



Opra for EPR version 3.91

Annex D - Opra for permits with fixed charges

April 2017



We are the Environment Agency. We protect and improve the environment and make it a better place for people and wildlife.

We operate at the place where environmental change has its greatest impact on people's lives. We reduce the risks to people and properties from flooding, make sure there is enough water for people and wildlife, protect and improve air, land and water quality, and apply the environmental standards within which industry can operate.

Acting to reduce climate change and helping people and wildlife adapt to its consequences are at the heart of all that we do.

We cannot do this alone. We work closely with a wide range of partners including government, business, local authorities, other agencies, civil society groups and the communities we serve.

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This document is out of date and was withdrawn on 1 March 2019.

Introduction

What's in this document?

We've written this document to help you understand Operational Risk Appraisal - Opra for permits with fixed charges. This annex covers permits for:

- installations;
- waste facilities;
- mining waste operations;
- groundwater; and
- non-nuclear RSR (Radioactive Substance Regulation).

You should read this document and the Environmental Permitting Regulations Operational Risk Appraisal Scheme (Opra for EPR) version 3.91 to which this document is an annex.

Related documents

Together the following documents all relate to our Opra scheme and their links to charges. The document you are currently reading is highlighted in **bold**. There may be other documents in the list that will help you find the type of permit you need.

- Environmental Permitting Regulations Operations Risk Appraisal Scheme (Opra for EPR) version 3.91
 - Annex A Opra scheme for installations
 - How to complete an Opra spreadsheet for installations
 - Annex B Opra scheme for waste facilities
 - How to complete an Opra spreadsheet for waste facilities
 - Annex C Opra scheme for mining waste operations
 - How to complete an Opra spreadsheet for mining waste operations
 - **Annex D Opra for permits with fixed charges**
- Environmental Permitting Charging Scheme and Guidance 2014

All these documents are available on our website or by calling our general enquiry line on 03708 506 506.

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Permits with fixed charges

Permits with fixed charges are permits that are in tier-2 of Opra. These are permits where we make a decision whether or not to grant the permit, but where there isn't enough environmental risk to justify using the full Opra scheme. Permits in the full Opra scheme are tier-3 waste facilities, installations and some mining waste operations. You will find information about how Opra works for these permits in annexes A, B and C listed above.

We've decided which activities are covered where the risk can be described using tier-2 Opra. This assessment is based on how complicated the activity is as well as the emissions and inputs involved. Once we've assessed the activity, we give it a risk band. More complicated tier-2 activities will tend to have a higher risk band than smaller, simpler activities. This means it takes less work to apply for a permit with a fixed charge as you don't have to produce a full Opra-banded profile with your application.

Each tier-2 risk band has a fixed permit charge for applications, variations, transfers and surrenders. The yearly subsistence charge is based on a base charge (taken from the type of permit you hold) that can be adjusted according to your compliance rating band (described below) during the last calendar year. At the moment, we do not change the yearly charges for groundwater, RSR and accredited farming installation permits using the compliance rating band.

What types of activities do we consider as permits with fixed charges?

You can find a full list of tier-2 activities and permits with fixed charges listed in Schedule 1 of the Environmental Permitting Charging Scheme and Guidance. Most of these activities are covered by standard permits although a few non-standard activities are also covered.

If your activity isn't shown in Schedule 1, you will need to refer to annex A, B or C of the Opra Scheme for more information. You need to meet all the criteria in Schedule 1 for your permitted activity to be in tier 2. For example, if you operate a household commercial industrial waste transfer station, it will only be assessed as a tier-2 activity if it has a standard rules permit.

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Compliance rating

Compliance rating identifies the risk arising from operating regulated facilities. It shows those operators and facilities who we would regard as higher risk and so need extra regulatory effort for compliance assessment.

We work out your compliance rating after we have issued your permit.

Compliance Classification Scheme

We use a standard procedure to classify situations where you have failed to keep to the rules of a permit, known as 'conditions'. This is known as the Compliance Classification Scheme (CCS). Your compliance rating is based on the CCS events over the course of a calendar year (January to December). We use non-compliances we identified and recorded in 2016 to work out the compliance rating band for 2017, and this may affect your charges. In the first year after we issue your permit, the compliance rating will be based on any non-compliances from when your permit is issued until 31 December.

How CCS affects your compliance rating band

If we identify that you've failed to keep to the conditions of your permit, we give you points each time. We add the points from each event to give you a yearly total of non-compliance points.

| CCS category | Points for each event |
|--------------|-----------------------|
| 1 | 60 |
| 2 | 31 |
| 3 | 4 |
| 4 | 0.1 |

We total the points over a calendar year and then change this yearly total into a compliance rating band.

No CCS points – Compliance rating band A

Between 0.1 and 10 CCS points – Compliance rating band B

Between 10.1 and 30 CCS points – Compliance rating band C

Between 30.1 and 60 CCS points – Compliance rating band D

Between 60.1 and 149.9 CCS points – Compliance rating band E

150 and above CCS points – Compliance rating band F

These are the bands that we may use to change your subsistence charges each year. Details of how each band affects the charges are in the Environmental Permitting charging scheme and guidance available on our website.

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If a permit is transferred between operators

If you have a permit that has been transferred from a previous operator, the compliance rating for the previous operator will continue to apply to you. This is because the previous compliance record at a site continues to be a good indicator of the amount of regulatory effort we need to carry out.

If the previous compliance rating was band C, D, E or F, but we have strong evidence that you are very different to the old operator and the previous non-compliance issues have been dealt with, or can be quickly sorted out, we will reset the compliance rating band to band B.

If you have a permit which has been partially transferred to you, we will make a decision on a case-by-case basis as to which operator will receive the compliance rating associated with the pre-transfer permit. This will be based on our knowledge of the site and the operators concerned.

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More information

All the Opra documents are available on our website at opra@environment-agency.gov.uk or by calling our general enquiry line on 03708 506 506.

If you have any questions or comments on Opra, or suggestions about how we could improve either the scheme or any of the supporting documents, please email us at opra@environment-agency.gov.uk, phone us on 03708 506 506 or write to us at:

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We welcome your views, including comments about this document. If you are happy with our service, please tell us about it, as this helps us to identify good practice and rewards our staff. If you are unhappy with our service, please let us know how we can improve it.

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