|  |  |
| --- | --- |
|  |  |

«${(account.primaryContactEmail)!}»

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

«${params.toRecipient}»

Dear «${(account.primaryContact)!}»

**THE GREENHOUSE GAS EMISSIONS TRADING SCHEME REGULATIONS 2012 (SI 2012, No. 3038) (The “Regulations”)**

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

**Operator name: «${(account.legalEntityName)!}»**

**Installation:** «${(account.name)!}»

The «${competentAuthority.name}» has determined your reportable emissions in accordance with Regulation 44 of the Regulations. The Notice of Determination is attached to this letter.

«[#if params.chargeOperator]»

Regulation 44(6) enables the «${competentAuthority.name}» to recover from you the cost of determining your reportable emissions. These costs are set out in the Notice of Determination, together with the date by which payment should be received. Please refer to the attached Schedule for payment details.

«[/#if]»

Please quote your permit number in all future correspondence with the «${competentAuthority.name}».

If you should 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 sincerely



«${signatory.fullName}»

«[#if params.chargeOperator]»

**Schedule:**

**Payment details**

**Payment by Credit/Debit card**

You can pay by Credit/Debit by calling (01925) 542059, (01925) 542612 or (01925) 542509 or by completing the payment task in the on-line store, accessible through ETSWAP.

We can currently accept payments using the following card types: Visa, Visa Debit, MasterCard, Maestro/Switch (UK) and American Express.

We’re not currently able to accept payment using the following card types: Solo, Visa Electron

**Payment by Cheque**

Cheques should be made payable to “the Environment Agency” and sent to:

The Environment Agency,

Emissions Trading Team

Richard Fairclough House

Knutsford Road

Warrington,

A4 IHG

Please quote your operator name and permit number.

**Payment by BACS**

All payments by BACS transfers must be made to the following account, using the reference code generated below

**RBS/ NatWest, Royal Bank of Scotland plc, London Corporate Services Centre, CPB Services 2nd Floor, 280 Bishopgate, London, EC2M 4RB**

**IBAN:** GB23NWBK60708010014411

**SWIFTBIC:** NWBKGB2L

**Account Number:** 10014411

**Sort Code:** 60-70-80

**Your unique reference code to be used in your BACS transfer is: «${(workflow.requestId)!}»**

*Please cite this code in your BACS transfer. This will help us to ensure that we have received your payment.*

«[/#if]»

|  |  |
| --- | --- |
| Statutory Notice: Power of the Regulator to determine reportable emissions |  |

The Greenhouse Gas Emissions Trading Scheme Regulations 2012 (SI 2012 No. 3038) (The “Regulations”)

Regulation 44

# Notice of Determination of Reportable Emissions

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

To: «${(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)!}»

«[#if params.initiatorRequest.type == 'AE»

The «${competentAuthority.name}», in exercise of its powers under Regulation 44 of the Regulations, hereby gives you notice of its determination of your reportable emissions. The determination and the reason for it are set out in Part A of the Schedule to this Notice.

«[/#if]»

«[#if params.initiatorRequest.type == 'PE»

The «${competentAuthority.name}», in exercise of its powers under Regulation 44 of the Regulations, hereby gives you notice of its determination of your reportable emissions. The determination and the reason for it are set out in Part A of the Schedule to this Notice.

«[/#if]»

«[#if params.initiatorRequest.type == 'PE»

The «${competentAuthority.name}», in exercise of its powers under Regulation 44 of the Regulations, hereby gives you notice of its determination of your reportable emissions. The determination and the reason for it are set out in Part A of the Schedule to this Notice.

«[/#if]»

«[#if params.chargeOperator]»

Pursuant to Regulation 44(6), a fee of £«${params.feeAmount}» is payable in respect of this determination. A breakdown of the fee is set out in Part B of the Schedule to this Notice. Payment should be received by us no later than «${params.feeDetails.dueDate.format('dd M». Please refer to the payment details given in the covering letter.

«[/#if]»

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

«${signatory.fullName}»

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

**Notes**

**About this notice**

This Notice advises you of the «${competentAuthority.name}»’s determination of reportable emissions from your installation for a certain period. Part A of the Schedule to this Notice sets out the details of the determination and the reportable emissions figure stated in the Schedule will now be treated as the reportable emissions for your installation for the relevant period.

A copy of this Notice will be served on the registry administrator and this will act as an instruction for the registry administrator to enter the reportable emissions figure into the verified emissions table in the registry for the relevant period for your installation.

Part B of the Schedule to this Notice sets out the costs that you are required to pay in connection with this determination.

**Appealing this notice**

You have a right of appeal if you are aggrieved by the determination of reportable emissions contained in this Notice under regulation 73 of the Regulations 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@hmcts.gsi.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.  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**

**Part A**

**DETERMINATION DETAILS**

|  |  |
| --- | --- |
| **Determination of your Reportable Emissions in tCO2:** | «${params.totalReportableEmissions}» |

**Breakdown of the Reportable Emissions figure:**

«[#if params.reportableEmissions?keys?fil»

«[#list params.reportableEmissions as key»

|  |  |
| --- | --- |
| Combustion emissions in tCO2: | «${approach.combustionEmissions.reportabl» |
| Process emissions in tCO2: | «${approach.processEmissions.reportableEm» |

«[/#if]»

«[#if params.reportableEmissions?keys?fil»

«[#list params.reportableEmissions as key»

|  |  |
| --- | --- |
| Measured emissions in tCO2: | «${approach.emissions.reportableEmissions» |

«[/#if]»

«[#if params.reportableEmissions?keys?fil»

«[#list params.reportableEmissions as key»

|  |  |
| --- | --- |
| Fall-back approach emissions in tCO2: | «${approach.emissions.reportableEmissions» |

«[/#if]»

«[#if params.reportableEmissions?keys?fil»

«[#list params.reportableEmissions as key»

|  |  |
| --- | --- |
| Measured N2O emissions in tCO2: | «${approach.emissions.reportableEmissions» |

«[/#if]»

«[#if params.transferredEmissions > 0]»

|  |  |
| --- | --- |
| Transfer emissions in tCO2: | «${params.transferredEmissions}» |

«[/#if]»

«[#if params.reportableEmissions?keys?fil»

«[#list params.reportableEmissions as key»

|  |  |
| --- | --- |
| PFC emissions in tCO2: | «${approach.totalEmissions.reportableEmis» |

«[/#if]»

|  |  |
| --- | --- |
| **Reporting period:** | «${params.reportingYear}» |

|  |  |
| --- | --- |
| **Reason for the Determination:** | «${params.officialNoticeReason}» |

**«${competentAuthority.name}» comments:**

In making its determination, the «${competentAuthority.name}» has taken into account the requirements of Annex V of Directive 2003/87/EC and the Commission Decision of 29/01/2004 establishing guidelines for the monitoring and reporting of greenhouse gas emissions.

The «${competentAuthority.name}» has considered the following:

|  |
| --- |
| «[#list params.informationSources as info»  «${informationSource}»  «[/#list]»  Based upon the above information, the Agency considers that its determination is the most reliable, credible and accurate determination possible in the circumstances. |

**Part B**

«[#if !params.chargeOperator]»

You are not required to pay any costs to the «${competentAuthority.name}» in connection with this determination.

«[/#if]»

«[#if params.chargeOperator]»

The fee specified in the Notice is made up as follows:

|  |  |
| --- | --- |
| **Total time (hr):** | «${params.feeDetails.totalBillableHours}» |
| **Hourly rate (£/hr):** | «${params.feeDetails.hourlyRate}» |
| **Total charge:** | «${params.feeAmount}» |

«[/#if]»