



Derry City & Strabane
District Council

Comhairle
Chathair Dhoire &
Cheantar an tSraitha Báin

Derry Cittie & Stràbane
Deistrick Cooncil

Part C Declaration Form

Declaration of Reduced Operation

Local Air Pollution Prevention and Control

The Pollution Prevention and Control (Industrial Emissions) Regulations (Northern Ireland) 2013 (as amended)

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 district council 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 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 district council regulator may either

- i) 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
- ii) 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 district council if you need any advice on how to set out the information we need.

¹ i.e. 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.

LAPPC Declaration Form: to be completed by the operator

For district council use		
Application reference	Officer reference	Date received

1. Name of the Installation and Operator

.....
.....

2. Permit Number

.....

3. Name and contact details of person completing the form

.....
.....
.....

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 effective from _____(date) and with an anticipated restart of _____(date if known);

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.

5. Signature of current operator(s).

It is an offence under Regulation 36 of the PPC Regulations, in purported compliance with a requirement to furnish any information imposed by or under these Regulations for any person 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).

Please note that each individual operator must sign the declaration themselves, even if an agent is acting on their behalf.

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

Signature _____ Signature _____

Name _____ Name _____

Position _____ Position _____

Date _____ Date _____

Commercial Confidentiality

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

No Yes

Data Protection

We have a legal requirement to ask for this information. The information you give will be used by the District council to process your application. It will be placed on the relevant public register and used to monitor compliance with the permit conditions. 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.

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

We will only retain this information for as long as is legally required and in line with the Council's Retention and Disposal Schedule.

For further information on your rights, as an individual, go to our website: <http://www.derrystrabane.com/Footer/Privacy-Policy>