



# Consultation on amendments to standard rules

Incorporation of decarbonisation readiness requirements, carbon capture at anaerobic digestion facilities and withdrawal of SR2009 No4

October 2025

We are the Environment Agency. We protect and improve the environment.

We help people and wildlife adapt to climate change and reduce its impacts, including flooding, drought, sea level rise and coastal erosion.

We improve the quality of our water, land and air by tackling pollution. We work with businesses to help them comply with environmental regulations. A healthy and diverse environment enhances people's lives and contributes to economic growth.

We can't do this alone. We work as part of the Defra group (Department for Environment, Food & Rural Affairs), with the rest of government, local councils, businesses, civil society groups and local communities to create a better place for people and wildlife.

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#### **Foreword**

The Environment Agency is the environmental regulator for combustion activities and biological treatment of waste activities in England.

#### **Decarbonisation readiness**

The Department for Energy Security and Net Zero (DESNZ) has expanded the scope of the current Carbon Capture Readiness (CCR) requirements through the <a href="Environmental Permitting">Environmental Permitting (Electricity Generating Stations)</a> (Amendment) Regulations 2025. This added Schedule 25C to the <a href="Environmental Permitting">Environmental Permitting</a> (England and Wales) Regulations 2016 (EPR). The new requirements are called decarbonisation readiness (DR)

From 28 February 2026, operators applying for environmental permits will need to include a decarbonisation readiness (DR) report for certain new or substantially refurbished electricity generators. Operators will also need to maintain and review these reports.

This consultation includes proposed new conditions which will be added to some standard rules to reflect the new decarbonisation readiness requirements. We are seeking your views on these conditions.

#### **Anaerobic digestion**

Some anaerobic digestion (AD) activities can currently be undertaken in accordance with standard rules permits. These standard rules do not allow upgrading to biomethane involving carbon capture and temporary storage for utilisation. A bespoke permit is required for this.

This consultation includes proposed new conditions which will be added to existing anaerobic digestion standard rules in the future. Where operators can meet these, they will be able to undertake carbon capture, upgrade and storage for use.

This consultation also include a proposal to withdraw standard rules <u>SR2009 No 4:</u> combustion of biogas in engines at a sewage treatment works as we are of the opinion it is no longer required.

This consultation will be of interest to:

 operators of in scope electricity generators and others that have an interest in decarbonisation. This will include operators and other businesses, trade associations, national and local government, non-governmental organisations, other regulators, academic institutions, individuals and community groups with an interest in decarbonisation, and  existing or new operators of permitted AD plant who currently or would like to capture, upgrade and store carbon dioxide.

#### **Background**

#### **Decarbonisation readiness**

In October 2024, the Government published its <u>Decarbonisation readiness: updates to the 2009 Carbon Capture Readiness requirements</u>. This was the government's response to the consultation they conducted on expanding and updating Carbon Capture Readiness requirements. Carbon Capture Readiness will now be known as decarbonisation readiness. The <u>Environmental Permitting (England and Wales) Regulations 2016 (EPR)</u> was amended on 26 February 2025 to include decarbonisation readiness requirements.

In February 2025, the Environment Agency published a consultation on <u>Decarbonisation</u> Readiness: Proposed Guidance. This closed on 9 May 2025. Our response to the consultation and link to the finalised guidance can be found on the original consultation page once they are published.

EPR allows us to develop standard rules for certain activities. Standard rules permits of certain combustion activities are already published but we now need to amend them to bring in decarbonisation readiness requirements.

#### Anaerobic digestion and carbon capture, upgrading and storage

In April 2022, we published a regulatory position statement (RPS): <u>Guidance on Treating</u>, <u>storing</u>, <u>and using carbon dioxide from anaerobic digestion: RPS 255</u>. An RPS records our position that we will not usually bring enforcement action in relation to the activity to which the RPS relates, provided the conditions are complied. Our position is that operators can install and operate a carbon capture and upgrade process at AD plant, provided operators notify and apply for a permit. Currently this requires a bespoke permit application even if the rest of the operation is currently able to meet standard rules.

Incorporating carbon capture, upgrading and storage conditions into AD standard rules would enable operators of standard rules permits to upgrade carbon dioxide from their plant. The RPS would no longer be relevant. We are considering requiring all new AD facilities to have this additional technology in the future.

