic Centre,
Darwall Street,
Walsall,
WS1 1DG.

Tel: 01922 653348 (Pollution Control)
Fax: 01922 623234

Contents

1 Emission Limits and Controls 3
2 General Operational Controls 3
3 Materials Handling 5
4 Management 6
5 General 6
Appendix I 7
Appendix II – Site Plan 8
Appendix III – Explanatory Note 9
Appendix IV – Glossary of Terms and Definitions 11
Additional Notes 13
1.0 **Emission Limits and Controls**

1.1 Emissions to air from any part of the process, other than condensed water vapour, shall be colourless and free from persistent mist. All emissions to air shall be free from persistent fume and free from droplets.

1.2 The limits for emissions to air, set out in table 1 shall not be exceeded.

**Table 1 - Emission Limits to Air and Monitoring**

<table>
<thead>
<tr>
<th>Substance</th>
<th>Source</th>
<th>Limit / provision</th>
<th>Type of monitoring</th>
<th>Monitoring frequency</th>
</tr>
</thead>
<tbody>
<tr>
<td>Particulate matter</td>
<td>Whole process</td>
<td>No visible emission across site boundary</td>
<td>Recorded operator observations</td>
<td>At least once per day</td>
</tr>
<tr>
<td>Particulate matter</td>
<td>Silo inlet and outlets</td>
<td>No visible emission</td>
<td>Recorded operator and / or driver observations to include start and finish times</td>
<td>Every delivery</td>
</tr>
</tbody>
</table>

1.3 Silo filtration plant shall be designed to operate to an emission standard of less than 10mg/m³ for particulate matter.

2.0 **General Operational Controls**

2.1 Visual assessments of emissions of particulate matter to air shall be carried out as detailed in Table 1 when the installation is operating and a record of the assessments made in a logbook. The time, location, wind direction and result of these assessments shall be recorded. The person(s) making a record in a logbook shall record their name along with the time and date. All entries in any logbook shall be clearly legible. Any corrections to entries made in the logbook shall be carried out in such a manner so as to leave the amended entry clearly legible after the alteration.

2.2 The logbook as detailed in condition 2.1 shall be retained by the operator for a minimum of 2 years and made available for examination by the Regulator. Any historical records kept off-site shall be made available for inspection within one working week of any request by the Regulator.

2.3 Adverse results from the visual assessments of particulate matter specified in Table 1 shall be investigated by the operator immediately. The operator shall identify the cause and, if necessary, take appropriate action to minimise the release of substances to air until normal operations can be restored. The operator shall re-test to demonstrate compliance as soon as is reasonably practicable and as much detail as possible regarding the cause and extent of the adverse results and the action taken to rectify the situation shall be recorded in a logbook. The Regulator shall be notified of any such adverse results as soon as is reasonably practicable.
2.4 Where, in the opinion of the Regulator, there is evidence of airborne dust from the process outside the boundary of the site, the operator shall make their own inspection and assessment, and where necessary undertake ambient monitoring with the aim of identifying those process operations giving rise to the dust. The monitoring may either be by a British Standard method or by a method agreed with the regulator. Once the source of the emission is known, corrective action shall be taken without delay.

2.5 The condition of the filtration systems and the seating of the pressure relief valves on the cementitious material storage silos shall be checked before charging operations commence and at least on a weekly basis, whichever is the longer interval and details recorded in a logbook.

2.6 If it appears that the pressure relief valves have become unseated during silo filling, no further delivery shall take place until corrective action has been taken. The pressure relief valves shall be examined to check for defects before being re-set and a replacement fitted if necessary. Tanker drivers shall be informed of the correct procedure to follow.

2.7 Seating and sealing of access hatches to the cementitious storage silos shall be checked at least on a six-monthly basis and details recorded in a logbook.

2.8 Silos for the storage of cementitious materials shall be fitted with audible or visual high level alarms to warn of overfilling. Alarms shall be checked on a weekly basis or prior to silo charging, whichever is the longer period and details recorded in a logbook. The correct operation of such alarms shall be checked in accordance with manufacturers’ instructions or as agreed with the Regulator.

2.9 A written maintenance programme shall be provided to the Regulator with respect to pollution control equipment and a record of such maintenance shall be made available for inspection.

2.10 Spares and consumables, in particular those subject to continual wear, shall be held on site or be available at short notice from guaranteed suppliers, so that plant breakdowns can be rectified rapidly.

2.11 Cementitious materials shall be stored in purpose designed silos. The silos shall be vented to air via bag filters to meet the requirements of Condition 1.2 of this permit.

