

SCHEDULE 19

Regulation 46(1)

Public registers

Matters to be included in a public register

- 1.—(1) A public register must contain a copy of—
 - (a) every application—
 - (i) for the grant of an environmental permit,
 - (ii) to vary an environmental permit,
 - (iii) to transfer an environmental permit in whole or in part, or
 - (iv) to surrender an environmental permit in whole or in part;
 - (b) every notice requesting further information under paragraph 4(1) of Schedule 5,
 - (c) all representations made in respect of an application for an environmental permit or to vary an environmental permit;
 - (d) every environmental permit, variation, transfer in whole or in part, or surrender in whole or in part granted or made by the regulator;
 - (e) every determination or decision notified under paragraph 17(2)(a) of Schedule 5;
 - (f) every enforcement notice, revocation notice, suspension notice, landfill closure notice or notice withdrawing such a notice served by the regulator;
 - (g) in relation to an appeal to an appropriate authority, every—
 - (i) notice of appeal,
 - (ii) document relating to the appeal,
 - (iii) representation made in respect of the appeal, and
 - (iv) determination of the authority, including any report accompanying that determination;
 - (h) all monitoring information obtained by the regulator—
 - (i) as a result of its own monitoring,
 - (ii) by virtue of any environmental permit condition, or
 - (iii) under regulation 60;
 - (i) all other information given to the regulator in compliance with—
 - (i) an environmental permit condition,
 - (ii) an enforcement notice,
 - (iii) a suspension notice,
 - (iv) a landfill closure notice, or
 - (v) regulation 60;
 - (j) every report published by the regulator relating to an assessment of the environmental consequences of the operation of an installation;
 - (k) every direction given to the regulator by an appropriate authority under these Regulations, other than a direction given under regulation 47.
- (2) A public register must also contain—

Status: This is the original version (as it was originally made).

- (a) details of any conviction or formal caution for an offence under regulation 38 in respect of an environmental permit granted by the regulator or a failure to apply to the regulator for an environmental permit;
 - (b) a list identifying all waste incineration installations which—
 - (i) have a capacity of less than 2 tonnes per hour, and
 - (ii) are the subject of an environmental permit containing conditions which give effect to the Waste Incineration Directive; and
 - (c) details of—
 - (i) all fees and charges paid to the local authority pursuant to a scheme under regulation 65, and
 - (ii) the total expenditure of the authority in exercising its functions under these Regulations in respect of permits granted by the authority.
- (3) The regulator may omit a representation referred to in sub-paragraph (1) from its public register at the request of the person making the representation, but it must then include in the public register a statement that a representation was made and was the subject of such a request.
- (4) If the regulator omits monitoring information referred to in sub-paragraph (1) from its public register on the grounds that it is commercially or industrially confidential the regulator must include in the public register a statement indicating whether or not there has been compliance with any environmental permit condition related to that monitoring information and requiring compliance with emission limit values.
- (5) In this paragraph, “waste incineration installation” has the meaning given in Schedule 13.

Information no longer relevant for public participation

2. A regulator is not required to keep in its public register information which is no longer relevant for the purposes of public participation required under these Regulations.

Formal cautions

3. A regulator must remove details of any formal caution from its public register 5 years after the caution was given.