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

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

«${(account.legalEntityName)!}»

«${params.toRecipient}»

Dear «${(account.primaryContact)!}»

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

**Determination of Emissions**

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

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

**Installation:**

The «${competentAuthority.name}» has made a determination of the annual reportable emissions from your installation in respect of the scheme year «${params.reportingYear}» by virtue of Article 70 of the Monitoring and Reporting Regulation and Regulation 44 of the Regulations. The Notice of Determination is attached to this letter.

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

Regulation 44(6) enables the «${competentAuthority.name}» to recover from you the cost of the determination of 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]»

Regulation 44(6) enables the «${competentAuthority.name}» to recover from you the cost of the determination of emissions. In this instance you are not required to pay a fee for the determination of emissions as you have supplied the necessary emissions data to the «${competentAuthority.name}» as requested.

«[/#if]»

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 Cheque**

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

Emission Trading,

Heriot Watt Research Park North,

Scottish Environment Protection Agency,

Clearwater House,

Riccarton,

Edinburgh,

EH14 4AP

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

**The Royal Bank of Scotland, 31 North Bridge, Edinburgh EH1 1SF**

**IBAN:** RBOSGB2L

**SWIFTBIC:** RBOSGB2L

**Account Number:** 00137187

**Sort Code:** 83-34-00

**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.*

|  |  |
| --- | --- |
| Determination of Emissions |  |

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

Regulation 44

# Notice of Determination of 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 «${competentAuthority.name}», in exercise of its powers under Regulation 44 of the Regulations, hereby gives you notice of its determination of your reportable emissions for the year from 1 January «${params.reportingYear}» to 31 December «${params.reportingYear}». The determination of your reportable emissions in tCO2 and the reason for the determination is set out in Part A of the Schedule to this Notice.

«[/#if]»

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

The «${competentAuthority.name}», in exercise of its powers under Regulation 44 of the Regulations, hereby gives you notice of its determination of your reportable emissions for the following reason: «${params.determinationReasonDescription}», as required by the Surrender Notice issued to you on «${params.initiatorRequest.submissionDate». The determination of your reportable emissions in tCO2 and the reason for the determination is set out in Part A of the Schedule to this Notice.

«[/#if]»

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

The , in exercise of its powers under Regulation 44 of the Regulations, hereby gives you notice of its determination of your reportable emissions for the following reason: , as required by the Revocation Notice issued to you on . The determination of your reportable emissions in tCO2 and the reason for the determination is set out in Part A of the Schedule to this Notice.

«[#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}»

**About this notice**

This Notice advises you of the «${competentAuthority.name}»’s determination of reportable emissions from your installation for the period specified in the Notice. 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 determining all of the reportable emissions from your installation for the relevant period.

For installations regulated under a greenhouse gas emissions permit a copy of the 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 the installation.

«[#if params.chargeOperator]»

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

You have a right to appeal against the terms of this Notice but you must lodge your appeal before the expiry of the period of 24 days beginning with the date this Notice.

Generally the bringing of an appeal does not have the effect of suspending the effect of the determination decision. However, the effect of the determination will be suspended for installations regulated under a greenhouse gas emissions permit for the purpose of assessing whether there has been compliance with the obligation to surrender allowances in respect of the relevant period in accordance with the surrender requirements of that permit.

Notice of any appeal including a statement of the grounds of appeal and any other required documents must be given in writing. A copy of the appeal should also be forwarded to SEPA.

Appeals should be sent to:

**Scottish Government Directorate for Planning and Environmental Appeals,**

**4 The Courtyard,**

**Callendar Business Park,**

**Callendar Road,**

**Falkirk,**

**FK1 1XR**

**Tel: 0300 244 6668  
Email: DPEA@gov.scot**

You should refer to Schedule 11 of the Regulations for details of the appeal process.

**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 our determination, we have taken into account the requirements of Annex V of Directive 2003/87/EC (as amended) and Article 70 of Commission Regulation no 601/2012 on the monitoring and reporting of greenhouse gas emissions.

«[#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**

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

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

«[/#if]»