2.12 In order that fugitive emissions are minimised during the charging of silos, transfer lines shall be securely connected to the silo delivery inlet point and the tanker discharge point, in that order. Tanker drivers shall be informed of the correct procedures to be followed.

2.13 If emissions of particulate matter are visible from ducting, pipework, the pressure relief device or dust arrestment plant during silo filling, then the operation shall cease and the cause of the problem rectified prior to further deliveries taking place. Tanker drivers shall be informed of the correct procedure to be followed.

2.14 All silos shall be fitted with an automatic system to cut off delivery in the event of pressurisation or overfilling. Uses of alternative techniques are acceptable if they achieve an equivalent level of control with regard to potential for emissions to air.
2.15 The filter media in the bag filtration system serving the storage silos shall be replaced in accordance with timescales recommended by the manufacturer and/or supplier, which shall be notified to the Regulator.

2.16 A preventative maintenance scheme agreed in writing with the Regulator shall be undertaken on all plant and equipment concerned with the control of emissions to the air.

2.17 Any malfunction or breakdown leading to an emission to air contravening any condition in this authorisation shall be dealt with promptly and process operations adjusted until normal operations can be restored. All such malfunctions and breakdowns shall be recorded in a logbook. If there is likely to be a deposit of particulate matter beyond the process boundary the Regulator shall be informed immediately.

2.18 Roadways and yard areas on which there is regular movement of vehicles shall be hard surfaced and kept clean, and in any case swept on a weekly basis. Site vehicle exhausts shall not be directed below the horizontal plane.

3.0 Materials Handling

3.1 Aggregates unloaded into the dump hopper shall be transferred to the storage hoppers by inclined conveyor and the enclosed slewing conveyor.

3.2 The transfer of cement and aggregates to the mixer shall be by way of the enclosed batch conveyor. The water spray at the end of the batch conveyor shall be operated continuously during transfer of cement and aggregates, to prevent the generation of visible emissions to air of particulate matter.

3.3 Truckmixer loading operations shall only take place within the enclosed truckmixer loading area indicated by the solid black line within the area edged green and white in Drawing No Laf/wal/01. The water spray system located in this area shall operate continuously during the transfer of cement to prevent the generation of visible emissions to air of particulate matter.

3.4 A rubber sock type chute system shall be used for loading into truck mixers.

3.5 Storage areas where there is vehicular movement shall have a consolidated surface which shall be kept in good repair.

3.6 Imported aggregates shall be discharged and held in storage bays. Stockpiles in the bays shall not be piled higher than the external walls of the bay and shall not be forward of the bay.

3.7 All silos shall be installed with automatic protection systems to control the delivery of material from the tanker to the silo such that it is not possible to overfill or over-pressure the silo.

3.8 By 30 June 2007, delivery to silos from road vehicles shall only be made by tankers with an onboard (truck mounted) relief valve and filtration system or by using a technique that affords an equivalent level of protection to the environment to the satisfaction of the Regulator.
3.9 All spillages of cementitious materials and aggregates shall be cleaned up promptly. The method used shall ensure minimal disturbance of the spillage which would lead to wind entrainment of the deposited materials.

4.0 Management

4.1 All staff with responsibility for operating the process shall receive the necessary training and instruction in their duties relating to control of the process and emissions to air. Particular emphasis should be given to training for start up, shut down and abnormal conditions.

4.2 The operator shall maintain a statement of training requirements for each operational post and keep a record of the training received by each person whose actions may have an impact on the environment. These documents shall be made available to the host authority on request.

5.0 General

5.1 The process shall be operated as stated in the ‘Description of Installation’.

5.2 In relation to any aspect of the installation not regulated by conditions 1.0 to 5.1 the “best available techniques” shall be used:-

(a) for preventing the release of substances prescribed for air into the air, or where that is not practicable by such means, for reducing the release into air of such substances which are so released; and

(b) for rendering harmless any other substances which might cause harm if released into the air.

The term ‘Best available techniques’ is described in Schedule 2 of the Pollution Prevention and Control (England and Wales) Regulations 2000 SI 1973 (as amended).
APPENDIX I

All emission testing data forwarded to the local authority shall be accompanied by the following where applicable:

a. A plant description.
b. A diagram of the plant layout depicting sampling positions and cross sectional areas of ducts.
c. Prevailing meteorological conditions during sampling (to include air temperature, wind velocity, air pressure and humidity).
d. Plant operating conditions during sampling.
e. A statement indicating that sampling is within the required protocol(s).
f. Variation of pitostatic/air velocity readings across the sampling lines with the ratio of high to low stated.
g. Variation of gas temperature across the sampling lines with the mean value stated.
h. Recorded air flow and efflux velocity.
i. Nozzle sampling area.
j. Duration of samples.
k. Details of the analytical laboratory used and a certificate of analysis.
l. The rate of mass emission of particulate matter.
m. Name of any person(s) undertaking emission sampling and testing work.
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Walsall MBC. Ordnance Survey Licence No: 100019529