#### Withdrawal of SR2009 No 4

In 2021, we published a new standard rules for AD at sewage treatment works which included provisions for combustion of biogas: <u>SR2021 No 10</u>: <u>anaerobic digestion of non-hazardous sludge at a waste water treatment works, including the use of the resultant</u>

<u>biogas</u>. These standard rules covered the activities included in <u>SR2009 No 4: combustion</u> of biogas in engines at a sewage treatment works.

We are now of the view that <u>SR2009 No 4: combustion of biogas in engines at a sewage treatment works</u> is no longer required.

## What we are consulting on

The Environmental Permitting (England and Wales) Regulations 2016 (EPR) allow us to develop and amend standard rules for certain activities. We base the rules on our understanding of the risks and legislative requirements.

We are asking for your views on:

- whether proposed conditions adequately incorporate the decarbonisation readiness requirements applicable to standard rules permit holders
- whether the proposed conditions for AD standard rules sets adequately enable the capture, upgrade and storage of carbon dioxide
- the removal and withdrawal of SR2009 No 4: combustion of biogas in engines at a sewage treatment works.

We will consider comments that are related to the changes to the specific standard rule sets in this consultation, and related issues as outlined in the questions. For other concerns outside of this, email the National Customer Contact Centre at <a href="mailto:enquiries@environment-agency.gov.uk">enquiries@environment-agency.gov.uk</a> and they will forward these to the appropriate team.

#### How standard rules work

#### What standard rules are

Standard rules are a fixed set (or sets) of rules that an operator must comply with. The standard rules:

- · define the activities that an operator can carry out and
- specify necessary restrictions on those activities

Standard rules are published on <u>GOV.UK</u> following public consultation.

Any operator who wishes to carry out a particular activity at a particular site or sites can look at the standard rules and if they can comply with them, can decide to apply for a standard rules permit.

We can issue the standard permit more quickly and cheaply because we have no decisions to make on site-specific permit conditions. An operator who cannot meet the requirements of the standard rules must apply for a bespoke permit and provide us with additional information. It takes us longer to issue a bespoke permit because we must carry out a more detailed assessment of the application. This includes deciding whether to include site-specific conditions and consult in line with our <u>public participation statement</u>.

There is no right of appeal against the rules in a standard permit because applying for a standard permit is voluntary. If an operator wants to change the way their site operates, they must apply to vary the standard permit to a bespoke permit when:

- · their operation falls outside the scope of the standard rules
- · they feel that the standard permit no longer works for their particular operation

Operators must apply for a bespoke permit for any regulated activities not covered by standard rules. These activities generally have a higher potential impact on the environment or require more complex controls than operations for which standard rules can be used.

We will give operators of existing standard rules permits notice of when the standard rules will change.

## **Decarbonisation readiness proposals**

#### **New conditions**

We are proposing new conditions to incorporate decarbonisation readiness requirements required by legislative changes. Our intention is for the proposed conditions to become effective on 28 February 2026 to align with the regulations coming into force.

#### **Background**

The regulations state that:

- from 28 February 2026, for newly installed or substantially refurbished relevant generators, operators must have a DR report when applying for a permit
- we may grant a permit if the CCR (carbon capture readiness) or HCR (hydrogen conversion readiness) conditions are met
- operators must review their decarbonisation report at least every 2 years
- we may condition permits to require DR report review findings to be reported to us
- we may condition permits to require operators to meet the CCR or HCR conditions

We are proposing conditions to reflect this. So that we are able to ensure compliance with conditions and the regulations, we are also proposing conditions that require the operator to:

submit their DR report to us on request

We have produced guidance on how operators can meet decarbonisation readiness requirements.

Our application forms will be updated to allow operators to confirm that decarbonisation readiness requirements have been met.

Standard rules permit application charge bands and annual subsistence charges will not change as a result of these conditions. However, an additional charge is proposed for assessing applications where an operator's DR report concludes it is not reasonably practicable to achieve decarbonisation readiness. How an operator may arrive at this conclusion is covered in our guidance. The charging proposal is being consulted separately that is due to be published at the end of October 2025.

