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«${currentDate?date?string('dd MMMM yyyy'»

«${(account.legalEntityName)!}»

«${params.toRecipient}»

FAO: «${(account.serviceContact)!}»

Dear Sir / Madam

**THE GREENHOUSE GAS EMISSIONS TRADING SCHEME ORDER (SI 2020/1265) (the Order)**

**Permit reference:** «${(permitId)!}»

**Issue of variation notice to:** «${(account.name)!}»

The «${competentAuthority.name}» has varied your permit in accordance with the Order. The Variation Notice and a consolidated permit are attached to this letter.

We have reviewed all permits and have varied certain conditions and definitions to simplify and improve them. The reasons for the variations are as follows:

1. Omission of the bioliquids permit condition 3 – if hospital or small emitters use bioliquids, the Monitoring and Reporting Regulation is clear that you may report an emissions factor of zero, regardless of whether the sustainability criteria set out in Article 17(2) to (5) of the Renewable Energy Directive are met. The permit condition is therefore not needed.
2. Omission of definitions of ‘bioliquid’ and ‘Renewable Energy Directive’ - these definitions are not needed as we have omitted the bioliquids permit condition.
3. Amendment to definitions of legislation – the Greenhouse Gas Emissions Trading Scheme Order 2020, Monitoring and Reporting Regulation and Verification Regulation are all relevant to the permit requirements. The amendments clarify that all amendments made to the legislation, including future amendments, are captured by the definitions.

If you require any clarification of the above, please do not hesitate to contact a member of the Emissions Trading Team either directly or by e-mail to «${competentAuthority.email}».

Yours faithfully



«${signatory.fullName}»

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| --- | --- |
| Variation Notice |  |

The Greenhouse Gas Emissions Trading Scheme Order 2020 (SI 2020/1265) (the Order)

# **Variation Notice**

**Permit reference:** «${(permitId)!}»

The «${competentAuthority.name}» in exercise of its powers under Schedule 6, paragraph 6 to the Order varies the permit held by you

«${(account.legalEntityName)!}» (the Operator),

whose (Registered) office address is

«${(account.legalEntityLocation)!}»

which relates to the operation of (part of) the Installation(s) at

«${(account.siteName)!}»

«${(account.location)!}»

to the extent set out in the Schedule to this Variation Notice, as incorporated into the attached consolidated permit.

The notice takes effect on «${currentDate?date?string('dd MMMM yyyy'».

|  |  |
| --- | --- |
| Signed | Date |
|  | «${currentDate?date?string('dd MMMM yyyy'» |

«${signatory.fullName}»

Authorised to sign on behalf of the «${competentAuthority.name}»

**Appealing this Notice**

You have a right of appeal against this notice under Article 70 of the Order to the First-tier Tribunal. Written notice of the appeal must be submitted to the First-tier Tribunal at the address provided below no later than 28 calendar days after the service of this notice. The Tribunal Procedure (First-tier Tribunal) (General Regulatory Chamber) Rules 2009 sets out the procedural rules relating to these appeals.

Hard copy: General Regulatory Chamber, HMCTS, PO Box 9300, Leicester, LE1 8DJ

or email: grc@justice.gov.uk

The notice of appeal must include:

* the name and address of the appellant;
* the name and address of the appellant’s representative (if any);
* an address where documents for the appellant may be sent or delivered;
* the name and address of any respondent;
* details of the decision to which the appeals relates;
* the result the appellant is seeking;
* the grounds on which the appellant relies; and
* a copy of any written record of that decision, and any statement of reasons for that decision that the appellant has or can reasonably obtain.

You may withdraw an appeal by notifying the First-tier Tribunal at the above address.

You may also ask the Environment Agency to make an independent internal review of our decision to issue this notice.  Any request should normally be made within 14 days of receiving this notice by contacting [ethelp@environment-agency.gov.uk](mailto:ethelp@environment-agency.gov.uk).  Asking us to review our decision does not suspend the effect of the notice and, in particular, will not affect the time limits within which a statutory appeal must be made.

**SCHEDULE**

The permit is varied as set out in the table below:

|  |  |
| --- | --- |
| **Item** | **Provisions varied** |
| 1 | Condition 3 in Part 2 of the permit omitted.  Condition 3 read:  ‘The operator must satisfy the regulator, if an emission factor of zero is reported in respect of the use of bioliquids, that the sustainability criteria set out in Article 17(2) to (5) of the Renewable Energy Directive have been fulfilled’. |
| 2 | Conditions in Part 2 of the permit re-numbered due to omission of condition 3. |
| 3 | The words ‘in order’ in condition 5 in Part 2 of the permit omitted. |
| 4 | Definition of ‘bioliquids’ in Part 3 of the permit omitted. |
| 5 | Definition of ‘the Monitoring and Reporting Regulation’ in Part 3 of the permit amended to:  “the Monitoring and Reporting Regulation” means Commission Implementing Regulation (EU) 2018/2066 of 19 December 2018 on the monitoring and reporting of greenhouse gas emissions pursuant to Directive 2003/87/EC of the European Parliament and of the Council (disregarding any amendments adopted after 11th November 2020) as given effect for the purpose of the UK ETS by article 24 of the Order subject to the modifications made for that purpose (including modifications relating to hospital or small emitters only) from time to time; |
| 6 | Definition of ‘the Order’ in Part 3 of the permit amended to:  “the Order” means The Greenhouse Gas Emissions Trading Scheme Order 2020 as amended from time to time; |
| 7 | Definition of ‘the Renewable Energy Directive’ in Part 3 of the permit omitted. |
| 8 | Definition of ‘the Verification Regulation’ in Part 3 of the permit amended to:  “the Verification Regulation” means Commission Implementing Regulation (EU) 2018/2067 of 19 December 2018 on the verification of data and on the accreditation of verifiers pursuant to Directive 2003/87/EC of the European Parliament and of the Council (disregarding any amendments adopted after 11th November 2020), as given effect for the purpose of the UK ETS by article 25 of the Order subject to the modifications made for that purpose from time to time; |

The variations are incorporated into a consolidated version of the permit attached to this notice.