

# Guidance notes on part F1 – Opra, charges and declarations and so on



## Please read these guidance notes carefully before you fill in the forms.

This guidance will help you complete part F1 of the application form pack.

Where you see the term ‘document reference’ on the form, give the document references and send the documents with the application form when you’ve completed it.

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## 1 Calculation of charges

The permitting charging scheme tells you how much you need to pay. You can look up the charge for standard and other tier two permits and transfers.

If you are applying for a new bespoke permit, a variation or surrender, you must complete the EP Opra profile spreadsheet provided with the application pack to calculate how much these will cost (for mining waste operations, these only apply to tier 3 facilities).

Complete the summary table to work out your total charge. You can find the environment permit charging scheme guidance at [www.gov.uk/environment-agency](http://www.gov.uk/environment-agency) or by calling 03708 506 506.

**IMPORTANT:** Please note that the charges are revised on 1 April each year.

## 2 Operational Risk Appraisal Scheme summary (does not apply to standard facilities, any other tier 2 permit applications or water discharge or groundwater point source discharge activities)

Operational Risk Appraisal (Opra) is a tool we use to screen permitted operations for the risk they pose to the environment. We use Opra to assess the risk to the environment from sites that we regulate with environmental permits. There are three types or ‘tiers’ of environmental permit. The different tiers enable us to keep regulation in proportion to the activity being permitted and the level of risk it presents. There are three tiers of Opra, which reflect the three tiers of environmental permits:

**Tier 1 Opra** is for permits which we consider low risk.

**Tier 2 Opra** is for fixed charge permit activities.

**Tier 3 Opra** is for bespoke permits.

For more information see our website at [www.gov.uk/environment-agency](http://www.gov.uk/environment-agency) or call 03708 506 506.

**For variations, full and partial surrenders** you will need to submit a copy of your current Opra profile based on your existing profile, not on any new profile following the variation or surrender.

**For transfers** you will need to submit a revised Opra profile to include your own operator performance. Note this will not change the set transfer fee.

**For mining waste operations which include a category A mining waste facility or a mining waste facility involving the management of hazardous wastes only**

All category A mining waste facilities and mining waste facilities for hazardous wastes have been given a default ‘complexity banding’ and ‘emissions and input’ attribute of C. For these operations, you do not need to record the number of facilities covered by your permit application because your application charge is for your entire operation, not on the number of mining waste facilities.

### Opra spreadsheet

Please remember to include an electronic copy of your Opra spreadsheet when you submit your application on CD or by email. Make sure it is a copy of the actual Excel spreadsheet, not a scanned paper copy.

## 3 Payment

Note: Please note that we cannot ‘duly make’ your application until evidence of payment has been sent in.

### ‘Duly make’

‘Duly making’ is the process of checking an application under the Environmental Permitting Regulations to make sure that it contains all the relevant documents and that the fundamental requirements have been addressed to allow the determination to begin. This includes the following:

- All relevant parts of the application form have been submitted and completed;
- Where relevant, assessments of any environmental impact have been included to a level of detail consistent with the predicted level of environmental impact and in line with the relevant guidance. This includes the provision of both modelling data and

associated information and data files as indicated by the relevant guidance;

- The correct application charge has been paid.

For waste and installations, the following also apply:

- The OPRA spreadsheet on which the application charge is based has been completed accurately and submitted with the application;
- For specified waste activities, the competence of the applicant has been addressed and details submitted;
- Details have been provided of all the relevant process descriptions/waste operations, including a non-technical summary, an accurate site plan and site location plan;
- A site condition report (new permit application/variation to increase the permitted area and surrender) has been submitted that addresses all relevant aspects for that location or site, including drainage plans where necessary;
- There is justification of the selection of the techniques/equipment used against the requirements of best available techniques (BAT) for installations or appropriate measures for waste operations;
- All relevant site-specific risk assessments and management plans (from the list below) have been supplied (or an indication of why they have not been supplied); these must contain all the relevant sections/parts as set out in any appropriate technical guidance:
  - Fugitive emissions
  - Odour
  - Bio-aerosol risk assessment
  - Noise
  - Pest
  - Fire prevention.
- For landfills and mining waste (new bespoke and transfer) an expenditure plan must be provided with the application.

Once we have all this information, we call the application **duly made**. If anything is missing we will ask you for it.

Select the method you will be using to pay for your application.

Cheques and postal orders: These should be made payable to Environment Agency and crossed 'A/c Payee'. Send it to us with your completed application form and any relevant supporting documents.

Post dated cheques will not be accepted.

Cash: we do not recommend sending cash through the post. If you cannot avoid this, please use a recorded delivery postal service and enclose details of the name of your company and a reference (this can be the customer reference, permit reference or an application reference generated at pre-application stage) or your name, address and postcode.

Payment by credit or debit card: We can accept payments by Visa, MasterCard or Maestro cards only. Please complete the required details in the separate form CC1 or tick the box asking us to call you to arrange payment.

Payment by electronic transfer: Make sure you use the right payment information.

Failure to quote your reference (this can be the customer reference, permit reference or an application reference generated at pre-application stage) or to forward to us your payment details, including applicant name, payment amount and full payment reference, may result in a delay in processing your payment and therefore your application.

