

Notice of variation with introductory note

Environmental Permitting (England & Wales) Regulations 2010

Robinson Brothers Limited

West Bromwich Chemical Works
Phoenix Street
West Bromwich
West Midlands
B70 0AH

Variation application number

EPR/BS4316IV/V012

Permit number

EPR/BS4316IV

West Bromwich Chemical Works

Permit number EPR/BS4316IV

Introductory note

This introductory note does not form a part of the notice

The following notice gives notice of the variation of an environmental permit. This variation gives notice to the:

- removal of the scheduled activity 5.4A(1)(a) from Table 1.1.1 – recovery of solvents by distillation.
- removal of specific surface water Emission Limit Values (ELVs) for the storm water discharge from Table 2.2.5.
- removal of the half hourly air ELVs for the incineration plant when waste is not been burned from Table 2.2.2 (i.e. non-WID only) as a result of The Environmental Permitting (England and Wales) (Amendment) Regulations 2013 which implements the Industrial Emissions Directive (IED).
- amendment of the scheduled activities 5.1A(1)(a) - incineration of hazardous waste and 5.1A(1)(b) - incineration of hazardous waste in a co-incineration plant, to directly associated activities as the aggregated capacity is physically restricted to below the scheduled activity threshold of 10 tonnes per day.
- amendment of the scheduled activity 1.1B(b) to 1.2B(a) - blending odorant for use with natural gas or liquefied petroleum gas, as a result of The Environmental Permitting (England and Wales) (Amendment) Regulations 2013 which implements the IED.

Table 1.1.1 has been amended to reflect the changes made to the scheduled activities as above. Table 2.2.2 has been amended to reflect the changes made to the non-WID half hourly ELVs as above. Table 2.2.5 has been amended to reflect the changes made to the storm water discharge ELVs to surface waters as above.

This variation also incorporates the changes required by IED. This includes the amendment of the wording of several permit conditions relating to notifications and also includes the addition of a condition relating to a requirement for monitoring of groundwater and soil.

The schedules specify the changes made to the original permit.

The status log of a permit sets out the permitting history, including any changes to the permit reference number.

Status log of the permit

Description	Date	Comments
Application BS4316.	Duly made 10/09/2004	Received 02/09/2003.
Response to request for information (letter).	04/05/2004, 06/07/2004	Request dated 08/04/2004.
Response to request for information (schedule 4 notice).	15/06/2004, 06/07/2004, 29/07/2004, 04/08/2004	Request dated 18/05/2004.

Status log of the permit

Description	Date	Comments
Response to request for information (letter).	20/07/2004	Request dated 06/07/2004.
Request to extend determination period to 30/04/2004.	12/12/2003	Request dated 05/12/2003.
Request to extend determination period to 31/08/2004.	24/05/2004	Request dated 14/05/2004.
Request to extend determination period to 14/09/2004.	31/08/2004	Request dated 31/08/2004.
Addendum to Application.	02/09/2004	Received 03/09/2004.
Permit determined.	08/09/2004	
Variation SP3234SK.	01/03/2005	Revision of completion date for an improvement condition and new improvement condition requiring the operator to consider improvements to gas odorant transfer couplings.
Application GP3832SM.	01/04/2005	WID variation.
Schedule 4 Notice issued		Requiring addition information, sent 07/06/2005.
Response to schedule 4 Notice.		Received 14/07/2005.
Request for extension to 30/11/2005.		Sent 02/08/2005.
Agreement to extension.		Received 04/08/2005.
Variation GP3832SM determined.	22/12/2005	
Consolidating Variation FP3232LK determined.	25/08/2006	
Application Variation NP3936ME.	21/12/2006	To burn waste in boiler.
Further Information received.	22/02/2007	Received 23/02/2007.
Further Information received.	22/02/2007	Received 09/03/2007.
Variation NP3936ME determined.	31/03/2007	
Application for Variation GP3734UK.	03/05/2007	Add emission points.
Additional information received.		Received 31/07/2007, 13/08/2007.
Variation GP3734UK determined.	31/08/2007	
Application for Variation WP3238XB.	04/02/2008	Alter monitoring.
Further Information.		11/04/2008.
Variation WP3238XB determined.		
Application for Variation MP3136GV.	17/02/2009	Add EWC code.
Variation MP3136GV determined.	20/02/2009	
Application for Administrative Variation EPR/BS4316IV/V008.	22/06/2009	
Variation EPR/BS4316IV.	16/07/2009	Consolidate permit.
Application for variation EPR/BS4316IV/V009.	15/10/2009	
Variation EPR/BS4316IV.	18/02/2010	Variation issued.
Application for variation EPR/BS4316IV/V010.	22/04/2010	
Variation EPR/BS4316IV.	18/10/2010	Variation issued.
Application Variation EPR/BS4316IV/V011.	20/05/2013	Withdrawn by operator on 16/07/2013.

