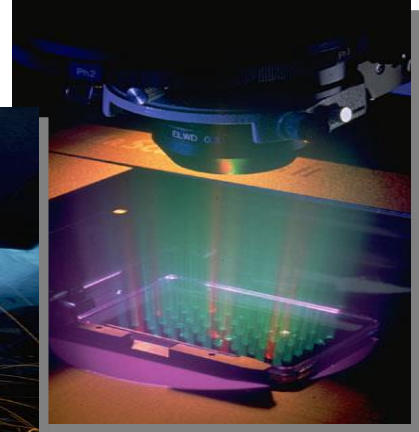


INSTALLATION PERMIT

Ref. EP2008/01



HARTLEPOOL
BOROUGH COUNCIL

Blown Polyurethane Insulation Process

Saw Pipe Mills

42" Pipe Mill

Brenda Road,

Hartlepool

TS25 2EF

**Pollution
Prevention and
Control Act 1999**

**Environmental
Permitting
(England &
Wales)**

**Regulations
2016**

THE POLLUTION PREVENTION AND CONTROL ACT 1999

ENVIRONMENTAL PERMITTING (ENGLAND & WALES)

REGULATIONS 2016

Provenance	Date
Application for Authorisation (EPA 90)	23 rd January 2004
Authorisation issued	15 th July 2004
Permit 'deemed' application	25 th May 2005
Permit issued	31 st March 2006
PPC Permit transferred automatically to EP Permit	6 th April 2008
Change of Permit Holder Name	September 2010
Transfer of permit from TATA Steel to Saw Pipe Mills	August 2017
Update of Permit	5 th January 2023

Permit Ref. No: EP2008/01

Liberty Pipes (Hartlepool) Limited, Registered Office No. 09931472, 2nd Floor, 40 Grosvenor Place, London, SW1X 7GG is hereby permitted to carry out Blown Polyurethane insulation on pipe in pipe activity in accordance with the following conditions and within the boundary as marked red on the attached plan reference EP2008/01/1.

Address of permitted activity

Saw Pipe Mills
Blown Polyurethane
Bay 3 AVB 42" Pipe Mill,
Brenda Road, Hartlepool
TS25 2EF

Signed on behalf of Hartlepool Borough Council

Signed:  **Date:** 5th January 2023

Sylvia Pinkney
Assistant Director (Regulatory Services)
An authorised officer of the Council

Description of activity

The activity involves the dynamic mixing of two chemical components (Polyol and isocyanates) and the mixture is then injected into the cavity between the carrier and casing pipes. The chemical blowing is carried out by the inclusion of water in the reacting system. The water reacts with the chemicals to liberate carbon Dioxide creating the foam as the final light insulating material. This falls within the definition contained in Section 4.1 (Part B) of Part 2 of Schedule 1 of the Environmental Permitting Regulations 2016.

Conditions

The following Environmental Permit conditions are legal requirements.

Emissions and monitoring

1. There shall be no emissions of odour or visible emissions beyond the site boundary detailed in appendix 1.
2. All other releases to air, other than condensed water vapour, should be free from persistent visible emissions.
3. All emissions to air shall be free from persistent fume and free from droplets.
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 activity which is not specifically regulated by any condition of this permit.
5. All activities should comply with the emission limits and provisions with regard to releases in Table 1. below.
6. The reference conditions for emission limits are: 273.1K, 101.3kPa, without correction for water vapour content, unless stated otherwise.
7. The introduction of dilution air to achieve the emission concentration limits in this permit is not permitted.
8. Table 1. should be considered in conjunction with the monitoring paragraphs found later in this permit.

Table 1: Emission limits, monitoring and other provisions					
Row	Substance	Source	Emission limit/provisions	Type of monitoring	Monitoring frequency
1	Di-isocyanate as total NCO group	Abated emissions	0.1 mg/Nm ³ averaged over any 2-hour period whilst plant is in operation	Quantitative	Annual
2	VOC (expressed as total carbon excluding particulate matter)	Abated emissions	100 mg/Nm ³ as 30 minute mean (see Note 1)	Quantitative	Annual
3	Particulate matter	Abated emissions	50 mg/Nm ³	Indicative	Continuous during normal operation
Note 1 – some activities may just emit HFCs or pentane (which are used as blowing agents) and no other VOCs. In these cases neither the emission limit nor the monitoring provisions in Row 2 should be applied. If any other VOCs are emitted, such as methylene chloride, the provisions in Row 2 are applicable, unless the amounts of these other VOCs are so small that they are unlikely to have more than a trivial environmental impact.					
4	Substances used as blowing agents	<ul style="list-style-type: none"> • Identify and record substances used as blowing agents on site, including the ODP, GWP and POCP figures (see paragraph 3.5) for each substance (see also Section 7). • Record annual usage of individual substances used as blowing agents to be made available to the Regulator upon request 			

