

Response ID ANON-RENP-J35H-F

Submitted to Environment Agency charge proposals for April 2025: Reducing waste crime and updating time and materials charges
Submitted on 2025-01-17 12:03:01

Introduction

How we will use your information

What is your email address?

Email:
simon.wood@fuelsindustryuk.org

Can we publish your response?

If you answered no, please tell us why.:

Yes

About you or your organisation

Are you providing an individual or personal response, or a response on behalf of an organisation?

b) responding on behalf of an organisation, group or trade association

If you chose (b) what is the name of the organisation, group or trade association?:
Fuels Industry UK

If you chose (c) please specify.:

If you are responding on behalf of an organisation how many people work there?

fewer than 10

What is your main area of business?

other

If you selected 'other' please specify.:

Downstream petrochemical production, storage, distribution and marketing.

How did you find out about this consultation?

from the Environment Agency

If you selected 'other,' please tell us how you found out about the consultation. :

Please click 'continue' or select which of the following consultation questions you would like to view next.

Time and materials (hourly rates)

Time and materials (hourly rate) charge proposals: unplanned events

Question 18: Do you agree or disagree with the proposed change to the hourly rate for unplanned events supplementary subsistence activities?

neither agree nor disagree

Why do you think this?:

Time and materials (hourly rate) charge proposals: radioactive substances (nuclear and non-nuclear activity)

Question 19: Do you agree or disagree with the proposed change to the hourly rate for radioactive substances activities carried out by a nuclear specialist?

neither agree nor disagree

Why do you think this? :

Question 20: Do you agree or disagree with the proposed change to the hourly rate for any other work carried out in relation to radioactive substances permits?

neither agree nor disagree

Why do you think this? :

Time and materials (hourly rate) charge proposals: nuclear off-site emergency plan testing (under REPPIR)

Question 21: Do you agree or disagree with the proposed hourly rate charges for REPPIR nuclear off-site emergency plan testing?

neither agree nor disagree

Why do you think this?:

Time and materials (hourly rate) charge proposals: control of major accident hazards (COMAH)

Question 22: Do you agree or disagree with the proposed change to the hourly rate for incident exercise activity for COMAH?

neither agree nor disagree

Why do you think this?:

Question 23: Do you agree or disagree with the proposed change to the hourly rate for COMAH compliance activity?

strongly disagree

Why do you think this?:

Charges for certain activities should increase based on the level of activity to deliver the service. It is also fair to work to the principle that the greater the environmental risk, the more resource is expended and the greater the cost to be recovered through charges.

However, Fuels Industry UK believes that with an increase in charges, there needs to be visible improvements in the flexibility of the service to respond to innovation and the timeliness of delivery of the service. It would not be acceptable to raise charges and deliver the same level of service with no visible improvement. The proposal to increase COMAH fees from £161/hr to £264/hr is excessive and the consultation does not back the proposal with a fair or reasonable argument for such a large increase.

Fuels industry UK believes that the COMAH charges should be set at a rate that is in keeping with the Environment Agency's Competent Authority partners.

The rate last changed in 2018, to £161/hr, in line with an adjustment for inflation at the time. By applying Consumer Prices Index (CPI) to the calculation for the period 2018 to 2024 the hourly rate would increase to £205/hr, today. The increase to £264/hr is vastly more than applying an inflationary adjustment and is excessive. It is also out of line with other bodies that make up the competent authority. The HSE and NRW currently charge £202/hr for COMAH activities.

Section 7.6 of the current EA business plan for 2024/25, on efficiencies and value for money, states "We will improve management of our finances and value for money by:... reviewing more of our fees and charges, to ensure that the true cost of services is met by those that use them and bring our charges into line with other government bodies". On this basis, it is not justified to charge more than the other elements of the Competent Authority for COMAH activities.

The EA model is expected to result in lower levels of unproductive time, travel and expenses than HSE. The EA COMAH inspectors are local so should have fewer unchargeable hours as they have less distance to travel and fewer hotel bills that need to be taken into account in the headline rate. In addition, Section 6 of the EA business plan indicates that the EA should be searching for efficiencies, which is not reflected by this proposal.