Status log of the permit		
Description	Date	Comments
Application Variation EPR/BS4316IV/V012.	Duly made 21/02/2014	Application to remove scheduled activity 5.4A(1)(a), storm discharge to surface water ELVs and non-WID emissions to air half hourly limits. Scheduled activities 5.1A(1)(a) and 5.1A(1)(b) amended to Directly Associated Activities (SWIPs). Updating of permit conditions (not consolidated or modernised) to meet the requirements under IED.
Variation determined EPR/BS4316IV.	22/04/2014	Varied permit issued to Robinson Brothers Limited.

End of introductory note

Notice of variation

Environmental Permitting (England and Wales) Regulations 2010

The Environment Agency in exercise of its powers under regulation 20 of the Environmental Permitting (England and Wales) Regulations 2010 varies

Permit number
EPR/BS4316IV

issued to:
Robinson Brothers Limited ("the operator")

whose registered office is

Phoenix Street
West Bromwich
West Midlands
B70 0AH

company registration number 00201053

to operate a regulated facility at

Phoenix Street
West Bromwich
West Midlands
B70 0AH

to the extent set out in the schedules.

The notice shall take effect from 22/04/2014

Name

Date

A.J. Nixon

22 April 2014

Authorised on behalf of the Environment Agency

Schedule 1 – conditions to be deleted

None.

Schedule 2 – conditions to be amended

The following tables and conditions are amended as a result of the application made by the operator.

Table 1.1.1 has been amended to reflect the changes to the scheduled activities as follows:

Table 1.1.1		
Activity listed in Schedule 1 of the PPC Regulations/ Associated Activity	Description of specified activity	Limits of specified activity
Section 4.1 A(1) (a)(ii): Manufacture of organic chemicals containing oxygen.	Chemical manufacture where the product(s) are organic compounds containing oxygen.	From receipt of raw materials to dispatch of products from the installation or transfer of wastes to effluent treatment plant, incinerator or off-site.
Section 4.1 A(1) (a)(iii): Manufacture of organic chemicals containing sulphur.	Chemical manufacture where the product(s) are organic compounds containing sulphur.	From receipt of raw materials to dispatch of products from the installation or transfer of wastes to effluent treatment plant, incinerator or off-site.
Section 4.1 A(1) (a)(iv): Manufacture of organic chemicals containing nitrogen.	Chemical manufacture where the product(s) are organic compounds containing nitrogen.	From receipt of raw materials to dispatch of products from the installation or transfer of wastes to effluent treatment plant, incinerator or off-site.
Section 4.1 A(1) (a)(vi): Manufacture of organic chemicals containing halogens.	Chemical manufacture where the product(s) are organic compounds containing halogen.	From receipt of raw materials to dispatch of products from the installation or transfer of wastes to effluent treatment plant, incinerator or off-site.
Section 1.2 B(a): Blending odorant for use with natural gas or liquefied petroleum gas.	Gas odorant plant.	From receipt of raw materials to dispatch of products from the installation or transfer of wastes to effluent treatment plant, incinerator or off-site.
Directly associated activity: Incineration of hazardous waste in a waste incineration plant.	Waste incinerator with an aggregated capacity not exceeding 10 tonnes per day.	From receipt of wastes onto site or transfer of site wastes into collection systems to final stack discharges and transfer of wastes to effluent treatment plant or off-site.
Directly associated activity: Co-incineration of hazardous waste in a waste co-incineration plant.	Co-incineration of waste in boiler No.2. Aggregated capacity not exceeding 10 tonnes per day.	From receipt of wastes onto site or transfer of site wastes into collection systems to final stack discharges and transfer of wastes to effluent treatment plant or off-site.
Directly associated activity: Boiler plant.	Site boiler plant.	From receipt of raw materials to distribution of steam to manufacturing plants and other activities, or transfer of wastes to effluent treatment plant, incinerator or off-site.
Directly associated activity: Effluent treatment plant.	Site effluent plant.	From receipt of raw materials and wastes (including effluent treatment reagent from off-site) to transfer of materials off-site or to incinerator.