9. The Operator shall carry out daily visible and olfactory assessments of the exterior of the permitted installation and shall note:
 - Date and time of the assessment
 - Weather conditions
 - The findings
 - Any action required
 - The name of the person carrying out the assessment
10. In the event of visible or olfactory emissions being observed, immediate action shall be taken to determine the cause and resolve the issue responsible for the emission and where necessary abate the emission.
11. In the case of abnormal emissions, malfunction or breakdown leading to abnormal emissions, the Operator shall:
 - Investigate and undertake remedial action immediately, and
 - Adjust the process or activity to minimise those emissions, and
 - Promptly record the events and actions taken and report them to the Regulator.
12. The Regulator shall be informed without delay if there is an emission that is likely to have an effect on the local community.
13. The Regulator needs to be informed of monitoring to be carried out and the results. The results should include process conditions at the time of monitoring.
14. The Operator should notify the Regulator at least 7 days before any periodic monitoring exercise to determine compliance with emission limit values. The

Operator should state the provisional time and date of monitoring, pollutants to be tested and the methods to be used.

15. The results of non-continuous emission testing should be forwarded to the Regulator within 8 weeks of completion of the sampling.
16. Adverse results from any monitoring activity (both continuous and non-continuous) should be investigated by the Operator as soon as the monitoring data has been obtained. The Operator should:
 - identify the cause and take corrective action
 - clearly record as much detail as possible regarding the cause and extent of the problem, and the remedial action taken.
 - re-test to demonstrate compliance as soon as possible; and inform the Regulator of the steps taken and the re-test results.

Materials, handling and storage

17. The receipt, handling and storage of isocyanates and other potentially odorous or harmful substances should be carried out in such a way that emissions are prevented, or where not practicable due to process characteristics, minimised and rendered harmless.
18. Where di-isocyanates are stored in fixed tanks, contaminated air displaced from the headspace of such tanks during filling should be back-vented to the delivery tanker, or a carbon adsorption cartridge or other means of arrestment.
19. Where using portable storage containers, such containers should be stored according to the manufacturers' recommended storage temperatures and allowed to acclimatise to working temperatures before use. These containers should not be pressurised, for example, to effect delivery of material from them unless they are specifically designed for this. All such containers, whether full, partially empty, or empty, should be kept securely lidded.
20. Any vents serving containers, bulk storage tanks or mixing vessels should be fitted with a silica gel or other suitable air dryer to prevent ingress of water vapour. The air intake should be separate to the exhaust vent to avoid isocyanate reacting with water on the silica gel to form insoluble polyureas.
21. Where foam blowing agents are stored in fixed tanks or pressurised vessels, the emission to air of gas displaced by the delivery of blowing agents into such tanks or pressure vessels should be minimised, for example, by the provision of a back-venting system to the delivery tanker. Where blowing agents are stored at ambient pressures, storage temperatures should be well below the boiling point of the materials in storage.
22. Bulk chemical storage tanks and containers should be completely contained by bunding which is sealed and resistant to the chemicals in storage and

capable of holding 110% of the capacity of the largest storage tank within the bund or 25% of the total capacity of all the tanks within the bund, whichever is the greatest.

23. To prevent overfilling, all bulk storage tanks and containers should be fitted with suitable audible and visual alarms which will operate when any tank is in danger of becoming overfull. Where practicable (for example, where raw material delivery pumps are not mounted on delivery vehicles) an interlock to the tank filling system should be provided. Alternative tank filling procedures may be followed, subject to the agreement of the Regulator.

Dust, spillage control and cleaning

24. Where spillages of liquid occur, they should be immediately cleaned up and contaminated material should be held in a vented, labelled container. Sufficient supplies of decontaminant and a suitable absorbent material should be kept at all times. A written procedure for dealing with spillages should be agreed with the Regulator.
25. Adequate provision to contain solid spillages is needed. Closed containers prevent wind whipping of dusty waste materials such as particles collected by arrestment plant.
26. Dusty wastes, such as those from finishing operations and bag filters, should be stored in closed labelled containers and handled in a manner that avoids emissions.
27. All spillages should be cleared as soon as possible; solids by vacuum cleaning, wet methods, or other appropriate techniques. Dry sweeping of dusty spillages should not be permitted.
28. Emissions of volatile organic compounds, from cleaning operations should be minimised in accordance with paragraphs 29 and 30 below.
29. Arrangements should be made for the despatch for recycling or re-use of all dirty solvents which have been used (for example, for equipment cleaning) and all other liquid wastes which contain volatile organic compounds.
30. Fewer cleaning steps and alternative cleaning techniques should be adopted where practicable.
31. Cleaning operations, cleaning techniques and cleaning substances should be reviewed annually to identify:
 - steps which could be eliminated or automated;
 - substances which can be substituted;
 - the technical and economic feasibility of changing to different cleaning solutions.

