

DECLARATION OF REDUCED OPERATION
Pollution Prevention and Control Act, 1999
Environmental Permitting (England and Wales)
Regulations 2010



Introduction

When to use this form

If your installation is for a period of not less than 12 months

- a) being mothballed¹, or
- b) temporarily operating (or is going to operate) at reduced capacity, below the threshold requiring a permit,

you can use this form to declare that this is the case and may be eligible for reduced annual subsistence charges. This is an alternative to surrendering your permit and having to make a new application if production increases or restarts.

Restrictions

Eligibility for reduced charges is limited to a 36-month period from the date of the Council's letter of acceptance and is dependent on your local authority regulator being satisfied that paragraphs a) or b) above are satisfied and on the circumstances set out in a) or b) not giving rise to a breach of conditions in the environmental permit resulting in emissions which the local authority considers to have a significant negative effect on human beings or the environment².

Next steps

When responding to this declaration, your local authority regulator may either

- a. write to you confirming reduced charges. In doing so it will explain what you have to do if circumstances change, and may also vary your permit to require you to provide information to them; or
- b. ask you for more information which shows the basis of your declaration.

If you need help and advice

We have made the application form as straightforward as possible, but please get in touch with us at the local authority address given above if you need any advice on how to set out the information we need.

¹ ie Its activity will temporarily cease to be carried on but the equipment necessary to carry on that activity is maintained to ensure that operation may be restored at a future date

² Such as dust or odour emissions which would otherwise amount to a statutory nuisance or, in the case of a Part A(2) installation, a water pollution incident which falls within category 1 or 2 of the Environment Agency's Common Incident Classification Scheme (as summarised in Annex XXI of the General Guidance Manual

<http://www.defra.gov.uk/environment/ppc/localauth/pubs/guidance/manuals.htm> .

LAPPC application form: to be completed by the operator

For Local Authority use		
Application reference	Officer reference	Date received

1. Name of the installation and operator

Name of Installation _____
Name of Operator _____

2. Permit reference

3. Name and contact details of person completing this form.

Name: _____

Address: _____

Post Code: _____ Telephone Number: _____

4. I/We hereby declare that the activity by the operator at the permitted installation (see 1 above) meets the qualifying criteria for reduced quarterly / annual subsistence charges in that it is:

EITHER

- a) being mothballed for a period of not less than 12 months; or
- b) temporarily being carried on (or will be carried on from _____ [date]) at below the threshold requiring a permit for a period of not less than 12 months.

Signature of current operator(s). *Please note that each individual operator must sign the declaration themselves, even if an agent is acting on their behalf.*

5. I/We certify that the information in this declaration is correct.

Signature	_____	Signature	_____
Name	_____	Name	_____
Position	_____	Position	_____
Date	_____	Date	_____

PLEASE NOTE:-

Data Protection

We will use the information you have provided to consider whether to agree to reduced annual subsistence charges.

We may also use, and or disclose, any of the information you give us in order to:

- consult with the public, public bodies and other organisations
- carry out statistical analysis, research and development on environmental issues
- provide public register information to enquirers
- make sure you keep to the conditions of your permit and deal with any matters relating to your permit
- investigate possible breaches of environmental law and take any resulting action
- prevent breaches of environmental law
- offer you documents or services relating to environmental matters
- respond to requests for information under the Freedom of Information Act 2000 and the Environmental Information Regulations 2004 (if the Data Protection Act allows)
- assess customer service satisfaction and improve our service
- comply with the law.

We may pass on the information to agents/ representatives who we ask to do any of these things on our behalf.

Offences

It is an offence under regulation 38 of the EP Regulations, for specified purposes to:

- make a false statement which you know to be false or misleading in a material particular; or
- recklessly make a statement which is false or misleading in a material particular.

If you make a false statement

- we may prosecute you, and
- if you are convicted, you are liable to a fine or imprisonment (or both).

IF REQUIRED:-

Commercial confidentiality

Is there any information in the application that you wish to justify being kept from the public register on the grounds of commercial or industrial confidentiality ?

No

Yes

If "yes" please state why _____

National security

Is there any information in the application that you believe should be kept from the public register on the grounds of national security ?

No

Yes

If "yes", please do not write anything about this information on the form. Please provide full details on separate sheets, plus a copy of the application form to the Secretary of State/Welsh Ministers for a Direction on the issue of National Security.