Table 2.2.2 has been amended to reflect the changes made for the incinerator to the non-WID half hourly emissions to air ELVs as follows:

Table 2.2.2: Emission limits to air and monitoring. Emissions <u>NOT</u> regulated under Waste Incineration Directive				
Emission point reference	Parameter	Monitoring frequency	Limit (including Reference Period)	Monitoring method Note 8
A1(a)	Total dust	continuous	10 mg/m ³ daily average. Note 7	BS EN 13284-2
A1(a)	Total Organic Carbon (as C)	continuous	10 mg/m ³ daily average. Note 7	BS EN 12619
A1(a)	Hydrogen Chloride	continuous	10 mg/m ³ daily average. Note 7	MCERTS certified instruments
A1(a)	Sulphur dioxide	continuous	50 mg/m ³ daily average. Note 7	ISO 6069-4.4
A1(a)	Oxides of nitrogen, expressed as NO ₂	continuous	400 mg/m ³ daily average. Note 7	ISO 10849
A1(a)	Carbon monoxide	continuous	50 mg/m ³ daily average. Note 7	ISO 12039
A1(a)	Carbon disulphide	6 monthly	2 mg/m ³	BS EN 13649
A1(a)	Hydrogen sulphide	6 monthly	5 mg/m ³	US EPA Method 11
A1(a),	Organic sulphides and mercaptans (as methyl mercaptan)	6 monthly	2 mg/m ³	Note 1
NP2V1, NP2V2, NP5V10, NP7V5, NP8V8, NP8V9	Amines as Dimethylamine	Annually, Note 4	10 mg/m ³	Sampling based on BS EN 13649. Analysis using principles of NIOSH methods 2002 and 2010
NP2V1, NP2V2, NP5V10, NP7V5, NP8V8, NP8V9	Carbon disulphide	Annually, Note 4	5 mg/m ³	BS EN 13649
NP2V1, NP2V2, NP5V10, NP7V5, NP8V8, NP8V9	Ammonia	Annually, Note 4	10 mg/m ³	US EPA method 26
NP2V1, NP2V2, NP5V10, NP7V5, NP8V8, NP8V9	Hydrogen Chloride	Annually, Note 4	10 mg/m ³	BS EN 1911 :1998
RA6V19, RA6V20, RA6V28	Carbon disulphide	Quarterly, Note 4	4.5 kg per batch	BS EN 13649
RA6V19, RA6V20, RA6V28	Amines as Dimethylamine	Quarterly, Note 4	0.2 kg/hr	Sampling based on BS EN 13649. Analysis using principles of NIOSH methods 2002 and 2010
RRPV12, Note 2	Amines as Dimethylamine	Quarterly Note 5	10 mg/m ³	Sampling based on BS EN 13649. Analysis using principles of NIOSH methods 2002 and 2010
RRPV12, Note 2	Ammonia	Quarterly Note 5	10 mg/m ³	US EPA method 26
RRPV12, Note 2	Carbon Disulphide	Quarterly Note 5	5 mg/m ³	BS EN 13649