A short summary of the conclusions of each assessment should be made available to the local authority upon request.

32. Any solvents used for cleaning should be kept in enclosed containers whilst not in active use.
33. Wiping cloths or brushes should be impregnated with cleaning solvent in a controlled manner, using a dispenser or similar device.
34. Used wiping cloths or brushes should be stored in enclosed containers pending recovery or disposal.
35. A high standard of housekeeping should be maintained.

Training

36. All staff whose functions could impact on air emissions from the activity should receive appropriate training on those functions. This should include:
 - awareness of their responsibilities under the permit and;
 - steps that are necessary to minimise emissions during start up and shut down and;
 - actions to take when there are abnormal conditions, or accidents or spillages that could, if not controlled, result in emissions.
37. The Operator shall maintain a statement of training requirements for each post with the above-mentioned functions and keep a record of the training received by each person. These documents shall be made available to the Regulator on request.

Maintenance

38. Effective preventative maintenance plays a key part in achieving compliance with emission limits and other provisions. All aspects of the process including all plant, buildings and the equipment concerned with the control of emissions to air should be properly maintained.
39. The Operator shall have the following available for inspection by the Regulator:
 - A written maintenance programme for all pollution control equipment; and
 - A record of maintenance that has been undertaken.

Management techniques

40. Appropriate policies and procedures shall be in place to ensure the effective management of the environmental performance of the installation and compliance with the permit conditions.

Reporting and notifying

41. The Operator shall give written notification as soon as practicable (and at least 30 days) prior to any of the following:
- permanent cessation of the operation of part or all of the Permitted Installation;
 - cessation of operation of all or part of the Permitted Installation for a period likely to exceed 1 year; and
 - resumption of the operation of the part or all of the Permitted Installation after a temporary cessation of activities as above.
42. The Operator shall notify the following matters to the Regulator in writing within 14 days of their occurrence:
- any change in the Operator's trading name, registered name or registered office address;
 - any change to the particulars of the Operator's ultimate holding company (including details of an ultimate holding company where an Operator has become a subsidiary);
 - any steps taken by the Operator going into administration, entering into a company voluntary arrangement, being wound up, or bankruptcy.

Record keeping

43. All records required to demonstrate compliance with any conditions of this Permit shall be kept in an organised manner. The records shall be kept electronically or in paper form. Records shall:
- be made available for inspection by the Regulator at any reasonable time;
 - be supplied to the Regulator on demand and without charge;
 - be legible;
 - indicate any amendments which have been made and shall include the original record wherever possible; and
 - be retained at the Permitted Installation, or other location agreed by the Regulator in writing, for a minimum period of 2 years from the date when the records were made, unless otherwise agreed in writing.
44. Any record not held on site shall be made available for inspection within one working week of any request by the Regulator.

