
DRAFT STATUTORY INSTRUMENTS

2015 No.

The Emissions Performance Standard Regulations 2015

PART 3

Monitoring and Enforcement in England

Publication of information

18.—(1) Subject to paragraph (3), the Environment Agency may publish any of the information stated in paragraph (2) in relation to an enforcement notice or civil penalty notice on or after the later of—

- (a) the day following expiry of the period for making an appeal against the imposition of the notice, if no appeal is made; or
- (b) the determination or withdrawal of the appeal, if an appeal is made.

(2) The information referred to in paragraph (1) is—

- (a) the identity of the operator subject to the enforcement notice or civil penalty notice;
- (b) in the case of an enforcement notice, remedial action required to be taken to remedy the breach of the emissions limit duty;
- (c) in the case of a civil penalty notice, the amount payable under the civil penalty notice; and
- (d) if the notice has been the subject of an appeal under regulation 17, the result of that appeal.

(3) The Environment Agency must not publish the information stated in paragraph (2) in relation to an enforcement notice or civil penalty notice if—

- (a) the operator is found on appeal not to have breached the emissions limit duty; or
- (b) the enforcement notice or civil penalty notice has been withdrawn.