

Response form

Enforcement and Sanctions Guidance for the European Union Emissions Trading System, CRC Energy Efficiency Scheme and Climate Change Agreements

Your details

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<p>When we come to analyse the results of this consultation, it would help us to know if you are responding as an individual or on behalf of an organisation or group. Please select from the following options:</p> <p><input type="checkbox"/> Responding as an individual</p> <p><input checked="" type="checkbox"/> Responding on behalf of an organisation (<i>Please specify which organisation or group you are responding on behalf of and include what type it is e.g.business, environmental group</i>) Mineral Products Association, Trade Association.</p> <p><input type="checkbox"/> Other (<i>please specify</i>)</p> <p>Put a cross in this box if you are requesting non-disclosure of your response. <input type="checkbox"/> Please provide an explanation to support your request.</p>	

How we will use your information

The Environment Agency will look to make all responses publicly available during and after the consultation, unless you have specifically requested that we keep your response confidential.

We will not publish names of individuals who respond.

We will also publish a summary of responses on our website in which we will publish the name of the organisation for those responses made on behalf of organisations.

In accordance with the Freedom of Information Act 2000, we may be required to publish your response to this consultation, but will not include any personal information. If you

have requested your response to be kept confidential, we may still be required to provide a summary of it.

We welcome your views Enforcement and Sanctions Guidance

1. Are you a participant under the EU ETS, CRC or CCA? If so, please identify all of the schemes that apply to your organisation.

Your comments

The Mineral Products Association (MPA) is the trade association for the aggregates, asphalt, cement, concrete, dimension stone, lime, mortar and silica sand industries. With the recent addition of The British Precast Concrete Federation (BPCF) and the British Association of Reinforcement (BAR), it has a growing membership of 480 companies and is the sectoral voice for mineral products. MPA membership is made up of the vast majority of independent SME companies throughout the UK, as well as the 9 major international and global companies. It covers 100% of GB cement production, 90% of aggregates production, 95% of asphalt and ready-mixed concrete production and 70% of precast concrete production. Each year the industry supplies £9 billion of materials and services to the £120 billion construction and other sectors. Industry production represents the largest materials flow in the UK economy and is also one of the largest manufacturing sectors. For more information visit:

www.mineralproducts.org

MPA cement, lime and some asphalt members are regulated under EU ETS. The cement and lime sectors hold CCA's and many MPA members are also regulated in CRC.

2. Who is your regulator(s)?

Your comments

The Environment Agency regulates the cement and lime sites in England, Natural Resources Wales regulates cement sites in Wales, SEPA regulates a cement site in Scotland and NIEA regulates cement sites in Northern Ireland.

3. Do you agree with the proposed public interest factors set out in the draft guidance for all regimes? If not, please explain why and provide details of any alternatives.

Yes

No

Don't know

Your comments

MPA agrees with the list of public interest factors set out in the consultation document. It is important that each non-compliance is assessed on a case by case basis taking each factor into account as, for example, an accidental non-compliance that is reported to the regulator as soon as it is discovered should be treated differently to a deliberate non-compliance.

4. Do you agree that the content of the draft guidance accurately reflects the provisions of the legislation in terms of the basis for enforcement action, the powers and duties that are set out, and the scope for discretion? If not, please highlight where you think this is not the case for each regime and explain why.

Yes

No

Don't know

Your comments

MPA are pleased that the EA are prepared to use discretion and take a flexible approach where the legislation allows.

5. Do you agree that the content of the draft guidance clearly explains our proposed enforcement approach for EU ETS, CRC and CCA? If not, please explain where you think this is not the case for each regime and provide details of any alternatives.

Yes

No

Don't know

Your comments

6. Do you agree that our enforcement approach for EU ETS, CRC and CCA is fair and proportionate in line with the legislation that it relates to? If not, please explain where you think this is not the case for each regime and provide details of any alternatives.

Yes

No

Don't know

Your comments

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7. Do you have any other comments on the draft guidance?
<input type="checkbox"/> Yes
<input checked="" type="checkbox"/> No
Your comments

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Please tell us how you found out about the Enforcement and Sanctions Guidance for the European Union Emissions Trading System, CRC Energy Efficiency Scheme and Climate Change Agreement consultation:

- From the Environment Agency
 - From another organisation
 - Through an organisation you're a member of
 - Advert
 - Press article
 - Social media e.g. Facebook, Twitter
 - Through a meeting you attended
 - Other (please specify)
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Returning your response

Your response to this consultation needs to be returned by **21 March 2014**.

We would like you to use this form if you are not submitting your response online. You can return it by email to kate.badger@environment-agency.gov.uk. Please use this email address if you have any questions regarding this consultation.

Or by post to:

Kate Badger, Environment Agency, Horizon House, Deanery Road, Bristol, BS1 5AH

Other comments

This form is to be used when responding to the **Enforcement and Sanctions Guidance for the European Union Emissions Trading System, CRC Energy Efficiency Scheme and Climate Change Agreement consultation**. If you have any queries or comments in relation to other issues you would like to raise with us, please contact our National Customer Contact Centre on:

Tel: 03708 506 506 (Mon-Fri, 8am - 6pm)

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