Materials usage

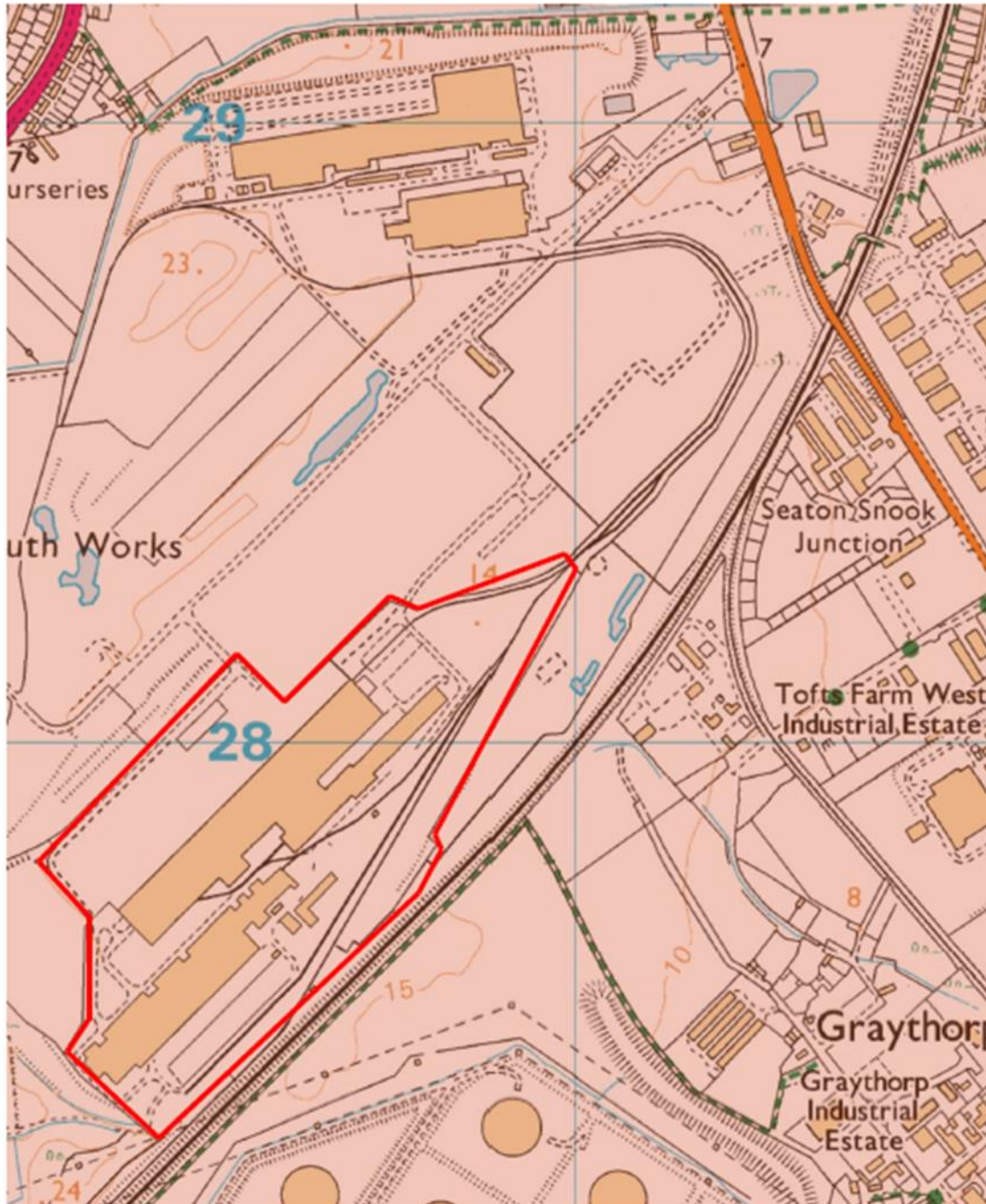
45. The Operator shall keep a record of the annual usage of di-isocyanates (in kg) and make it available for inspection by the Regulator.