User:
Date 25/5/2007

Date of base map:
APPENDIX III - EXPLANATORY NOTE

[This note does not form part of the Variation Notice, but is for guidance of those served with the Notice]

This Notice varies the terms of the permit specified in the Notice by amending existing conditions and/or adding new conditions and/or deleting conditions. Schedule 1 attached to the Notice explains what conditions have been amended/added/deleted and the date or dates on which the amendments/additions/deletions have effect. The permit should, therefore, be read in conjunction with this Notice.

It may be necessary for the holder of the permit to take certain action in order to comply with the permit as it has been varied by this Notice.

Appeals

Anyone served with a Variation Notice can appeal to the Secretary of State for the Environment. Appeals must be sent no later than 2 months from the date of the Variation Notice (normally the date at the bottom of the Notice) to:

Appeals should be sent to

The Planning Inspectorate
Environment Appeals Administration
Room 4/19 Eagle Wing
Temple Quay House
2 The Square
Temple Quay
Bristol
BS1 6PN
Tel: 0117 372 8235/8254
Fax: 0117 372 6093


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 items must be included:

a) written notice of appeal;
b) a statement of the grounds of appeal;
c) a statement indicating whether you wish you wish the appeal to be dealt with by the written representations procedure or be heard by an inspector. A hearing will be held if you or the regulator request this, or if the Inspectorate or the Secretary of State decides to hold one;
d) a copy of any relevant application;
e) a copy of any relevant permit;
f) a copy of any relevant correspondence, plans, etc. between the person making the appeal ("the appellant") and Walsall Metropolitan Borough Council;
g) a copy of the decision or notice which is the subject of this appeal.
Please Note:
- an appeal will not suspend the effect of the conditions appealed against and the conditions must still be complied with;
- an appeal made against a Revocation Notice must be received by the Inspectorate before the date on which the revocation takes effect; and
- an appeal made against a Variation Notice (not requested by the operator), an Enforcement Notice or a Suspension Notice must be received within two months of the date of the Notice.

Offences

Failure to comply with a Variation Notice is an offence under section 32(1) of the Pollution Prevention and Control (England and Wales) Regulations 2000.

A person successfully prosecuted for this offence may result in:
   (a) on summary conviction, to a fine not exceeding £20,000 or to imprisonment for a term not exceeding six months or to both; and
   (b) on conviction on indictment, to an unlimited fine or to imprisonment for a term not exceeding five years or to both.

The Council is also empowered to take proceedings in the High Court for the purpose of securing compliance with a Prohibition Notice.
## APPENDIX IV Glossary of Terms/Definitions