Time and materials (hourly rate) charge proposals: water pollution incident activity

Question 24: Do you agree or disagree with the proposed change to the hourly rate for water pollution incidents?

neither agree nor disagree

Why do you think this?:

Time and materials (hourly rate) charge proposals: definition of waste

Question 25: Do you agree or disagree with the proposed change to the hourly rate for work carried out by the definition of waste service?

neither agree nor disagree

Why do you think this?:

Time and materials (hourly rate) charge proposals: hydraulic fracturing plans

Question 26: Do you agree or disagree with the proposed change to the hourly rate for work relating to hydraulic fracturing plans?

neither agree nor disagree

Why do you think this?:

Time and materials (hourly rate) charge proposals: planning activity (work of our Sustainable Places teams)

Question 27: Do you agree or disagree with the proposed change to the hourly rate for planning activity (work of our Sustainable Places teams)?

neither agree nor disagree

Why do you think this?:

Time and materials (hourly rate) charge proposals: voluntary remediation (legacy pollution)

Question 28: Do you agree or disagree with the proposed charge for a discretionary service offering advice on voluntary remediation (legacy pollution)?

neither agree nor disagree

Why do you think this?:

Time and materials (hourly rate) charge proposals: additional comments

Question 29: Please share any additional comments you think may help us to improve our hourly rate charge proposals. (Specify which charge if relevant.)

Question 25: Please share any additional comments you think may help us to improve our hourly rate charge proposals. (Specify which charge if relevant.):

Control of major accident hazards (COMAH)

Fuels Industry UK understands the challenges of delivering the range of regulatory services and the complexities associated with recovery of those costs for delivering services to regulated business.

Charges for certain activities should increase based on the level of activity to deliver the service. It is also fair to work to the principle that the greater the environmental risk, the more resource is expended and the greater the cost to be recovered through charges.

However, Fuels Industry UK believes that with an increase in charges, there needs to be visible improvements in the flexibility of the service to respond to innovation and the timeliness of delivery of the service. It would not be acceptable to raise charges and deliver the same level of service with no visible improvement. The proposal to increase COMAH fees from £161/hr to £264/hr is excessive and the consultation does not back the proposal with a fair or reasonable argument for such a large increase.

Fuels industry UK believes that the COMAH charges should be set at a rate that is in keeping with the Environment Agency's Competent Authority partners.

The rate last changed in 2018, to £161/hr, in line with an adjustment for inflation at the time. By applying Consumer Prices Index (CPI) to the calculation for the period 2018 to 2024 the hourly rate would increase to £205/hr, today. The increase to £264/hr is vastly more than applying an inflationary adjustment and is excessive. It is also out of line with other bodies that make up the competent authority. The HSE and NRW currently charge £202/hr for COMAH activities.

Section 7.6 of the current EA business plan for 2024/25, on efficiencies and value for money, states "We will improve management of our finances and value for money by:... reviewing more of our fees and charges, to ensure that the true cost of services is met by those that use them and bring our charges into line with other government bodies". On this basis, it is not justified to charge more than the other elements of the Competent Authority for COMAH activities.

The EA model is expected to result in lower levels of unproductive time, travel and expenses than HSE. The EA COMAH inspectors are local so should have fewer unchargeable hours as they have less distance to travel and fewer hotel bills that need to be taken into account in the headline rate. In addition, Section 6 of the EA business plan indicates that the EA should be searching for efficiencies, which is not reflected by this proposal.

Please click 'continue' or select which of the following consultation questions you would like to view next.

Go to end (if you don't want to view any more consultation questions)

Waste crime: priority areas and additional comments

Question 31: In your opinion, which of the following strategic waste crime themes should be prioritised? Select up to three themes in order of importance.

First priority:

Second priority:

Third priority:

Why do you think this? If you responded with 'other', please explain what you consider to be the priority.:

Question 32: Please share any additional comments that you think may help us improve our current proposals or future consultations.

Question 27: Please share any additional comments that you think may help us improve our current proposals or future consultations.: