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STATUTORY INSTRUMENTS

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**2015 No. 810**

**The Environmental Damage (Prevention and Remediation) (England) Regulations 2015**

**PART 3**

Remediation

**Appeal against a remediation notice**

**21.**—(1) A responsible operator may appeal against a remediation notice on the grounds that its contents are unreasonable by giving notice of appeal to the Secretary of State.

(2) An appeal may only be brought against those parts of the remediation notice that specify requirements which are different from proposals submitted by the responsible operator in accordance with a notification under regulation 18(1)(c).

(3) Notice of appeal must be served within 28 days of service of the remediation notice unless the time limit is extended by the Secretary of State.

(4) Schedule 5 contains procedures for the appeal.

(5) The Secretary of State or the person appointed by the Secretary of State to deal with the appeal—

- (a) may confirm, vary or quash the notice;
- (b) must give written notification of the final decision and the reasons for it; and
- (c) may, if appropriate, add further compensatory remediation requirements necessitated by the lapse of time since the remediation notice was served.

(6) A remediation notice need not be complied with pending determination of an appeal unless the person hearing the appeal directs otherwise.

**Changes to legislation:**

There are currently no known outstanding effects for the The Environmental Damage (Prevention and Remediation) (England) Regulations 2015, Section 21.