General

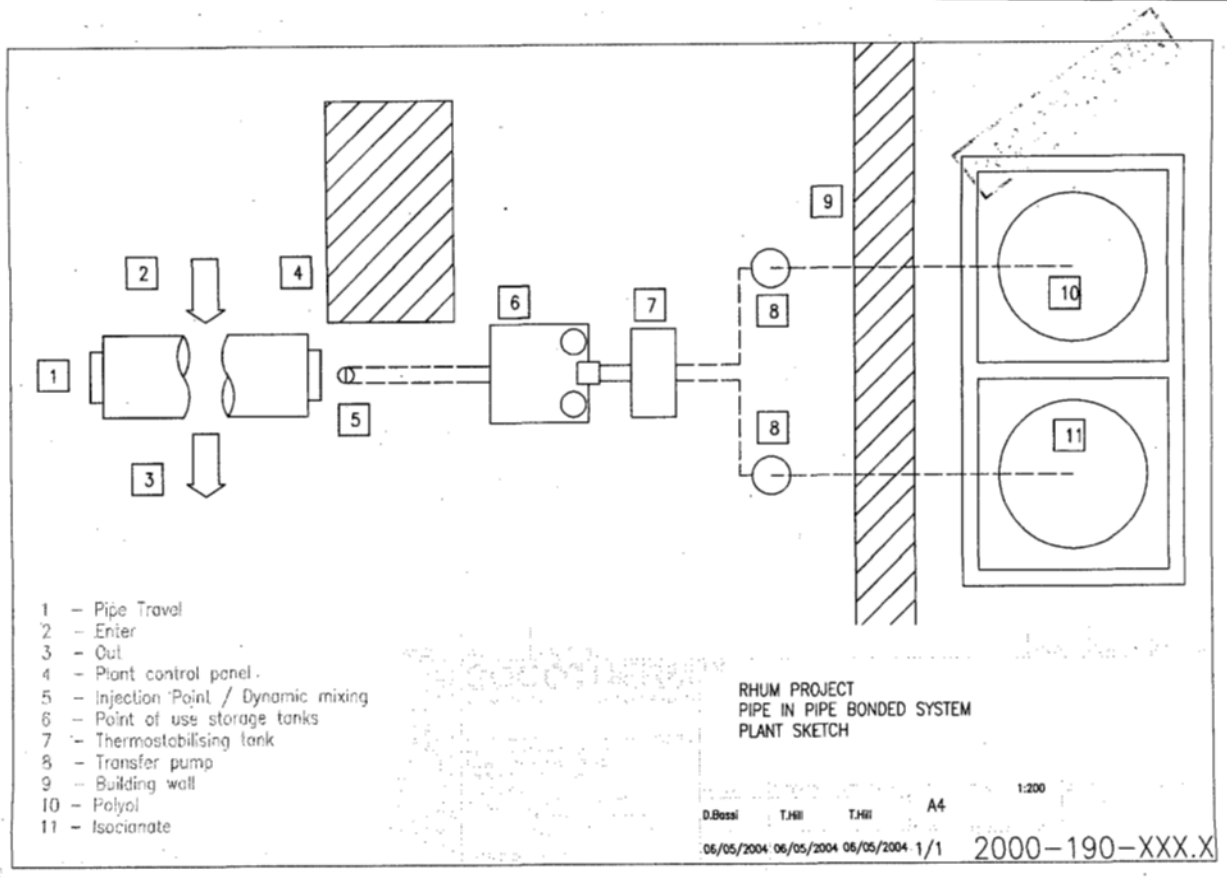
46. The installation shall, subject to the conditions of this Permit, be operated using the techniques, and in the manner described in the documentation submitted in the Permit application, or as otherwise agreed in writing by the Regulator in accordance with the conditions of this Permit.
47. A copy of this permit shall be available at the installation and all relevant staff shall be made aware of its content and from where it can be viewed.
48. An appropriate person shall be appointed as the primary point of contact with the Regulator. The Regulator shall be informed in writing of the appointed person and in the event of a different person being appointed, the Regulator shall be informed within 14 days.
49. If the Operator proposes to make a change to the operation of the installation, they must, at least 14 days before making the change, notify the Regulator on the appropriate form. The notification must contain a description of the proposed change in operation. A 'change in operation' means a change in the nature or functioning, or an extension of the processes within the permitted installation, or of the permitted installation itself, which may have consequences for the environment.
50. No operational change shall be made until agreed in writing by the Regulator. From the implementation date, the Operator shall operate the permitted installation in accordance with that change, and the relevant provisions of the application shall be deemed to have been amended.

APPENDIX 1. SITE DETAILS

Site Location Plan - EP2008/01/1



Site Plant Sketch - EP2008/01/2



Hartlepool Borough Council
The Pollution Prevention Control Act 1999
The Environmental Permitting (England & Wales) Regulations 2016

EXPLANATORY NOTE

These notes are provided for the Operator of an installation or mobile plant to assist in the interpretation of their duties under the provisions of the above-mentioned legislation, with particular reference to the permit issued by Hartlepool Borough Council. These notes do not form part of the Permit or conditions attached to it.

1. BAT CONDITION

Article 2(10) of the IPPC Directive defines “best available techniques” as follows: “Best available techniques’ shall mean the most effective and advanced stage in the development of activities and their methods of operation which indicate the practical suitability of particular techniques for providing in principle the basis for emission limit values designed to prevent and, where that is not practicable, generally to reduce emissions and the impact on the environment as a whole.

- **BEST** shall mean most effective in achieving a high general level of protection of the environment as a whole.
- **AVAILABLE** techniques shall mean those developed on a scale which allows implementation in the relevant industrial sector, under economically and technically viable conditions, taking into consideration the costs and advantages, whether or not the techniques are used or produced inside the Member State in question, as long as they are reasonably accessible to the Operator,
- **TECHNIQUES** shall include both the technology used and the way in which the installation is designed, built, maintained, operated and decommissioned.

The installation and mobile plant should be operated such that -

(a) all the appropriate preventative measures are taken against pollution, in particular through application of the best available techniques; and

(b) no significant pollution is caused.

