|  |  |
| --- | --- |
|  | competent authority logo |

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

«${(account.legalEntityName)!}»

«${params.toRecipient}»

FAO: «${(account.serviceContact)!}»

Dear Sir / Madam

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

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

which relates to the operation of the installation at

«${(account.siteName)!}»

Further to your application of «${workflow.requestSubmissionDate?date?st» to surrender the above permit, the «${competentAuthority.name}» has determined the application and a surrender notice is enclosed with this letter.

The notice sets out a number of requirements with which you must comply. Your permit ceases to be in force on the effective date of the surrender notice (and therefore ceases to authorise a regulated activity to be carried at the installation). However, the conditions of your permit will continue to have effect as if the permit were in force, until the «${competentAuthority.name}» certifies that the conditions of the permit and surrender notice have been complied with or that there is no reasonable prospect of their being complied with.

If you fail to submit an emissions report in accordance with and by the date set out in the surrender notice, you may be liable to a civil penalty. The regulator also has powers to determine your reportable emissions and to recover the costs of making this determination.

«[#if account.emitterType == 'GHGE']»

If you fail to surrender allowances equal to your reportable emissions in the year in which the surrender notice takes effect by the date specified in the notice, you will be liable to a civil penalty of £100 multiplied by an inflation factor for each allowance that you failed to surrender.

«[/#if]»

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

signature

«${signatory.fullName}»

CC: «[#list params.ccRecipients as cc]»«${cc}[#sep], [/#sep]»«[/#list]»

|  |  |
| --- | --- |
| Surrender of Permit | competent authority logo |

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

# Schedule 6, paragraph 11

# Surrender Notice

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

To: «${(account.legalEntityName)!}» (the operator),

whose (Registered) office address is

«${(account.legalEntityLocation)!}»

in relation to the operation of (part of) the installation(s) at

«${(account.siteName)!}»

«${(account.location)!}»

Further to your application to surrender the above permit under Schedule 6, paragraph 11 to the Order, dated «${workflow.requestSubmissionDate?date?st», the «${competentAuthority.name}», in exercise of its powers under the Order, gives notice of the surrender of the permit and sets out requirements with which you must comply in the schedule to this notice.

Unless you appeal against this notice, it will take effect on «${params.noticeDate?date?string('dd MMMM» (’the effective date’).

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

«${signatory.fullName}»

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

**About this notice**

«[#if account.emitterType == 'GHGE']»

The Schedule to this notice requires you to submit a verified report to the «${competentAuthority.name}» of your reportable emissions from 1 January in the scheme year in which this notice takes effect until the effective date. It also requires you to surrender allowances equal to your reportable emissions in this period.

«[/#if]»

«[#if account.emitterType == 'HSE']»

The Schedule to this notice requires you to submit a report to the «${competentAuthority.name}» of your reportable emissions from 1 January in the scheme year in which this notice takes effect until the effective date.

«[/#if]»

Your permit ceases to be in force on the effective date (and therefore ceases to authorise a regulated activity to be carried out). However, the conditions of your permit will continue to have effect as if the permit were in force, until we certify that the conditions of the permit and surrender notice have been complied with or that there is no reasonable prospect of their being complied with.

**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](mailto: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.  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.

«[#if account.emitterType == 'GHGE']»

**SCHEDULE**

In this Schedule, the following words and phrases have the following meanings:

“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 subject to modifications by article 24 of the Order;

“the Order” means the Greenhouse Gas Emissions Trading Scheme Order 2020;

“relevant period” means 1 January in the scheme year in which this notice takes effect until the effective date;

“the Renewable Energy Directive” means Directive 2009/28/EC of the European Parliament and of the Council on the promotion of the use of energy from renewable sources and amending and subsequently repealing Directives 2001/77/EC;

“reportable emissions” has the same meaning as in the permit associated with this notice;

“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 subject to modifications by article 25 of the Order; and

“verification report” has the same meaning as in the Verification Regulation.

|  |
| --- |
| **Requirements** |
| The operator must prepare in accordance with the Monitoring and Reporting Regulation a report of the installation’s reportable emissions in the relevant period that is verified as satisfactory in accordance with the Verification Regulation and must submit the report (and the verification report) to the regulator on or before «[#if (params.reportDate)??]»«${params.reportDate?date?string('dd MMMM»N/A. |
| The operator must satisfy the «${competentAuthority.name}» 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. |
| The operator must surrender allowances equal to the installation’s reportable emissions in the relevant period on or before «[#if (params.allowancesSurrenderDate)??]»«${params.allowancesSurrenderDate?date?st»N/A. |

«[/#if]»

«[#if account.emitterType == 'HSE']»

**SCHEDULE**

In this Schedule, the following words and phrases have the following meanings:

“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 subject to modifications by article 24 of the Order and Schedule 7, paragraph 13 to the Order;

“the Order” means the Greenhouse Gas Emissions Trading Scheme Order 2020;

“relevant period” means 1 January in the scheme year in which this notice takes effect until the effective date;

“reportable emissions” has the same meaning as in the permit associated with this notice;

“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 subject to modifications by article 25 of the Order; and

“verification report” has the same meaning as in the Verification Regulation.

|  |
| --- |
| **Requirements** |
| 1. The operator must prepare in accordance with the Monitoring and Reporting Regulation a report (the emissions report) of the installation’s reportable emissions in the relevant period that is: 2. verified as satisfactory in accordance with the Verification Regulation, or 3. accompanied by a declaration that: 4. in preparing the emissions report, the operator has complied with the relevant provisions of the Monitoring and Reporting Regulation; 5. the operator has complied with the monitoring plan; and 6. the emissions report is free from material misstatements.   and to submit the report (and any verification report where (a) applies or declaration where (b) applies) to the regulator on or before «[#if (params.reportDate)??]»«${params.reportDate?date?string('dd MMMM»N/A. |

«[/#if]»