Table 2.2.2: Emission limits to air and monitoring. Emissions <u>NOT</u> regulated under Waste Incineration Directive				
RRPV12, Note 2	Fluorine	Quarterly Note 5	5 mg/m ³	BS ISO 15713
RRPV12, Note 2	Chlorine	Quarterly Note 5	10 mg/m ³	BS ISO 15713
RRPV12, Note 2	Bromine	Quarterly Note 5	10 mg/m ³	BS ISO 15713
RRPV12, Note 2	Hydrogen Fluoride	Quarterly Note 5	5 mg/m ³	Note 1
RRPV12, Note 2	Hydrogen Chloride	Quarterly Note 5	10 mg/m ³	BS EN 1911 :1998
RRPV12, Note 2	Hydrogen Bromide	Quarterly Note 5	5 mg/m ³	Note 1
RRPV12, Note 2	Hydrogen Cyanide	Quarterly Note 5	2 mg/m ³	Note 1
RRPV12, Note2	Hydrogen Sulphide	Quarterly Note 5	5 mg/m ³	Note 1
RRPV12, Note 2	Oxides of nitrogen (total acid forming as NO ₂)	Quarterly Note 5	100 mg/m ³	Note 1
RRPV12, Note 2	Organic sulphides and mercaptans (as methyl mercaptan)	Quarterly Note 5	2 mg/m ³	Note 1
RRPV12, Note 2	Phosgene	Quarterly Note 5	1 mg/m ³	Note 1
RRPV12, Note 2	Oxides of sulphur (as SO ₂)	Quarterly Note 5	100 mg/m ³	Note 1
RRPV12, Note 2	Special Volatile organic compounds	Quarterly Note 5, Note 6	5 mg/m ³	BS EN 1076:1997
RRPV12, Note 2	Class A Volatile organic compounds	Quarterly Note 5	20 mg/m ³ if release rate exceeds 100g/hr	BS EN 1076:1997
RRPV12, Note2	Class B Volatile organic compounds (as carbon)	Quarterly Note 5	75 mg/m ³ if release exceeds 2 kg/hr	BS EN 13526
RRPV12, Note2	Particulate Matter	Quarterly, Note 5	5 mg/m ³	BS EN 13284-1
RPPV12, Note 2	Boron trifluoride	Quarterly Note 4	5 mg/m ³	Note 1

Note 1: Using the following hierarchy of methods:- CEN if available, ISO if available, BS if available, US EPA if available, other validated method.

Note 2: These limits also apply to any other Authorised emission point listed specifically in a Process Briefing Note (as defined in the "Protocol For Changes In Production Runs And The Introduction Of New Processes", supplied with the Application), agreed by the Agency, for which no other limit for that substance and emission point appears in Table 2.2.2.

Note 3: See Section 6 for reference conditions.

Note 4: Monitoring is only required when a process with potential for a meaningful release of the specified parameters from the specified release point has been operated during the reporting period.

Note 5: The first batch of each process manufactured during the reporting period will be monitored if there is a likelihood of a meaningful release of the stated substance from the stated emission point.

Note 6: Any 'Special VOCs' must be specifically identified.

Note 7: The limit does not apply during start up or shutdown.

Note 8: The Operator may employ other alternative monitoring techniques for specific release points and determinands where this is agreed in writing in advance by the Agency. Any such alternative monitoring methods shall be those specified in section 2.10 of the Application, unless otherwise agreed in writing in advance by the Agency.

Table 2.2.5 has been amended to reflect the changes made to the storm water discharge ELVs to surface waters as follows:

Table 2.2.5: Emission limits to water and monitoring				
Emission point reference	Parameter	Limit (including Reference Period)	Monitoring frequency	Monitoring method, Note 2
W1	Suspended solids (mg/l)	-	Each discrete discharge (spot)	ISO 11929:1997, EN872
W1	COD (mg/l)	-	Each discrete discharge (spot)	ISO 6060:1989
W1	pH range	-	Each discrete discharge (spot)	calibrated pH probe
W1	Total metals (Zn, Cr, Pb, Cu, Ni) (mg/l)	-	Each discrete discharge (spot)	BS 6068: section 2.60 1998
W1	Total mercury (mg/l)	0.005	Each discrete discharge (spot)	Note 1
W2	Suspended solids (mg/l)	-	Each discrete discharge (spot)	ISO 11929:1997, EN872
W2	COD (mg/l)	-	Each discrete discharge (spot)	ISO 6060:1989
W2	pH range	-	Each discrete discharge (spot)	calibrated pH probe
W2	Total metals (Zn, Cr, Pb, Cu, Ni) (mg/l)	-	Each discrete discharge (spot)	BS 6068: section 2.60 1998
W2	Total mercury (mg/l)	0.005	Each discrete discharge (spot)	Note 1
W3	Suspended solids (mg/l)	-	Each discrete discharge (spot)	ISO 11929:1997, EN872
W3	COD (mg/l)	-	Each discrete discharge (spot)	ISO 6060:1989
W3	pH range	-	Each discrete discharge (spot)	calibrated pH probe
W3	Total metals (Zn, Cr, Pb, Cu, Ni) (mg/l)	-	Each discrete discharge (spot)	BS 6068: section 2.60 1998
W3	Total mercury (mg/l)	0.005	Each discrete discharge (spot)	Note 1

Note 1: Using the following hierarchy of methods:- CEN if available, ISO if available, BS if available, US EPA if available, other validated method.

