

27 March 2009

**EU EMISSIONS TRADING SCHEME - AVIATION  
INTRODUCTION TO THE SCHEME AND REQUEST FOR INFORMATION**

Dear Sir or Madam,

**Please read this correspondence carefully as failure to provide relevant information could affect your future allocation of EU allowances and/or lead to financial penalties**

**Please forward contact details of an appropriate person within your organisation who will deal with the monitoring and reporting requirements on behalf of the aircraft operator by the 10<sup>th</sup> April 2009**

**Summary**

1. From the information provided to us by the European Commission it appears likely that your organisation will become subject to the requirements of the European Union Emissions Trading Scheme (EU ETS) for aviation and will be allocated to the UK for regulation.
2. If your organisation is captured by the EU ETS Directive, then compliance with the requirements of the scheme is mandatory.
3. Failure to comply with the requirements of the scheme may result in financial penalties and even a ban on operating within the EU.
4. The most immediate of these requirements is to submit a proposed 'emissions plan' by 31 August this year (2009).
5. Aircraft operators also have the opportunity to submit a proposed 'benchmarking plan' by 31 August 2009, in order to apply for an allocation of free allowances. If you do not apply for and receive an allocation of sufficient free allowances then you will have to purchase allowances to cover your emissions of carbon dioxide.
6. In order to assist operators in complying with the requirements of the scheme, the regulators of the scheme in the UK are undertaking, or planning to undertake, a number of activities, including:
  - a. Establishing contact with operators and providing regular updates on progress and on their obligations.
  - b. Creating a web-based IT system to make submission of the proposed monitoring plans as efficient as possible.
  - c. Holding seminars for operators to explain the requirements and answer questions.
  - d. Provide a helpline (email address) to respond to queries from operators.
7. This letter in part is a request for you to provide the contact details of an appropriate person in your organisation to whom we can direct the updates, the secure logon details that you will need to be able to access the IT system, invitations and details regarding the seminars and all other relevant information. A prompt response would be appreciated.

**Introduction**

The purpose of this letter is to notify you of your potential obligations under the EU Emissions Trading Scheme (EU ETS) and of our plans to help you meet those obligations.

The EU Emissions Trading Directive requires all aircraft operators flying into or out of any EU airport to participate in the EU ETS, (subject to a number of exemptions as set out in the Directive).

The European Commission has published a draft list of aircraft operators which performed an aviation activity listed in Annex 1 of the Directive (on or after January 2006) and has assigned them to a Member State.

On initial review of the list, it appears likely that you will be assigned to one of the national regulators within the **United Kingdom**.

The Environment Agency (EA), the Scottish Environment Protection Agency (SEPA) and the Northern Ireland Environment Agency (NIEA) will be the regulators of the scheme in the UK.

### **Requirements for monitoring plans and reports**

**An aircraft operator who is captured by the European Directive must submit an annual emission monitoring plan (known as an emissions plan) to the relevant regulator by 31<sup>st</sup> August 2009.**

The regulators will then approve or reject the emissions plan by 31<sup>st</sup> December 2009.

From 1<sup>st</sup> January 2010 onwards, operators must monitor emissions in accordance with their approved emissions plan and the Monitoring and Reporting Decision and must, by 31<sup>st</sup> March each year, report to the regulator the emissions in the previous year. The emissions report must be verified by an accredited third party verifier prior to submission.

**Aircraft operators who wish to apply for free allowances for the period 2012 to 2020 must submit a benchmarking plan to the relevant regulator by 31<sup>st</sup> August 2009.**

The regulators will approve or reject the benchmarking plan by 31<sup>st</sup> December 2009.

From 1<sup>st</sup> January 2010, operators must monitor the benchmark data in accordance with their approved benchmarking plan and the Monitoring and Reporting Decision and must, by 31<sup>st</sup> March 2011, submit a report of the benchmark data to the regulator. The report must be verified by an accredited third party verifier prior to submission.

### **Web-based solution for submission of monitoring plans**

Aircraft operators must submit an emissions plan and an optional benchmarking plan to the regulator for approval. It is compulsory that plans are submitted using the official plan templates produced by the regulator.

In order to make the process of producing and submitting plans to the regulator as simple as possible, the regulators are in the process of developing a secure web-based system for submitting monitoring plans. It is expected that the system will be available from May 2009, so that operators on the UK list can register their details. In order to access this system, we will need to provide you with secure login details.

### **Who should respond to this letter?**

As part of this communication, we are requesting contact details of an appropriate person who will deal with the monitoring and reporting requirements on your behalf. We believe that it is in the best interests of the operator that suitable contact details are provided, as we will then be able to keep you up-to-date with ongoing developments of the EU ETS. We will use the contact information for such things as notification of the publication of guidance and monitoring plan exemplars; details of seminars; general progress and information; reminders about submissions, etc.

We will also email the designated contact the necessary details to access the registration and plan submission modules of the web-based application system once developed.

Therefore, it would be appreciated if you would forward the following details for your designated contact by **10<sup>th</sup> April 2009**:

**Title:**  
**First Name:**  
**Surname:**  
**Job Title:**  
**Email Address:**  
**Telephone Number:**  
**Aircraft Operator Name:**

Please forward the contact details to the following email address:

**[etaviationhelp@environment-agency.gov.uk](mailto:etaviationhelp@environment-agency.gov.uk)**

with the subject "*Aviation Contact Details – (Operator Name)*"

We will acknowledge receipt of the contact details.

### **Seminars**

Seminars will be held to explain the policy and the process to operators. These seminars are expected to take place during June 2009 at a number of venues within the UK. Once dates and venues have been finalised they will be published on the regulators' websites and the designated operator contacts will be notified directly.

**In your response, it would be helpful if you could also indicate whether you would expect to attend a seminar.**

### **Importance of submitting monitoring plans and reports**

Failure to submit a benchmarking plan, or failure to monitor and report benchmark data will result in the aircraft operator not receiving any free allowances for the period from 2012 to 2020.

Failure to submit an emissions plan, or failure to monitor and report carbon dioxide emissions by the stipulated deadlines may result in financial penalties as stated in the draft UK Aviation Greenhouse Gas Emissions Trading Scheme Regulations 2009.

Thank you in advance for your co-operation.

Kind regards,



**David Coulburn**  
**Operations Manager**  
**EU Emissions Trading Scheme**