

# **FAQ on the 'improvement report' that may need to be submitted to the Environment Agency through ETSWAP by 30 June 2012**

Operators reporting to the United Kingdom Environment Agency (UKEA) may have received a request to submit a 'improvement report'. Operators that did receive such a request are invited to read our FAQ that can be downloaded below.

In short, operators that had any 'non-conformities' and/or 'misstatements' and/or 'recommended improvements' in their verified 2011 annual emissions report have to submit an improvement report to the UKEA through ETSWAP by 30 June 2012.

## ***What is the legal background to submit an improvement report?***

The requirement for the emissions monitoring plans of aircraft operators to include conditions is set out in Regulation 23 of ['The Aviation Greenhouse Gas Emissions Trading Scheme Regulations 2010'](#) ('2010 Regulations').

## ***What triggers the requirement for an operator to submit an improvement report?***

The requirement to submit an 'improvement report' is detailed in condition 2 of the standard list of conditions that now appears at the front of your emissions monitoring plan (AEM plan).

Operators whose verified emissions report contains non-conformities and/or misstatements have a task to complete and submit an improvement report. The improvement report should describe how the non-conformities and/or misstatements identified by their verifier will be addressed.

However in addition to this, operators whose verified emissions report contains a 'recommended improvement' also have a task to complete and submit an improvement report. The UKEA considers that in some circumstances the 'recommended improvement' identified should have resulted in a non-conformity or misstatement being identified.

## ***How is the improvement report submitted?***

The improvement report must be completed and submitted to the UKEA through ETSWAP. The task to complete an improvement report is relatively straightforward.

If you click on the 'improvement report' task in your ETSWAP work queue, it will open up a report form for you to complete. This form is pre-populated with the 'Item ref', 'recommended improvement' and 'comment type'.

You need to complete the 'Operator response'; and 'proposed date for improvement' sections. In the 'Operator response' section you should identify how you will address the non-conformity, misstatement or recommended improvement.

Once you have completed the form you will need to save it and submit it to the UKEA through the system.

***Is there a charge to submit an improvement report?***

There is no charge to submit an improvement report to the UKEA and improvement reports do not have to be verified prior to submission.

Should the 'improvement' required result in an operator needing to submit a variation request to the UKEA, there may be a fee associated with this submission.

***What happens if an operator fails to submit an improvement report?***

If an operator fails to submit an improvement report contrary to condition 2 of their AEM plan, they may be liable to receive a civil penalty under Regulation 37 of '[The Aviation Greenhouse Gas Emissions Trading Scheme Regulations 2010](#)' (1,500 GBP and GBP 150 for each day that the aircraft operator fails to comply with regulation 24 following the service of a notice under regulation 30(1), up to a maximum of GBP 13,500).