

SCHEDULES

SCHEDULE 5

EMISSIONS LIMIT DUTY: MONITORING AND ENFORCEMENT

Enforcement notices

- 2 (1) Enforcement regulations may authorise an enforcing authority to serve an enforcement notice on an operator who has breached the emissions limit duty in respect of any fossil fuel plant—
 - (a) in relation to the year in which the notice is served, or
 - (b) in relation to the preceding year.
- (2) The regulations may specify the requirements that may be imposed on an operator under an enforcement notice.
- (3) Those requirements may in particular include requirements—
 - (a) to take such remedial action in respect of the breach as is specified in the notice,
 - (b) to provide such undertakings in respect of the breach as may be agreed between the operator and the enforcing authority (whether for the taking of remedial action or otherwise), or
 - (c) to comply with a modified emissions limit duty in relation to the fossil fuel plant for any year to take account of excess emissions in earlier years.