#### For standard rules permits granted after 28 February 2026

When applying for a new standard rules permit involving relevant generators, operators will need a DR report. If the CCR or HCR conditions have been met, the operator may state this without the need for the report to be submitted for further assessment. If the CCR or HCR conditions have not been met, a standard rules permit will not be granted.

A 'relevant generator' is defined in the Regulations as a generator used to produce electricity that is newly installed or substantially refurbished on or after 28 February 2026.

#### For standard rules permits granted before 28 February 2026

Operators may apply to add relevant generators which are new or substantially refurbished to their existing standard rules permit. If the CCR or HCR conditions have been met, the operator may state this without the need for the report to be submitted for further assessment. If the CCR or HCR conditions have not been met, the operator must provide information to satisfy us that it is not reasonably practicable to meet the CCR or HCR conditions. This must be due to location or technical characteristics of the relevant generator. We may still determine these applications and decide to grant the permit in such cases.

The proposed conditions will not apply to existing standard rules permit operators until relevant generators are added including where plant is substantially refurbished and becomes 'new'.

#### **Proposed conditions**

We propose adding the following conditions and interpretations to the identified standard rules:

#### x.x Decarbonisation readiness

- x.x.1 Where an operator has included with an application relating to this permit a CCR technical assessment, a HCR technical assessment or a statement that the CCR conditions or HCR conditions are met, the operator shall:
  - a) keep a site-specific decarbonisation readiness report;
  - b) review and update the decarbonisation readiness report at intervals not exceeding 2 years;
  - c) provide a copy of the report to the Environment Agency on request; and
  - d) ensure that the CCR conditions or the HCR conditions are met.

#### 4.4 Interpretation

"decarbonisation readiness report" has the meaning as defined in Schedule 25C of The Environmental Permitting (England and Wales) Regulations SI 2016 No.1154

"CCR conditions" has the meaning set out in paragraph 4 of Schedule 25C of The Environmental Permitting (England and Wales) Regulations SI 2016 No.1154

"CCR technical assessment" has the meaning as defined in Schedule 25C of The Environmental Permitting (England and Wales) Regulations SI 2016 No.1154

"HCR conditions" has the meaning set out in paragraph 5 of Schedule 25C of The Environmental Permitting (England and Wales) Regulations SI 2016 No.1154

"CCR" means carbon capture readiness

"HCR means hydrogen conversion readiness

"HCR technical assessment" has the meaning as defined in Schedule 25C of The Environmental Permitting (England and Wales) Regulations SI 2016 No.1154

#### Identified standard rules to be changed

The proposed conditions will be added to the following standard rules:

- SR2018 No 1: Specified Generator, Tranche B low risk, base load operation between 0 5 MWth
- SR2018 No 4: Specified Generator, Tranche B low risk, 0 20 MWth of gas or abated diesel engines operated less than 500 hours a year
- SR2021 No 6: Anaerobic digestion facility, including use of the resultant biogas installations

- SR2021 No 7: anaerobic digestion facility, including use of the resultant biogas waste recovery operation
- SR2021 No 8: on-farm anaerobic digestion facility using farm wastes only, including use of the resultant biogas installations
- SR2021 No 9: on-farm anaerobic digestion facility, including use of the resultant biogas waste recovery operation
- SR2021 No10: Anaerobic digestion of non-hazardous sludge at a wastewater treatment works, including the use of resultant biogas

There are some additional medium combustion plant and specified generator standard rules which decarbonisation readiness would apply to. However, we are currently consulting on their withdrawal through our online consultation entitled <a href="Changes to standard rules permits for medium combustion plant and specified generators">Changes to standard rules permits for medium combustion plant and specified generators</a>. This closes on 9 November 2025. If the proposals in that consultation are not taken forward, decarbonisation readiness will also be applicable to those standard rules.

## **Anaerobic digestion proposals**

#### **New conditions**

We are proposing new conditions to incorporate carbon capture, upgrading and storage. This includes requiring operators take into account this activity in their accident management plans. Our intention is for the proposed conditions to become effective on 28 February 2026 so that we can make one update to include these conditions and decarbonisation readiness conditions.