In relation to the Permit you should be aware that, amongst other aspects of the installation operation and management, this residual duty will apply to:-

- the control of emissions to ensure that offensive odours are not caused beyond the installation boundary,
- maintenance, service and repair of equipment,
- keeping of spares and consumables,
- the training of installation Operators, and supervision of workers
- management of the installation in relation to maintenance of a high standard of housekeeping.

2. STATUTORY REQUIREMENTS

This Permit does not detract from any of the following statutory requirements where applicable:-

- (a) The requirement to obtain Planning Permission for the installation and any new construction.
- (b) The requirement to obtain discharge consent from the Environment agency.
- (c) The requirement to obtain Building Regulation approval for any construction work.
- (d) The requirement of a Waste Disposal Licence.
- (e) The requirement to comply with the Health and Safety at Work etc. Act 1974.

3. PUBLIC REGISTER

Local authorities are required by EP regulation 46 to maintain a Public Register containing information on all the LA-IPPC and LAPPC installations and mobile plant they are responsible for. The register is available for inspection by the public free of charge during office hours (Monday to Friday 9.00am to 5.00pm) at

**Hartlepool Borough Council,
Neighbourhoods and Regulatory Services Department
(Environmental Protection)
Victoria Road
Civic Centre
Hartlepool
TS24 8AY**

Subject to exclusions of commercially confidential information and information affecting national security, registers will contain the following:

- a. Applications for a permit;
- b. Notices asking for information and responses to such;
- c. Advertisements and representations in response to such (unless requested not to by the person responding)
- d. In the case of c) above, a statement to the effect that representations were made but have been omitted – must not identify the person making the representation;
- e. Statutory consultee responses to applications or applications for variations;
- f. Permits;
- g. Notifications of changes in the operation of installations;
- h. Applications for variations, transfers or surrenders of permits;
- i. Variations, transfers and surrenders granted;
- j. Revocations;
- k. Enforcement or suspension notices;
- l. Notices withdrawing enforcement and suspension notices;
- m. Notice of an appeal including the grounds of the appeal, relevant correspondence between the appellant and the Regulator, and the decision/notice which is the subject of the appeal;
- n. Representations in response to appeal (unless requested not to by the person responding);
- o. In the case of n) above, a statement to the effect that representation were made but have been omitted – must not identify the person making the representations;
- p. The appeal decision and any accompanying report;
- q. Convictions, formal cautions; to include the name of the person, date of conviction/caution, and (where appropriate) penalty and name of court. This requirement does not override the Rehabilitation of Offenders Act 1974 regarding spent conditions, and authorities must take care to remove relevant entries at the appropriate time;
- r. Monitoring data obtained by the authority from its own monitoring, or sent to the authority on accordance with a permit condition or regulation 28(2) notice;
- s. If any monitoring information is omitted because it is commercially confidential, the authority must put a statement on the register indicating whether relevant permit conditions are being complied with, based on the withheld information;

Commercial 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 commercially 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 amount of information excluded from the register should be kept to the minimum necessary to safeguard the Operator's commercial advantage.

The general principle is that information should be freely available to the public. An Operator may request certain information in relation to a LA-IPPC or LAPPC permit to remain confidential, i.e. not be placed on the public register. The onus is on the Operator to provide a clear justification for each item he or she wishes to be kept from the register. EP regulation 45 defines 'commercial information' as "information that is commercially or industrially confidential in relation to any person".

Local authorities will also take into account whether the information at issue could be obtained or inferred from other publicly accessible sources.

The local authority will determine this request within 28 days of the date of such an application and will issue a Determination Notice detailing their decision. The notice may specify a time period over which the information is to remain commercially confidential (if not specified, it will be four years beginning with the date of the determination). The Operator may appeal to the Secretary of State within 21 days of the notification of the decision.

If the application is granted the local authority will place a statement on the public register stating that certain information has been withheld and stating the reasons why, plus whether this information is relevant to a permit condition, and whether the permit condition has been complied with.

Further guidance on commercial confidentiality can be found in the DEFRA General Guidance Manual.

National Security

EP regulation 47 allows for information to be kept from public registers for reasons of national security. For this to happen, the Secretary of State/Welsh Ministers must determine that placing the information on the register would be contrary to the interests of national security. An Operator who believes any information meets this test may apply to the Secretary of State/Welsh Ministers.

The Operator must notify the local authority that he or she has asked for this determination, but must not exclude the information from any submission to the authority, such as a permit application. The Secretary of State/Welsh Ministers may direct the authority on what information, if any, to exclude from the register.

Any such applications must be made to:

Secretary of State for Environment,
Food and Rural Affairs
Nobel House
17 Smith Square
LONDON
SW1P 3JR

and should be marked "application under the Environmental Permitting Regulations".