<table>
<thead>
<tr>
<th>Term</th>
<th>Definition</th>
</tr>
</thead>
<tbody>
<tr>
<td>Activity</td>
<td>A stationary technical unit falling within the defined sections of Schedule 1 of the Pollution Prevention and Control (England and Wales) Regulations 2000 (as amended).</td>
</tr>
<tr>
<td>Authorisation</td>
<td>the written authority to operate a process prescribed for LAPC - (will be replaced by permit under LAPPC).</td>
</tr>
<tr>
<td>Authorised person</td>
<td>under section 108 of the Environment Act 1995, “authorised person” has replaced the term “inspector”.</td>
</tr>
<tr>
<td>Current guidance</td>
<td>Process Guidance Note 3/1(04)</td>
</tr>
<tr>
<td>EPA</td>
<td>Environmental Protection Act 1990, the former pollution control regime, now redundant due to the implementation of PPC.</td>
</tr>
<tr>
<td>Existing process</td>
<td>should be taken to have the following meaning (which is based on paragraph 14 of Schedule 3 to SI 1991 /472):</td>
</tr>
<tr>
<td></td>
<td>• a process which was being carried on at some time in the 12 months immediately preceding the first day of the month following publication of Process guidance note 3/1(04);</td>
</tr>
<tr>
<td></td>
<td>• a process which is to be carried on at a works, plant or factory or by means of mobile plant which was under construction or in the course of manufacture or in the course of commission on the first day of the month following publication of Process Guidance Note 3/1(04), or the construction or supply of which was the subject of a contract entered into before that date.</td>
</tr>
<tr>
<td>Installation</td>
<td>One or more stationary technical units comprising at least one activity or activities falling within the description of Schedule 1 of the Pollution Prevention and Control Regulations 2000 (as amended) within a defined area.</td>
</tr>
<tr>
<td>LAPPC</td>
<td>The Local Air Pollution Prevention and Control regime established by the Pollution Prevention and Control Act 1999</td>
</tr>
<tr>
<td>Local enforcing authority</td>
<td>is replaced by the word ‘regulator’ in LAPPC.</td>
</tr>
<tr>
<td>New process</td>
<td>not an existing process.</td>
</tr>
<tr>
<td>Operator</td>
<td>The person(s) who has control over the operation of the installation.</td>
</tr>
<tr>
<td>Term</td>
<td>Definition</td>
</tr>
<tr>
<td>--------------</td>
<td>---------------------------------------------------------------------------</td>
</tr>
<tr>
<td>Permit</td>
<td>the written permission to operate an installation prescribed for LAPPCC – (the replacement for authorisation under LAPC).</td>
</tr>
<tr>
<td>Process</td>
<td>both “processes” under the Environmental Protection Act 1990 and “installations” under the Pollution Prevention and Control Act 1999.</td>
</tr>
<tr>
<td>PPC</td>
<td>Pollution Prevention and Control, the new pollution control regime replacing that under EPA.</td>
</tr>
<tr>
<td>Previous guidance</td>
<td>Process Guidance Note 3/1(95) and PG3/1(91)</td>
</tr>
<tr>
<td>Regulator</td>
<td>An officer of Walsall Metropolitan Borough Council Pollution Control Division authorised pursuant to the Environment Act 1995 at the address specified in the additional notes or on the telephone numbers provided. When contacting the regulator it is not sufficient to contact any other part of the council other than the Pollution Control Division.</td>
</tr>
</tbody>
</table>
Additional Notes

These notes do not form part of the Permit

1. Aspects of the installation not regulated by specific permit conditions are subject to a general condition implied by Regulation 12(10) of the PPC Regulations i.e. the Operators must use the best available techniques for preventing or, where that is not practicable, reducing emissions from the installation. Techniques include both the technology used and the way in which the installation is designed, built, maintained, and operated.

2. Section 3(1) of the Regulations defines “BAT” as follows:
   a. ‘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;
   b. ‘best’ means, in relation to techniques, the most effective way of achieving a general high level of protection of the environment as a whole;
   c. ‘techniques’ includes both technology used and the way in which the installation is designed, managed, operated and decommissioned.

3. This permit is issued in relation to the requirements of Pollution Prevention and Control Act 1999 and subordinate regulations. It must not be taken to replace any responsibilities you may have under workplace health and safety legislation.

4. This permit, does not absolve you of the responsibility of any other statutory requirement, such as any need to obtain planning permission, hazardous substances consent or Building Regulations approval from the Council. Discharge consents from the local sewerage undertaker or a waste disposal licence from the Environment Agency may still be required as will compliance with health and safety legislation.

5. This permit is covered by Secretary of State’s Guidance:

   Secretary of State’s Guidance for: www.defra.gov.uk/environment/index.htm
   - PG 3/1 (04) Blending, Packing, Loading, Unloading and Use of Bulk Cement
     GG 1(91) Introduction to Part 1 of the Act* ISBN – 0-11-752423-9
     GG 2(91) Authorisations* ISBN – 0-11-752424-7
     GG 4(91) Interpretation of Terms used in Process Guidance Notes* ISBN – 0-11-752426-3
     GG 5(91) Appeals* ISBN – 0-11-752427-1

*The GG guidance series relates specifically to the Environmental Protection Act 1990 regime, however, the GG notes still contain useful advice not covered in the General Guidance Manual and so are included.
6. The operator will be liable to enforcement action where;

(a) a change is made without approval of the regulator to the activities as outlined in the ‘Description of Permitted Installation’ at the start of this permit,

(b) any of the activities are carried on outside the boundary of the installation,

(c) a new activity (as defined within the Pollution Prevention and Control (England and Wales) Regulations 2000 (as amended) is carried on without a proper permit, and

(d) any of the conditions of the permit are breached.

7. An annual fee due on 1\textsuperscript{st} April each year (currently chargeable per activity per annum but subject to change by statutory instrument) is payable to Walsall Metropolitan Borough Council. If the fee is not paid by the due date, a reminder letter will be sent stipulating a final deadline. If the fee remains unpaid after that deadline, then the permit may be revoked.

8. It is an offence to operate a scheduled activity without a current permit.

9. If you are required to contact the Walsall Metropolitan Borough Council with emission problems please telephone 01922 653348 between 9.00am and 5.00p.m.