#### **Proposed conditions**

We propose adding or amending the following conditions to the identified standard rules:

 The current treatment of biogas and biomethane activity under condition 2.1 will be amended to include (d) and (e):

#### 2.1 Permitted activities

#### Activity XX – treating biogas and biomethane with gas storage

Under WFD [Waste Framework Directive] Annex II operations, activity *XX* is R3 – recycling and reclaiming organic substances which are not used as solvents.

The activity is limited to:

(a) gas storage and drying

- (b) gas cleaning and upgrading to biomethane by biological or chemical scrubbing. Where chemical scrubbing excludes use of amine-based solvents or other novel techniques with the potential to emit substances to air or water
- (c) injecting upgraded biomethane to the national grid
- (d) separation of carbon dioxide produced from upgrading biogas to biomethane. Separation is limited to physical techniques. Chemical scrubbing by use of amine based solvents or other techniques with the potential to emit substances to air and water is excluded.
- (e) treatment and storage of carbon dioxide, to meet food and beverage or industrial grade standards

#### • Two new techniques will be added to condition 2.4:

#### 2.4 Operating techniques

#### **Technique XX**

Treatment of biogas to produce carbon dioxide using physical treatment methods shall be limited to one or a combination of:

- (a) filtering, for example membrane separation, pressure or vacuum swing adsorption and cryogenic gas separation
- (b) washing
- (c) water scrubbing
- (d) distillation
- (e) compressing
- (f) condensation
- (g) drying
- (h) cooling

Carbon dioxide produced shall meet food and beverage or industrial grade standards for use.

Treatment shall achieve a capture rate of at least 95% of carbon dioxide recovered.

#### **Technique XX**

Store recovered carbon dioxide in secure storage vessels in line with <u>the Health</u> and <u>Safety Executive's guidance, General hazards of Carbon Dioxide</u> and <u>Major</u> hazard potential of CCS

Storage of carbon dioxide is limited to 150 tonnes at any one time. There shall be no venting of stored carbon dioxide.

Storage of carbon dioxide is limited to 6 months prior to use.

#### • Condition 4.2 will be amended to add a new condition:

#### 4.2 Reporting

4.2.X The operator shall keep records of the tonnages of carbon dioxide captured and exported from the site, dates of export and destination of captured carbon dioxide. This information shall be reported to the Environment Agency in an annual report at a frequency specified in Table 4.2 below. Records shall be maintained for at least 2 years.

#### Table 4.2 will be amended to include carbon capture, upgrading and storage:

#### **Table 4.2 Reporting requirements**

| Parameter  | Emission or monitoring point (reference) | Report frequency                       |
|--|--|--|
| Captured,<br>treated and<br>stored carbon<br>dioxide | In accordance with 4.2.X                 | Yearly summary report by 31<br>January |

 The interpretation of 'accident management plan' in condition 4.4 will be amended to include an additional sentence. It will require operators to consider the loss of containment of recovered carbon dioxide:

#### 4.4 Interpretation

'Accident management plan' means a plan that identifies risks and failures which can have an impact on the environment or have environmental consequences. The plan must minimise the potential causes and consequences and identify clearly, the roles, responsibilities and action to be taken to minimise the consequences of accidents. This includes measures to prevent and control fires on site (see fire prevention plan). This must take into account any raw material stored on site and include clearly marked zoning as identified in the DSEAR [Dangerous Substances and Explosive Atmospheres Regulations] risk assessment or plan. The plan must take into account the potential for accidental loss of containment of recovered carbon dioxide and impact to sensitive receptors outside of the site boundary.

#### Identified standard rules to be changed

These conditions would apply to the following standard rules:

- SR2021 No 6: Anaerobic digestion facility, including use of the resultant biogas installations
- SR2021 No 7: anaerobic digestion facility, including use of the resultant biogas waste recovery operation
- SR2021 No 8: on-farm anaerobic digestion facility using farm wastes only, including use of the resultant biogas installations
- SR2021 No 9: on-farm anaerobic digestion facility, including use of the resultant biogas waste recovery operation
- SR2021 No10: Anaerobic digestion of non-hazardous sludge at a wastewater treatment works, including the use of resultant biogas

#### **Proposed withdrawal**

We propose withdrawing the following standard rules:

• SR2009 No 4: combustion of biogas in engines at a sewage treatment works as these are no longer required and have been incorporated into SR 2021 No 10.