4. UPGRADING PROGRAMMES

The following information does not comprise part of the Permit, but contains guidance, which should be noted when considering the upgrading programme.

Aim of Upgrading Programme

To identify the areas where the existing installation does not meet the required standards ("new process" standards), as detailed in the relevant Secretary of State's Process Guidance Note, the steps to be taken to meet these standards, and the time-table of dates by which these steps are to be implemented. (You are advised to refer to the Department of Environment, General Guidance Note 4 - Interpretation of terms used in Process Guidance Notes (available from H.M. Stationery Office)).

Content of Upgrading Programme

There is not a specified format for an upgrading programme but, wherever possible, it should identify reasonably precise actions to be taken and the dates on which these actions will be instigated. If abatement plant is to be installed technical specifications and schematic drawings along with operational procedures should be detailing in the upgrading plan.

Council Action upon receipt of Upgrading Programmes

It is an offence not to submit the upgrading programme by the date specified in the Permit.

The Council will assess the adequacy of the submission and if satisfied with the content, will place it on the Public Register (Operators may apply for matters which are considered to be commercially confidential to be excluded from the Register).

The Council will bring the upgrading programme within the terms of the Permit by issuing a Variation Notice to add the programme as a condition to the initial Permit. This will ensure that commitments given are made into enforceable conditions (this may not preclude changes to the programme where there are sound reasons for such a change).

5. FEES

(EP regulation 65).

Operators must pay an annual subsistence charge to cover local authorities' continuing regulatory costs once a permit has been issued. It will cover such things as checking monitoring data or carrying out inspections. The level of subsistence charge is contained in the relevant charging scheme and will become due on 1st April each year. The Operator is liable for the full subsistence charge for the year of operation. You are advised that if you fail to pay the fee due promptly, the Council may revoke the Permit.

The risk-based charging scheme was introduced in 2006/7 for all standard activities. The risk-based method applies a low, medium or high risk rating to activities operating at an installation. The resulting subsistence fees are proportionate to the risk rating. This risk-assessment method uses a "point scoring" approach which combines the indicative environmental impact assessment (EIA) of the activity itself and the Operator Performance Assessment (OPA) covering the operational aspects of the installation. This is outlined in the Risk-Based Inspection Methodology which is available on the DEFRA web pages

6. TRANSFER OF PERMITS

LA-IPPC and LAPPC installations may change hands through normal business transactions. EP regulation 21 therefore allows for permit transfers either for the whole installation, or for one or more parts of it through partial transfer arrangements. New Operators should have the appropriate management systems and the competence to run installations properly in compliance with the conditions of the existing permits.

When an Operator wants to transfer all or part of a permit to someone else, he/she and the proposed transferee must make a joint application and also pay a fee. They must both sign the application form. The joint application should contain their telephone numbers and addresses plus any additional correspondence address. The application should be accompanied by the current permit document and must include the appropriate transfer fee.

7. PROCESS VARIATIONS

A local authority may decide that the existing permit conditions require amendment without receiving any notification or application from the Operator (EP regulation 20(1)). This is most likely to occur when the authority decides that the conditions need varying having conducted a periodic review in accordance with EP regulation 34, or in the light of revised guidance from Defra/WAG, or because of the transfer of a permit to another Operator. Other instances could be the revision of a relevant environmental quality standard, the declaration of an area as an air quality management area, or (in the case of LA-IPPC) a requirement from the Environment Agency to revise a water-related condition.

If there is no such condition included in their permit, Operators should be aware that there are risks to them should they fail to notify the relevant local authority of a change. The risks are that the authority decides that the change means that the Operator is either carrying on the activity beyond the extent authorised by the existing permit, or is doing so in contravention of an existing permit condition. Both are offences under EP regulation 38. On the positive side, some changes could result in a lowering (as well as, potentially, raising) of an installation's risk rating. These could include alterations to management or training practices, or technical changes such as the use of less toxic chemicals.

Many changes will not have consequences for the environment and notification will be unnecessary; although there may be cases where it is nonetheless good practice for an Operator to do so in order to keep the authority informed. It is also good practice to notify authorities of any administrative changes, such as the name or address of the Operator (where the installation has not changed ownership), and authorities can simply amend the permit without going through any formal procedures.

The IPPC Directive definition of 'substantial change', which is incorporated by the EP Regulations, is "a change in operation which, in the opinion of the regulator, may have significant negative effects on human beings or the environment". For installations subject to the Solvent Emissions Directive, further criteria may be relevant.

If an Operator has any doubt over whether a particular change is substantial, he/she should ask the opinion of the relevant local authority.

