



Environment  
Agency

# Notice of variation with introductory note

The Environmental Permitting (England & Wales) Regulations 2010

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BIP Organics Limited  
Brooks Lane Organics  
Brooks Lane  
Middlewich  
Cheshire  
CW10 0QF

**Variation application number**

EPR/RP3531LP/V011

**Permit number**

EPR/RP3531LP

# Brooks Lane Organics

## Permit number EPR/RP3531LP

### 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 is an Environment Agency led variation to add three improvement conditions (IC15, IC16 and IC17) regarding existing bunding, IBC store secondary containment and a rainwater management plan for bunded areas.

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 BS5223IH	Duly Made 19/04/05	-
Response to request for information	09/11/05	-
Response to request for information	13/03/06	-
Response to request for information	20/03/06	-
Response to request for information	03/04/06	-
Permit determined	06/04/06	-
Endorsement to Permit RP3531LP endorsing BS5223IH (transfer from BS5223IH to RP3531LP)	22/09/06	Permit transferred
Application for variation FP3935MU	Duly made 22/9/06	-
Further information supplied	27/9/06	-
Variation FP3935MU determined	8/11/06	Variation notice issued
Application for variation EPR/RP3531LP/V003 (VP3333GQ)	Duly made 11/07/08	-
Variation determined EPR/RP3531LP/V003	15/07/08	Variation notice issued
Application for variation EPR/RP3531LP/V004 (DP3630XJ)	Duly made 21/11/07	-
Variation determined EPR/RP3531LP/V004	10/11/08	Variation notice issued
Application for variation EPR/RP3531LP/V005 (VP3632KG)	Duly made 04/11/09	-
Variation determined EPR/RP3531LP/V005	04/02/10	Variation notice issued

Status Log of the permit		
Description	Date	Comments
Application for variation EPR/RP3531LP/V006 (DP3231CR)	Duly made 31/07/12	Application to add 15 waste codes
Additional information received	31/07/12	Details of how additional waste codes are to be distributed between tables S3.2 and S3.3.
Variation determined EPR/RP3531LP/V006	06/08/12	Variation notice issued
Environment Agency variation determined EPR/RP3531LP/V007	31/05/13	Environment Agency variation to implement the changes introduced by IED
Application for variation EPR/RP3531LP/V008 (variation and consolidation)	Duly made 23/01/14	Application to vary to extend the waste transfer operation and update waste codes.
Additional information received Schedule 5 response and follow up responses	05/03/14; 21/05/14 & 29/05/14 & 12/06/14 & 25/06/14 & 27/06/14 & 10/07/14.	Information received on EWC codes, site layout, storage capacities.
Variation determined EPR/RP3531LP/V008 (YP3638EV)	25/07/14	Varied and consolidated permit issued.
Application for variation EPR/RP3531LP/V009	-	Application returned
Application for variation EPR/RP3531LP/V010	Duly made 16/03/16	Application to vary and update the permit to modern conditions.
Variation determined EPR/RP3531LP (Billing ref: HP3836RC)	21/04/16	Varied permit issued.
Environment Agency led variation EPR/RP3531LP/V011	02/12/16	Environment Agency led variation to add three improvement conditions (IC15, 16 and 17) regarding site infrastructure.
Variation determined EPR/RP3531LP/V011 (PAS billing reference UP3330YH)	20/06/17	Varied permit issued

End of introductory note

## Notice of variation

### The 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/RP3531LP

#### Issued to

**BIP Organics Limited** ("the operator")

whose registered office is

**8 Winmarleigh Street**

**Warrington**

**Cheshire**

**WA1 1JW**

company registration number 05828147

to operate a regulated facility at

**Brooks Lane Organics**

**Brooks Lane**

**Middlewich**

**Cheshire**

**CW10 0QF**

to the extent set out in the schedules.

The notice shall take effect from 20/06/2017

Name	Date
Tom Swift	20/06/2017

Authorised on behalf of the Environment Agency



## Schedule 1 – conditions to be deleted

None

## Schedule 2 – conditions to be amended

Table S1.3 Improvement programme requirements, as referenced by condition 2.5.1 is amended as detailed, following an Environment Agency initiated variation.

