

Pollution Prevention and Control Regime: Amendments to the District Council Charging Scheme 2013/2014

The Department of the Environment Northern Ireland (DoENI) have recently made amendments to the charging scheme for the Pollution Prevention and Control (PPC) regime. The charging scheme sets out the fee levels relating to the subsistence of the permit, in addition to any fees associated with applications for new permits, variations to permits and transfer of permits.

The fee levels applicable from 1st April 2013 are outlined in the associated regulations, *the Pollution Prevention and Control (District Councils) Charging Scheme (Northern Ireland) 2013*, published by the DoENI. A summary of the new charges is presented in Table 2 at the end of this document.

The purpose of this guidance note is to inform you, the operator of a premises currently operating under a PPC Permit, of the changes under the scheme.

Risk Based Charging Scheme

Each installation is risk assessed by the inspecting officer to establish the perceived level of potential for impact from the process to public health and the environment. This previously determined the frequency of inspection, where a low risk resulted in an inspection once a year; medium risk inspected twice a year; and a high risk premises inspected three times a year.

The PPC Charging Scheme for 2013/14 introduces a significant change to the fee arrangements, whereby the level of fees payable for the industrial activity subject to the PPC regime is now linked in to the determined risk rating. This financial link to the subsistence fee levels now provides a distinct financial incentive for operators that will work alongside the regulatory and enforcement tools available to the inspecting authority to achieve compliance with the conditions of the permit.

The risk rating assessed by the inspecting officer is determined according to published guidance and is a function of the perceived environmental impact of the activity and the operator's compliance with the terms of the PPC Permit conditions.

The components assessed under the risk assessment process are outlined in Table 1. **Table**

1: Risk Assessment Components

Component	Issues Considered	Scoring Range
Environmental Impact Appraisal		
Inherent Environmental Impact Potential of Process	Reflects the potential for environmental impact of the process. 10, 20 or 30 points awarded based upon the scoring for each process determined by the Advisory Panel on Risk Ranking.	10 to 30
Progress with Upgrading	The nature and extent of upgrading required, or the degree to which Best Available Techniques (BAT) for emission control is exceeded.	-10 to 10
Sensitivity and Proximity of Receptors	The extent to which any receptors in the vicinity of the process could be impact by emissions from the process.	0 to 20
Other Targets	Whether there are any other problems in the area which the process contributes to, such as an Air Quality Management Area.	0 to 10
Operator Performance Appraisal		
Scale of Non-Compliance	Scores awarded for any breaches of permit conditions, incidents leading to justified complaints, a formal caution, enforcement notice, prohibition notice, suspension notice or prosecution.	0 to 50
Monitoring, Maintenance and Records	Compliance with any monitoring and record keeping requirements, including maintenance programmes.	-5 to 30

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Management, Training and Responsibility	Compliance with staff training requirements and record keeping for such. Additional credit awarded if an appropriate Environmental Management System (EMS) is in place.	-5 to 25
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Each of the components are assessed and scored specifically for the installation. The resulting score indicates the overall risk rating, determined as follows:

- Low Risk : Less than 40 points
- Medium Risk : 40 – 80 points:
- High Risk: Over 80 points

Comparison with the summary of fees presented in Table 2 will help identify the fee level associated with each risk banding.

To reflect level of compliance the risk rating scores are reviewed by the enforcing authority on a regular basis, at least annually, and following any inspections, changes to the Permit, receipt of complaints or when enforcement action is taken. However it should be noted that the subsistence fee levels will be based on the risk rating at the time the invoice for such is issued. The fee levels will not be reviewed during the financial year irrespective of changes to the determined risk rating level. Any changes to the fee levels associated with adjustments to the risk rating will be reflected in the invoice for the following year.

Please don't hesitate to contact the Environmental Health Department if you wish to discuss any aspect of the application of this risk assessment process to your operations.

Introduction of a Late Payment Fee

In the event that an operator fails to pay an invoice from the regulatory authority within 8 weeks from the time it was issued the DoENI have introduced a £50 late payment fee which the operator must pay in addition to the fee payable in the invoice.

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