8. APPEALS

Under EP regulation 31 Operators have the right of appeal against the enforcing authority in the following circumstances:

1. refusal or deemed refusal to grant a permit;
2. refusal of an application to vary a permit;
3. if the Operator disagrees with the conditions imposed by the authority as a result of a permit application or an application for a variation notice;
4. refusal of an application to transfer a permit, or if the Operator disagrees with the conditions imposed by the authority to take account of such a transfer;
5. refusal of an application to surrender a permit, or if the Operator disagrees with the conditions imposed by the authority to take account of the surrender;
6. the service of a variation notice (not following an application by the Operator), a revocation notice, an enforcement notice, or a suspension notice on the Operator; x

7. the deemed withdrawal by a local authority of a duly-made application because the Operator has not provided further information (paragraph 4 of Schedule 5 to the EP Regulations).

Under EP regulation 53(1) Operator has the right of appeal against a decision that information will not be withheld from the public register for reasons of commercial confidentiality.

The rights to appeal listed in 1-6 above do not apply where the decision or notice implements a direction given by the Secretary of State or Welsh Ministers. There is also no right of appeal if a revocation notice has been served for non-payment of subsistence fees (EP regulation 31(3)).

Appeals under 3-6 above do not stop the conditions coming into effect. Appeals against variation, enforcement and suspension notices do not stop the notices coming into effect. However, appeals against revocation notices suspend the operation of the notices coming into effect until the appeal is decided or withdrawn.

Notice of appeal against the conditions attached to the permit must be given within six months of the date of the notice, which is the subject matter of 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 are no charges for appealing and there is no statutory requirement to submit an appeal form. However, an appeal form has been prepared and is available for use at <http://www.planning-inspectorate.gov.uk/pins/environment/environment/index.htm>.

For an appeal to be valid, appellants (the person/Operator making the appeal) are legally required to provide all of the following (see EP Regulations Schedule 6, paragraph 2(2)):

- written notice of the appeal
- a statement of the grounds of appeal
- a statement indicating whether the appellant wishes the appeal to be dealt with by written representations procedure or at a hearing - a hearing must be held if either the appellant or local authority requests this, or an appointed person or the Secretary of State/Welsh Ministers decide to hold one (appellants must copy the above three items to the local authority when the appeal is made)
- a copy of any relevant application
- a copy of any relevant 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.

Appellants should state whether any of the information enclosed with the appeal has been the subject of a successful application for commercial confidentiality under EP regulation 49 and provide relevant details. 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 Team, Major & Specialist Casework
Room 4/04 Kite Wing
Temple Quay House
2 The Square
Temple Quay
Bristol BS1 6PN
Tel: 0117 372 8726
Fax: 0117 372 8139**

On receipt of an appeal and during the appeal process both main parties will be informed by the Inspectorate about the next steps, which will explain the procedures and submission timetable for 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 who has expressed 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 considered 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 representations.

Following an application for costs, the Inspector or the Secretary of State/Welsh Ministers will act in the spirit of DOE Circular 8/93 – The Award of Costs in Planning and Other Proceedings. Schedule 6, paragraph 5(6) of the EP Regulations applies section 250 (as modified) of the Local Government Act 1972 to hearings and inquiries. Under section 250, persons may be summonsed to appear to give evidence, the appointed person may seek recovery of his or her certified costs from either party and may make a costs order so that one party pays part of the other side's costs.

9. SECRETARY OF STATE'S GUIDANCE

This permit is covered by Secretary of State's Guidance:

PG 6/29 (12) Secretary of State's Guidance for Di-isocyanate Processes	https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/575175/di-isocyanate-processes-process-guidance-note-6-29_12_.pdf
Pollution Prevention and Control Act 1999	https://www.legislation.gov.uk/ukpga/1999/24
Environmental Permitting (England & Wales) Regulations 2016	https://www.legislation.gov.uk/uksi/2016/1154/contents/made
General Guidance Manual on Policy and Procedures for A2 and B Installations	http://www.defra.gov.uk/industrial-emissions/las-regulations/guidance/

10. REPORTING REQUIREMENTS AND CONTACT DETAILS

Where a Permit condition imposes a requirement to forward documents to the Local Authority or to report a specified occurrence the following address and telephone number shall be used:

By Post

**Hartlepool Borough Council,
Neighbourhoods and Regulatory Services Department
(Environmental Protection)
Victoria Road
Civic Centre
Hartlepool
TS24 8AY**

By Telephone

During office hours: 01429 284024

By email

environmental.protection@hartlepool.gov.uk