Operators using this standard rules will need to apply for an alternative standard rules or a bespoke permit for operations to continue following the withdrawal.

We will give operators at least a 3 month notice period before we withdraw this standard rules.

## **Consultation questions**

#### Your information and how we will use it

The Environment Agency will make all responses publicly available after the consultation has closed, unless you have specifically requested that we keep your response confidential. This includes comments received online and by email.

We will not publish names of individuals or personal data. We will publish the name of the organisation for those responses made on behalf of organisations.

We will not respond individually to responses. After the consultation has closed, we will publish a consultation response document on GOV.UK and contact you to let you know when this is available.

In accordance with the Freedom of Information Act 2000, we may be required to publish your response to this consultation but will not include any personal information. If you have requested your response to be kept confidential, we may still be required to provide a summary of it.

#### **Privacy notice**

The Environment Agency would like to keep you informed about the outcomes of the consultation. If you would like to receive an email acknowledging your response and telling you when we have published the consultation response document, please provide your email address with your response.

By giving us your email address, you consent for us to email you about the consultation. We will keep your details until we have notified you of the consultation response document publication.

We will not share your details with any other third party without your clear and full consent, unless required to do so by law.

You can withdraw your consent to receive these emails at any time by contacting us at <a href="mailto:decarbonisationreadiness@environment-agency.gov.uk">decarbonisationreadiness@environment-agency.gov.uk</a>.

The Environment Agency is the data controller for the personal data you provide. For more information on how we deal with your personal data, see our <u>personal information charter</u> on GOV.UK.

Contact the Data Protection team at <a href="mailto:dataprotection@environment-agency.gov.uk">dataprotection@environment-agency.gov.uk</a> for more information.

#### **About you**

When we come to analyse the results of this consultation, it would help us to know if you are responding as an individual or on behalf of an organisation or group.

Please tell us if you are responding as an individual or on behalf of an organisation or group:

- a) responding as an individual
- b) responding on behalf of an organisation or group
- c) other

If you selected (b), please tell us the name of your organisation or group:

If you selected (c), "other" please specify:

#### What sector do you represent?

Choose one of the following:

- a) Government & regulators
- b) Environment
- c) Agriculture & horticulture
- d) Public water supply
- e) Navigation
- f) Recreation
- g) Energy
- h) Business
- i) Industry
- j) Other

If you selected 'other', tell us your sector.

#### What is your email address?

In some cases, we may wish to follow up a consultation response where there is an offer of help or provision of evidence.

By giving us your email address you consent for us to email you about the consultation. We will keep your details until we have notified you about publication of the response document.

We will not share your details with any other third party without your clear and full consent, unless required to by law.

You can withdraw your consent to receive these emails at any time by contacting us at: <a href="mailto:consultation.enquiries@environment-agency.gov.uk">consultation.enquiries@environment-agency.gov.uk</a>.

#### Can we publish your response? We will not include personal information.

Select one of the following: (This is a required question)

- a) Yes
- b) No

If you answered 'No', please tell us why below as we will need to understand this when responding to any Freedom of Information requests.

#### **Decarbonisation readiness**

We have proposed conditions that will require operators to keep a decarbonisation readiness report, review at least every 2 years and provide a copy to the Environment Agency on request. Operator's will need to ensure they can meet their chosen decarbonisation readiness and will be required to notify us if their chosen route changes.

#### Question 1: Do you agree with the requirements of proposed conditions?

Choose one of the following:

- a) Yes
- b) No
- c) Don't know
- d) Not applicable

Please provide further details to help us understand the reasons behind your response.

The proposed conditions should be clear enough for operators to understand their responsibilities and be able to comply with the decarbonisation readiness requirements.

#### Question 2: Do you agree that the proposed conditions are clear for operators?

Choose one of the following:

- a) Yes
- b) No
- c) Don't know

d) Not applicable

Please provide further details to help us understand the reasons behind your response.

We have proposed conditions that will require operators to keep a decarbonisation readiness report, review at least every 2 years and provide a copy to the Environment Agency on request. Operator's will need to ensure they can meet their chosen decarbonisation readiness and will be required to notify us if their chosen route changes.

