

Dudley Metropolitan Borough Council

**The Environmental Permitting (England and Wales) Regulations 2016  
Regulation 61(1) Notice requiring information**

**Notice specifying the format and deadline for supplying information on releases and off-site transfers waste or pollutants as required by Article 5 of EC Regulation No 166/2006 concerning the establishment of a European Pollutant Release and Transfer Register (E-PRTR)**

To: Brockmoor Foundry Limited at Leys Road, Brockmoor, Brierley Hill, West Midlands. DY5 3UJ.

Dudley Metropolitan Borough Council (“the Council”), in the exercise of the powers conferred upon it by regulation 61(1) of the Environmental Permitting (England and Wales) Regulations 2016<sup>1</sup>, and as a competent authority for the purposes of Article 5 of the EC Regulation No 166/2006 hereby requires you -

- (a) to furnish the Council at the internet address set out below the information specified in the Schedule attached to this Notice (“the Schedule”);
- (b) to furnish that information using the PRTR data management system at the internet address specified in the Schedule;
- (c) to furnish that information by the date specified in the Schedule .

Dudley Metropolitan Borough Council  
People Directorate  
Environmental Safety and Health  
4 Ednam Road  
Dudley  
DY1 1HL

Signed on behalf of Dudley Metropolitan Borough Council



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Date.....15<sup>th</sup> May 2017.....

Lynda Fawthrop  
Principal Environmental Health Officer  
An authorised officer of the Council.

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<sup>1</sup> S.I. 2016/No.1154

**SCHEDULE**

| <b>INFORMATION TO BE SUPPLIED TO THE COUNCIL</b>   | <b>FORMAT OF THE SUBMISSION</b>   | <b>DEADLINE FOR THE SUBMISSION</b> |
|--|---|------------------------------------|
| All information required to be reported by operators of facilities in accordance with Article 5 of the Regulation (EC) No 166/2006 concerning the establishment of a European Pollutant Release and Transfer Register for the <b>2016</b> calendar reporting year. | To be submitted using only the PRTR data management system at <a href="http://prtr.defra.gov.uk/data-entry-system/">http://prtr.defra.gov.uk/data-entry-system/</a> | <b>Monday 03 July 2017</b>         |

Signed on behalf of Dudley Metropolitan Borough Council



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Date...15<sup>th</sup> May 2017.....

Lynda Fawthrop  
Principal Environmental Health Officer  
An authorised officer of the Council.

## *Guidance for Operators receiving the Information Notice*

(This guidance does not form part of the Information Notice, but it is for the guidance of those served with the notice.)

### **1. Responding to an Information Notice requirement**

There is a legal obligation imposed directly on all European facility operators that carry out activities within the capacity thresholds specified in Annex I of Regulation (EC) No 166/2006 concerning the establishment of a European Pollutant Release and Transfer Register (known as the E-PRTR). Under Article 5 of Regulation (EC) No 166/2006, each operator has an obligation to collect information on releases and off-site transfers of pollutants and wastes from the facility, and must annually report these to their competent authority.

This Notice, issued pursuant to Regulation 61(1) of the Environmental Permitting (England and Wales) Regulations 2016 requires you to supply that information in the specified format to the Council in its role as competent authority.

The [legal person/individual] named in this Notice is required to supply the information detailed using the PRTR data management system at <http://prtr.defra.gov.uk/data-entry-system/> within the timescale specified. Guidance on how to use the system can be accessed through the 'Help guide' once logged in or via the landing page once the system is launched.

### **2. Confidentiality**

Under article 4(2) of Directive 2003/4/EC (public access to environmental information) and the E PRTR guidance, it is only possible to claim confidentiality in certain limited cases. If you wish to do this, you must provide detailed documentation to justify your claim. **Please note that it is not possible under the Directive to make a claim for confidentiality in terms of emissions/releases to the environment.** Further guidance on confidentiality can be found in chapter 8 of the LA-IPPC and LAPPCC Guidance.

### **3. Offences**

A person guilty of an offence under this regulation could be liable (i) on summary conviction, to a fine not exceeding the statutory maximum<sup>2</sup>; or (ii) on conviction to a fine or imprisonment for a term not exceeding two years or both.

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<sup>2</sup> The statutory cap on the maximum fine that can be imposed on summary conviction (previously £5,000) has been removed for most statutory criminal offences. The change applies to offences committed on or after 12 March 2015 (but is not retrospective); See *The Legal Aid, Sentencing and Punishment of Offenders Act 2012 (Fines on Summary Conviction) Regulations 2015 (SI 2015/664)*.