Note 2: The Operator may employ other alternative monitoring techniques for specific release points and determinands where this is agreed in writing in advance by the Agency. Any such alternative monitoring methods shall be those specified in section 2.10 of the Application, unless otherwise agreed in writing in advance by the Agency. Any such request by the Operator to use alternative monitoring methods shall specify a limited time period only, after which the methods detailed in Table 2.2.5 shall be used.

The following conditions are amended following an Environment Agency initiated variation as a result of changes required by the IED.

- 5.1.1 (a) In the event that the operation of the activities gives rise to an incident or accident which significantly affects or may significantly affect the environment, the operator must immediately—
- (i) inform the Environment Agency,
 - (ii) take the measures necessary to limit the environmental consequences of such an incident or accident, and
 - (iii) take the measures necessary to prevent further possible incidents or accidents;
- (b) In the event of a breach of any permit condition the operator must immediately—
- (i) inform the Environment Agency, and
 - (ii) take the measures necessary to ensure that compliance is restored within the shortest possible time;
- (c) In the event of a breach of permit condition which poses an immediate danger to human health or threatens to cause an immediate significant adverse effect on the environment, the operator must immediately suspend the operation of the activities or the relevant part of it until compliance with the permit conditions has been restored.
- 5.1.2 Any information provided under condition 5.1.1 (a)(i), or 5.1.1 (b)(i) where the information relates to the breach of a limit specified in the permit, shall be confirmed by sending the information listed in schedule 1 to this permit within the time period specified in that schedule.

Schedule 1 - Notification

These pages outline the information that the operator must provide.

Units of measurement used in information supplied under Part A and B requirements shall be appropriate to the circumstances of the emission. Where appropriate, a comparison should be made of actual emissions and authorised emission limits.

If any information is considered commercially confidential, it should be separated from non-confidential information, supplied on a separate sheet and accompanied by an application for commercial confidentiality under the provisions of the EP Regulations.

Part A

Permit Number	
Name of operator	
Location of Facility	
Time and date of the detection	

(a) Notification requirements for any malfunction, breakdown or failure of equipment or techniques, accident, or emission of a substance not controlled by an emission limit which has caused, is causing or may cause significant pollution

To be notified within 24 hours of detection

Date and time of the event	
Reference or description of the location of the event	
Description of where any release into the environment took place	
Substances(s) potentially released	
Best estimate of the quantity or rate of release of substances	
Measures taken, or intended to be taken, to stop any emission	
Description of the failure or accident.	

(b) Notification requirements for the breach of a limit

To be notified within 24 hours of detection unless otherwise specified below

Emission point reference/ source	
Parameter(s)	
Limit	
Measured value and uncertainty	
Date and time of monitoring	
Measures taken, or intended to be taken, to stop the emission	

Time periods for notification following detection of a breach of a limit	
Parameter	Notification period

(c) Notification requirements for the detection of any significant adverse environmental effect	
To be notified within 24 hours of detection	
Description of where the effect on the environment was detected	
Substances(s) detected	
Concentrations of substances detected	
Date of monitoring/sampling	

Part B - to be submitted as soon as practicable

Any more accurate information on the matters for notification under Part A.	
Measures taken, or intended to be taken, to prevent a recurrence of the incident	
Measures taken, or intended to be taken, to rectify, limit or prevent any pollution of the environment which has been or may be caused by the emission	
The dates of any unauthorised emissions from the facility in the preceding 24 months.	

Name*	
Post	
Signature	
Date	

** authorised to sign on behalf of the operator*

Schedule 3 – conditions to be added

The following conditions are added following an Environment Agency initiated variation as a result of changes required by the IED.

2.2.3 Emissions to groundwater

2.2.3.4 Periodic monitoring shall be carried out at least once every 5 years for groundwater and 10 years for soil, unless such monitoring is based on a systematic appraisal of the risk of contamination.

Condition 5.1.1.5 refers to Section 6 Interpretation and the expressions listed within. Following the implementation of the IED a new expression and definition has been added as follows:

6 Interpretation

“Industrial Emissions Directive” means DIRECTIVE 2010/75/EU OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL of 24 November 2010 on industrial emissions.