#### Question 3: Are there any additional conditions you think should be included?

Choose one of the following:

- a) Yes
- b) No
- c) Don't know
- d) Not applicable

Please provide further details to help us understand the reasons behind your response.

It should be clear which permitted generators are subject to decarbonisation readiness requirements. We will make reference to these in the introductory notes of the standard rules permits that we issue. The decarbonisation readiness reports should also include this information.

## Question 4: Do you think we need to be clearer which generators decarbonisation readiness is relevant to?

Choose one of the following:

- a) Yes
- b) No
- c) Don't know
- d) Not applicable

Please provide further details to help us understand the reasons behind your response.

#### Carbon capture, upgrading and storage

We have proposed conditions for anaerobic digestion standard rules to allow for carbon capture, upgrade and storage. This will make the standard rules available to more facilities.

## Question 5: Do you agree with the inclusion of carbon capture and upgrading into the standard rules?

Choose one of the following:

- a) Yes
- b) No
- c) Don't know
- d) Not applicable

Please provide further details to help us understand the reasons behind your response.

We have included a list of technologies in the proposed conditions. This limits the treatment of biogas to produce carbon dioxide to filtering, washing, water scrubbing, distillation, compressing, condensation, drying and cooling.

## Question 6: 2. Do you agree with the technologies specified within the proposed conditions?

Choose one of the following:

- a) Yes
- b) No
- c) Don't know
- d) Not applicable

Please provide further details to help us understand the reasons behind your response.

We have included a list of technologies in the proposed conditions. This limits the treatment of biogas to produce carbon dioxide to filtering, washing, water scrubbing, distillation, compressing, condensation, drying and cooling.

Question 7: Do you think we need to include other carbon capture and upgrading technologies into the standard rules which we have not specified?

Choose one of the following:

- a) Yes
- b) No
- c) Don't know
- d) Not applicable

Please provide further details to help us understand the reasons behind your response.

## Withdrawal of SR2009 No 4: combustion of biogas in engines at a sewage treatment works

We are proposing to withdraw standard rules SR2009 No 4 combustion of biogas in engines at a sewage treatment works, as these are no longer required and have been incorporated into SR 2021 No 10.

#### Question 8. Do you agree with the withdrawal SR2009 No 4?

Choose one of the following:

- a) Yes
- b) No
- c) Don't know
- d) Not applicable

Please provide further details to help us understand the reasons behind your response.

## Responding to this consultation

#### Important dates

The consultation will run for 8 weeks from 23 October 2025 until 23:59 hours on 18 December 2025.

#### How to respond

The consultation will close at midnight on **18 December 2025**. We will consider all responses received by this date before finalising our proposals.

A copy of this consultation will be available on Citizen Space <u>Consultation on amendments</u> to standard rules: Incorporation of decarbonisation readiness requirements, carbon <u>capture at anaerobic digestion facilities and withdrawal of SR2009 No4 - Environment Agency - Citizen Space</u>, which is the Environment Agency's consultation website.

#### Respond online

Please submit your response on our Citizen Space website, as it helps us to:

- gather all responses in one place
- summarise responses quickly and accurately
- reduce the costs of the consultations by avoiding unnecessary printing

#### Respond by email

If you do not wish to respond using the online tool, you can download the response form using the relevant link in the 'related' section on the Citizen Space page and email the completed form to decarbonisationreadiness@environment-agency.gov.uk.

#### Ask for a printed version

Contact us if you would like a printed version of the consultation document sent to you.

You can do this by contacting:

**National Customer Contact Centre** 

Telephone: 03708 506 506

Minicom for the hard of hearing: 03702 422 549

Monday to Friday, 8am to 6pm

#### **Consultation principles**

We are running this consultation in accordance with the guidance set out in the government's consultation principles.

If you believe the consultation has not been run in accordance with the principles, please email consultation.enquiries@environment-agency.gov.uk.

If you have any queries about the content in this consultation, please contact our National Customer Contact Centre:

Email enquiries@environment-agency.gov.uk

Telephone: 03708 506 506 Monday to Friday, 8am to 6pm

Otherwise, for all other queries relating to this consultation, please email <u>decarbonisationreadiness@environment-agency.gov.uk</u>.

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Then call us on:

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