

Response ID ANON-BACT-E39E-G

Submitted to **Environment Agency charge proposals from April 2019**

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Your details

Your email address

Email:

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Section 2.2.3 - Closed Landfill: Regulatory charge proposal / options

Question 1 Do you have a preference for the charging approaches described in option 1 or option 2?

Option 2

Please provide further information to support your answer::

Option 2 appears to deliver more consistent charges for operators of Pulverised Fuel Ash landfills than Option 1. The simplicity of the system will reduce administration. We agree that fluctuations in regulatory effort will even out over time.

Section 2.2.4 - Closed Landfill: Economic context

Question 2 Do you have any comments or alternative views on the economic context we have described?

No

Please provide further information to support your answer::

Question 3 Do you anticipate that our closed landfill charging proposals will have an unfair or disproportionate impact on SMEs (including any permit holders that are individuals)?

Not applicable

Please provide further information to support your answer, including any suggestions for how these regulatory costs might be recovered in a fairer manner::

Question 4 Do you have any comments or alternative views on the regulatory (legal) context we have described?

No

Please provide further information to support your answer, e.g. anything further we should consider::

Section 2.3 - Change to RSR nuclear hourly rate

Question 5 Do you agree with our proposal to increase the nuclear specialist hourly rate from £240 to £286 for Radioactive Substances Regulation?

No

Please provide further information to support your answer::

The proposed increase of 19% follows an increase of 13% in 2018. The proposal for an increase in 2019 should be accompanied by a transparent explanation of the basis for the increase. In our view, it would be appropriate to phase the introduction of such a substantial increase in charges over several years, rather than apply it as one single increase. This would provide operators with more notice for adjusting their own budgets for regulatory activities.

It is important that this exceptional increase in the charge rate for nuclear specialists is matched by a consistently high level of performance by these specialist Environment Agency staff. We recommend and request that the Environment Agency carries out a performance review of nuclear specialists, with feedback given to stakeholders, to provide assurance that this increase in charging is reflected in the quality of regulatory service that is delivered. In addition, the Environment Agency should ensure that there is full transparency in invoicing for specialist regulatory activities.

Section 2.4 - Habitats Assessments

Question 6 Do you agree with our proposal to extend the scope of charging for habitats assessments?

No

Please provide further information to support your answer::

The justification for extending the scope of charging for habitats assessments appears to be flawed. Reference is made in the consultation document to additional sites listed in the National Planning Policy Framework (NPPF) 2018 that should be subject to the same protections as the Habitats Regulations. Paragraph 176 of

the NPPF makes no mention of Sites of Special Scientific Interest or Marine Conservation Zones.

Section 2.5 - Hazardous and Non-Hazardous Waste Installations Application Charges

Question 7 Do you agree with our proposal to introduce new application charges for hazardous and non-hazardous waste installations?

Yes

Please provide further information to support your answer::

Section 2.7 - Other changes to the EP Regulations Charging Scheme

Question 8 Do you agree with our proposal to make the specified changes to the EP Regulations charging scheme?

Yes

Please provide further information to support your answer::

Section 2.9 - Public Participation Statement

Question 10 Do you agree with our assessment of the impact on application charges of changes to the High Public Interest criteria set within our Public Participation Statement?

Don't know

Please provide further information to support your answer::

We have not reviewed the separate consultation addressing the update of the Public Participation Statement.

Section 3 - Change to charges for PCB regulation

Question 11 Which of the following three charging bands are relevant to you? (Please select "Don't know" if you are unsure which of the three bands are relevant to you, or "Not applicable" if you are not responding on behalf of an operator involved with PCB-contaminated equipment).

Not applicable

Please provide further information to support your answer::

Question 12 Do you agree with our proposal to move from the existing single charge of £155 to the three banded charges of £2,905, £3,983 and £7,785 to fully fund our domestic and international regulatory obligations?

Don't know

Please provide further information to support your answer::

Regulatory obligations may have to be reviewed in the context of the European Commission's proposal for a revised Regulation on Persistent Organic Pollutants, which is currently subject to trilogue discussions between the European Commission, Parliament and Council. Until the outcome of that process is known, it is not possible to comment on the proposed increase in charges.

Section 4 - Water Abstraction: Dee and Wye Standard Unit Charge

Question 13 Do you agree with our proposal to increase the Dee and Wye Standard Unit Charge?

Not applicable

Please provide further information to support your answer::

Section 5 - Amendments to EU ETS

Question 14 Do you agree with our proposal to amend the EU ETS charging scheme to include an abatement provision?

Yes

Please provide further information to support your answer::

Section 6 - Amendments to Waste (Miscellaneous) Charges Scheme

Question 15 Do you agree with our proposal to amend the Waste (Miscellaneous) charging scheme?

Not applicable

Please provide further information to support your answer:

Section 9 - Responding to this consultation

Privacy note

Your email address::

andy.limbrick@energy-uk.org.uk

Section 10 - List of additional questions

Question (ii) Please tell us if you are responding as an individual or on behalf of an organisation or group. Please select one answer from the following options:

Responding on behalf of an organisation or group

If you're responding on behalf of an organisation or group, please tell us who your responding on behalf of and include its type, eg business, environmental group.:

Energy UK - trade association for the energy industry.

If you selected other, please specify::

Question (iii) Please tell us which aspects of this consultation directly affect you:

Not directly affected

Please provide any further information that you feel may help us to understand your interest in this consultation: :

Energy UK is not directly affected by the proposals, but some of its members will be affected by some aspects.

Question (iv) Can we publish your response? We will not publish any personal information or parts of your response that will reveal your identity.

Yes

If you do not want us to publish your response, you need to tell us why.:

Question (v): Please tell us how you found out about this consultation?

From the Environment Agency

If you selected other please specify::