Table S1.3 Improvement programme requirements now reads

Table S1.3 Improvement programme requirements		
Reference	Requirement	Date
IC 1	The Operator shall review the provision of MCERTS accreditation for monitoring of emissions to air from release point A2 for the monitoring equipment, personnel and organisations employed for the emissions monitoring programme in condition 2.10.1, having regard to Section 2.10 of Environment Agency Sector Guidance Note S4.02 and Cross Sector Guidance M1 and M2. A written report shall be submitted to the Environment Agency for approval, detailing the proposals for achieving this standard.	Complete
IC 2	The Operator shall undertake a review of measures for the containment of firewater. A written report shall be submitted to the Environment Agency for approval, identifying any improvements with timescales for implementation.	Complete
IC 3	The Operator shall review the options for the venting of styrene from the transfer of material to bulk storage tanks VT22 and VT27 having regard to section 2.2.1 of Environment Agency Sector Guidance Note S4.02. A report summarising the review shall be submitted to the Environment Agency for approval.	Complete
IC 4	The Operator shall review the pollution prevention measures in place for the offloading and storage of gas oil, having regard to Section 2.2.5 of Environment Agency Sector Guidance Note S4.02. A written report shall be submitted to the Environment Agency for approval, which shall include any necessary improvements and timescales.	Complete
IC 5	The Operator shall investigate options for reducing emissions to air from all stock tanks (excluding styrene), having regard to Section 2.2.1 of Environment Agency Sector Guidance Note S4.02. A written report shall be submitted to the Environment Agency for approval, identifying improvements with timescales for implementation.	Complete
IC 6	The Operator shall submit a commissioning report with respect to the variation FP3935MU including the optimised scrubbing medium change-point, monitoring results, the outstanding commissioning issues and an associated action plan.	Complete
IC 7	The operator shall construct a firewall providing at least 30 minutes fire resistance between the existing storage bays of flammable liquid on yard 2 so that adequate separation is provided in accordance with HSG 51 'The storage of flammable liquids in containers'.	31/01/15

IC 8	<p>The operator shall submit to the Environment Agency for agreement a method statement detailing the proposed techniques for the storage of waste pressurised gas cylinders which shall meet the standards of HSG 71 '<i>Chemical warehousing – the storage of packaged dangerous substances</i>' and HSE guidance on orphaned gas cylinders in the waste and recycling industries.</p> <p>Pressurised gas cylinders shall only be stored in accordance with a method statement agreed in writing by the Environment Agency.</p>	<p>For submission by 31/10/14</p> <p>For agreement by 30/11/14</p>
IC 9	<p>The operator shall submit to the Environment Agency for agreement a method statement detailing the proposed techniques for the storage of waste aerosols which shall meet the requirements of the addendum to Sector Guidance Note S5.06 '<i>Guidance for the storage and treatment of aerosol canisters and similar packaged wastes</i>' (V1.0 November 2011).</p> <p>Aerosol canisters shall only be stored in accordance with a method statement agreed in writing by the Environment Agency.</p>	<p>For submission by 31/10/14</p> <p>For agreement by 30/11/14</p>
IC 10	<p>The operator shall submit a method statement detailing the proposed techniques for the storage and handling of waste batteries in accordance with SGN S5.06 '<i>Guidance for the recovery and disposal of hazardous and non-hazardous waste</i>', to the Environment Agency for agreement.</p> <p>Waste batteries shall only be accepted and handled in accordance with a method statement agreed in writing by the Environment Agency.</p>	<p>For submission by 31/10/14</p> <p>For agreement by 30/11/14</p>
IC 11	<p>The operator shall provide a proposed method statement detailing the proposed techniques for bulking or repackaging batteries in accordance with SGN S5.06 '<i>Guidance for the recovery and disposal of hazardous and non-hazardous waste</i>', to the Environment Agency for agreement.</p> <p>Bulking or repackaging shall only take place in accordance with a method statement agreed in writing by the Environment Agency.</p>	<p>For submission by 31/10/14</p> <p>For agreement by 30/11/14</p>

IC 12	<p>The operator shall provide a proposed method statement detailing the proposed techniques for mixing &amp; blending in accordance with SGN S5.06 'Guidance for the recovery and disposal of hazardous and non-hazardous waste', to the Environment Agency for agreement.</p> <p>Mixing or blending shall only take place in accordance with a method statement agreed in writing by the Environment Agency.</p>	<p>For submission by 31/10/14</p> <p>For agreement by 30/11/14</p>
IC 13	<p>The operator shall submit a method statement detailing the proposed techniques for handling waste laboratory smalls in accordance with SGN S5.06 'Guidance for the recovery and disposal of hazardous and non-hazardous waste', to the Environment Agency for agreement.</p> <p>Waste laboratory smalls shall only be stored and handled in accordance with a method statement previously agreed in writing by the Environment Agency.</p>	<p>For submission by 31/10/14</p> <p>For agreement by 30/11/14</p>
IC 14	<p>The operator shall review the pollution prevention measures in place for the storage and treatment of dichloromethane (DCM).</p> <p>A written report shall be submitted to the Environment Agency which should include, but is not limited to:</p> <ul style="list-style-type: none"> <li>• an assessment of emissions of DCM; together with</li> <li>• proposals for controls on storage and treatment including emissions, demonstrating BAT; and</li> <li>• proposals for monitoring of emissions.</li> </ul> <p>Storage and handling of dichloromethane shall continue only in accordance with proposals agreed in writing by the Environment Agency.</p>	<p>For submission by 31/10/14</p> <p>For agreement by 30/11/14</p>