## **Information on charges**

We consult widely on changes to our charging schemes and tariffs, which require government approval before being implemented. You can access further information about the bases of our charges, our consultation processes and any current or recent consultations from our website [www.gov.uk/environment-agency](http://www.gov.uk/environment-agency).

## **4 The Data Protection Act 1998**

Make sure you understand how we will use the information you provide to us.

## **5 Confidentiality and national security**

### **Confidentiality**

Only tick this box if you are very certain that you wish information to be confidential. This may delay your application.

**Confidential information** is information that is commercially or industrially confidential in relation to any person. Information may be withheld from the public registers where the regulator judges that it may be commercially or industrially confidential. When this occurs a statement must be placed on the register indicating the existence of that information.

You can find guidance on confidentiality in 'Environmental permitting guidance: core guidance' published by Defra and available at [www.gov.uk/environment-agency](http://www.gov.uk/environment-agency).

Please ensure that you include a copy of your supporting statement detailing why you are requesting confidentiality and what information you believe should be kept confidential. We advise you to have a pre-application discussion with area staff before deciding if anything is confidential information.

We will then have to assess your statement and therefore the progress of your application will take longer.

## National security

Ensure you enclose with the application a letter stating that you have written to the Secretary of State to claim national security for your application.

You can find guidance on national security in 'Environmental permitting guidance: core guidance' published by Defra and available at gov.uk.

You cannot apply for national security via this application.

We will not be able to progress your application until we receive the decision from the Secretary of State and therefore is highly likely to delay your application. We will not include the information in the public register unless the Secretary of State decides that it should be included.

## 6 Declaration

Ensure a relevant person makes the declaration.

Relevant people means each applicant, and in the case of a company, a director, manager, company secretary or any similar officer/employee listed on current appointments in Companies House. In the case of a Limited Liability Partnership (LLP), it includes any partner.

Note: Each individual (or individual trustee) who is applying for their name to appear on the permit must complete this declaration. You will have to print a separate copy of this page for each additional individual to complete.

To simplify and speed up the application process we recommend that the declaration in the application form is filled in by an officer of a company or one of the partners in a Limited Liability Partnership (LLP).

If you wish a manager or other employee **not listed on current appointments at Companies House** to fill in the declaration on behalf of the company or LLP we will need confirmation (by letter or email) from a relevant person; that is, an officer of the company or a partner in the LLP confirming that the person has the authority to fill in the declaration.

Where the operator is the subject of any insolvency procedure it will be necessary for the declaration to be filled in by the Official Receiver/appointed insolvency practitioner.

### Applications for standard operations

There is a specific declaration for applications for standard permits, or if your bespoke application includes standard operations. Make sure you read it and tick the box if you agree.

#### How we will use any ecological survey data you supply in support of an application

We may want to use any ecological survey data you have supplied for other purposes as detailed below.

We assume that we are permitted to use the information you supply to us, in connection with our statutory and regulatory responsibilities. In particular (although there may be other uses), we may:

- incorporate the information into our datasets and mapping. These are used for a variety of purposes;
- provide information to other applicants and organisations where this enables us to protect wildlife as we are directed to do in the Environment Act;
- respond to requests for information under the Freedom of Information Act and the associated Environmental Information Regulations 2004 and agree limited usage rights in accordance with our Standard Notices that we use when supplying our information; and
- license datasets and mapping derived from or containing information.

If you have any queries on this please contact us using the details at the end of the form and guidance notes.

### Transfer applications

For permit transfers, both the permit holder and the person receiving the permit must make the declaration. Make sure you read it and tick the relevant box if you agree.

If you cannot trace a person or persons holding the permit you may be able to transfer the permit without their declaration as above. Please contact us to discuss this and supply evidence in your application to confirm you are unable to trace one or all of the permit holders.

## 7 Application checklist (you must fill in this section)

Tell us what you have sent with your application form.

You must include the correct application fee, or evidence of payment. If not the application will be returned to you.

Where you have referenced supporting documents in the application questions you've answered, you must fill in the table as per the following example.

## Example checklist

Question reference	Document title	Document reference
3	Payment	Payment included or via BACS reference PSCAPPXXXXXXYY
Part A	Section 5(c) Site plan (J7534/01) P7534/01	Part A
Part B	Section 2(a) Non-technical summary S23429/01	Part B
Part B	Section 5 Justification for alternative technical standard: Accident management J34565/01	Part B

## 8 How to contact us

If you need help filling in this form, please contact the person who sent it to you or contact us as shown below.

General enquiries: 03708 506 506 (Monday to Friday, 8am to 6pm)

Textphone: 03702 422 549 (Monday to Friday, 8am to 6pm)

Email: [enquiries@environment-agency.gov.uk](mailto:enquiries@environment-agency.gov.uk)

Website: [www.gov.uk/environment-agency](http://www.gov.uk/environment-agency)

## 9 Where to send your application

Please send your filled in application form to:

By email to [PSC@environment-agency.gov.uk](mailto:PSC@environment-agency.gov.uk)

OR

Permitting Support Centre

Quadrant 2

99 Parkway Avenue

Parkway Business Park

Sheffield

S9 4WF

Tick the box if you wish to have all communication about this application sent via email. We will use the email address provided in Part A to email all associated information or notices connected with the permit.

The following table tells you how many copies of the application form and supporting documents you need to send to us.

Type of application	Number of copies of the application form and supporting documents
All applications	<b>One</b> paper copy or <b>one</b> CD