IC 15	<p>All the brickwork masonry bunds surrounding bulk storage tanks shall be upgraded to meet the minimum requirements for class 2 containment set out in CIRIA report 736: 'Containment systems for the prevention of pollution' to include the following:</p> <p>The capacity of the bunds shall be a minimum of 110% of the capacity of the largest tank within the bund or 25% of the total capacity of all the tanks within the bund, whichever is the greater. When calculating the capacity of the bund the volume occupied by other tanks within the bund shall be deducted.</p> <p>The bunds shall:</p> <ul style="list-style-type: none"> <li>• be of reinforced concrete construction and designed as a liquid retaining structure;</li> <li>• have water stop movement joints which are both fire resistant and resistant to attack by the materials stored;</li> <li>• be fitted with syphon overflow arrangements where bunds may be required to retain immiscible flammable liquids which are less dense than water; and</li> <li>• be fitted with firewater removal pipe work</li> </ul> <p>The bunds shall not have:</p> <ul style="list-style-type: none"> <li>• pipe work penetrations through the bund floor or walls;</li> <li>• rain water drains in the bund floor; or</li> <li>• any drainage outlets through the bund wall other than syphon overflows.</li> </ul> <p>The bunds shall comply with the relevant requirements of HSE publication HSG 176 on the 'Storage of flammable liquids in tanks' including:</p> <ul style="list-style-type: none"> <li>• tank layout; and</li> <li>• the use of intermediate bund walls in shared bunds to reduce the spread and surface area of any spillages.</li> </ul> <p>Tanks containing halogenated liquids shall not share a bund with non-halogenated liquids.</p> <p>A timetable for the progressive completion of this work shall be submitted to the Environment Agency for agreement by 30/09/17.</p> <p>A report detailing the proposed bund upgrade specification and demonstrating how the requirements of CIRIA Report 736 will be met shall be submitted to the Environment Agency for approval at least 4 weeks before commencement of construction work.</p> <p>An 'as built' specification and drawings shall be provided to the Environment Agency upon completion.</p>	<p>Completion of the section along the eastern site boundary (bordering the railway) by 30/09/17.</p> <p>The remaining work to be carried out progressively and completed by 01/09/20.</p>
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IC 16	<p>Provide local secondary containment bunds for all IBCs and other packaged liquid materials stored on yard 1 (the eastern yard serving the distillation area) that meet the minimum requirements for class 2 containment set out in CIRIA report 736: 'Containment systems for the prevention of pollution' to include the following:</p> <p>For steel drums and other metal containers the capacity of the bunds shall be a minimum of 110% of the capacity of the largest container within the bund or 25% of the total capacity of all the containers within the bund, whichever is the greater.</p> <p>For plastic or composite containers (such as IBCs with a plastic bottle) containing flammable liquids the capacity of the bund shall be a minimum of 100% of the total inventory within the bund unless it can be demonstrated to the satisfaction of the Environment Agency by risk assessment that suitable tertiary containment is provided in the event of the rapid release of the contents of plastic containers in the event of a fire. Suitable tertiary containment shall direct and contain any overflowing liquids in a manner which is unlikely to spread fire in the event of burning liquids.</p> <p>Flammable liquids stored in metal containers shall not share a bund with flammable liquids stored in plastic or composite packages.</p> <p>The bunds shall:</p> <ul style="list-style-type: none"> <li>• be of reinforced concrete construction and designed as a liquid retaining structure;</li> <li>• have water stop movement joints which are both fire resistant and resistant to attack by the materials stored; and</li> <li>• be fitted with firewater removal pipe work.</li> </ul> <p>The bunds shall not have:</p> <ul style="list-style-type: none"> <li>• pipe work penetrations through the bund floor or walls;</li> <li>• rain water drains in the bund floor;</li> <li>• any drainage outlets through the bund wall; or</li> <li>• automatic pumping of rainwater from the bund.</li> </ul> <p>The bunds shall comply with the relevant requirements of HSE publication HSG 51 on the 'Storage of flammable liquids in tanks' including:</p> <ul style="list-style-type: none"> <li>• layout and separation distances;</li> <li>• maximum stack size;</li> <li>• stacking height; and</li> <li>• segregation of incompatible substances.</li> </ul> <p>A report detailing the proposed bund upgrade specification and demonstrating how the requirements of CIRIA Report 736 will be met shall be submitted to the Environment Agency for approval at least 4 weeks before commencement of construction work.</p> <p>An 'as built' specification and drawings shall be provided to the Environment Agency upon completion.</p>	By 31/12/17.
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IC17	<p>A rainwater management plan shall be submitted to the Environment Agency for approval.</p> <p>The rainwater management plan shall detail the arrangements for the regular removal of rainwater from bunded areas and shall include:</p> <ul style="list-style-type: none"> <li>• procedures for inspection testing and removal of rainwater from bunds;</li> <li>• arrangements for pumping and storage of rainwater pending discharge from the site; and</li> <li>• a demonstration that sufficient capacity is provided for rainwater storage in tank(s) or other suitable containers pending discharge, taking account of high rainfall events.</li> </ul> <p>Rainwater shall be managed in accordance with the rainwater management plan agreed in writing by the Environment Agency. Rainwater shall not be pumped into any containment bund used for the storage of any other substance.</p> <p>Revised proposals shall be submitted where changes are necessary due to new bunds or changes in bund layout.</p>	By 20/07/17.
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### Schedule 3 – conditions to be added

None