



This form will report compliance with your permit as determined by an Environment Agency officer

Site	Preston New Road Exploration Site EPR/AB3101MW	Permit Ref	UP3431VF
Operator/ Permit holder	Cuadrilla Bowland Limited		
Date	27/05/2019	Time in	Out
What parts of the permit were assessed	Reporting and Notification		
Assessment	Report/data review	EPR Activity: Installation	X Waste Op Water Discharge
Recipient's name/position	Planning, Permitting and Environmental Manager		
Officer's name	EA Officers	Date issued	03/06/2019

Section 1 - Compliance Assessment Summary

This is based on the requirements of the permit under the Environmental Permitting Regulations. A detailed explanation and any action you may need to take are given in the "Detailed Assessment of Compliance" (section 3). This summary details where we believe any non-compliance with the permit has occurred, the relevant condition and how the non-compliance has been categorised using our [Compliance Classification Scheme](#) (CCS). CCS scores can be consolidated or suspended, where appropriate, to reflect the impact of some non-compliances more accurately. For more details of our CCS scheme, contact your [local office](#).

Permit Conditions and Compliance Summary

Condition(s) breached

Permit Condition	Compliance	Condition(s) breached
a) Permitted activities	1. Specified by permit	A
b) Infrastructure	1. Engineering for prevention & control of pollution	NA
	2. Closure & decommissioning	NA
	3. Site drainage engineering (clean & foul)	NA
	4. Containment of stored materials	NA
	5. Plant and equipment	NA
c) General management	1. Staff competency/ training	NA
	2. Management system & operating procedures	NA
	3. Materials acceptance	NA
	4. Storage handling, labelling, segregation	NA
d) Incident management	1. Site security	NA
	2. Accident, emergency & incident planning	NA
e) Emissions	1. Air	NA
	2. Land & Groundwater	NA
	3. Surface water	NA
	4. Sewer	NA
	5. Waste	NA
f) Amenity	1. Odour	NA
	2. Noise	NA
	3. Dust/fibres/particulates & litter	NA
	4. Pests, birds & scavengers	NA
	5. Deposits on road	NA
g) Monitoring and records, maintenance and reporting	1. Monitoring of emissions & environment	NA
	2. Records of activity, site diary, journal & events	NA
	3. Maintenance records	NA
	4. Reporting & notification	NA
h) Resource efficiency	1. Efficient use of raw materials	NA
	2. Energy	NA

KEY: C1, C2, C3, C4 = CCS breach category (* suspended scores are marked with an asterisk), A = Assessed (no evidence of non-compliance), N = Not assessed, NA = Not Applicable, O = Ongoing non-compliance – not scored

Number of breaches recorded	0	Total compliance score (see section 5 for scoring scheme)	0
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If the Total No Breaches is greater than zero, then please see Section 3 for details of our proposed enforcement response

Section 2 – Compliance Assessment Report Detail

This section contains a report of our findings and will usually include information on:

- the part(s) of the permit that were assessed (e.g. maintenance, training, combustion plant, etc)
- where the type of assessment was 'Data Review' details of the report/results triggering the assessment
- any non-compliances identified
- any non-compliances with directly applicable legislation
- details of any multiple non-compliances
- information on the compliance score accrued inc. details of suspended or consolidated scores.
- details of advice given
- any other areas of concern
- all actions requested
- any examples of good practice.
- a reference to photos taken

This report should be clear, comprehensive, unambiguous and normally completed within 14 days of an assessment.

The environmental permit requires monitoring of a range of substances in groundwater and for these monitoring results to be reported to us on a quarterly basis (condition 4.2.2).

Through assessment of groundwater monitoring reports for Quarter 1 2019 we have identified missing analytical results for acrylamide, fluoride, total alkalinity, $\delta^{13}\text{C-CH}_4$, $\delta^{13}\text{C-CO}_2$ for January and February. The Quarter 1 2019 report shows that there was a result for acrylamide and fluoride provided for March 2019.

The environmental permit (condition 4.3.1(b)) also requires us to be notified immediately if a permit condition is not met (Schedule 5 Notification). The operator did not notify us of the missing data, nor the reasons for its omission. The missing data was noticed following an Environment Agency review of the relevant quarterly groundwater monitoring reports.

The Environment Agency understands that there was a change of groundwater monitoring contractor towards the end of 2018.

We have required that an urgent review is carried out by the operator and will consider this as part of our investigation.

As part of the investigation report please supply a root cause analysis including, but not limited to:

- A full review to determine if any other determinants have been missed for groundwater monitoring and a similar check for surface water monitoring;
- All dates since October 2018 that groundwater monitoring results were received by Cuadrilla and the quality control that was undertaken on these;
- The requirements specified by the operator in the new monitoring contract relating to the missing substances. This should include any change in techniques from the previous contract, what these are, and in particular any change in limit of detection;
- When Cuadrilla became aware that monitoring data was missing and what actions were taken to remedy the situation; and

Any further information you consider maybe of relevance which may help explain the reasons for the missing data

A compliance assessment will take place once this investigation report is received.



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Section 3- Enforcement Response **Only one of the boxes below should be ticked**

<p>You must take immediate action to rectify any non-compliance and prevent repetition. Non-compliance with your permit conditions constitutes an offence and can result in criminal prosecutions and/or suspension or revocation of a permit. Please read the detailed assessment in Section 2 and the steps you need to take in Section 4 below.</p>	
<p>Other than the provision of advice and guidance, at present we do not intend to take further enforcement action in respect of the non-compliance identified above. This does not preclude us from taking enforcement action if further relevant information comes to light or advice isn't followed.</p>	
<p>In respect of the above non-compliance you have been issued with a warning. At present we do not intend to take further enforcement action. This does not preclude us from taking additional enforcement action if further relevant information comes to light or offences continue.</p>	
<p>We will now consider what enforcement action is appropriate and notify you, referencing this form.</p>	

Section 4- Action(s)

Where non-compliance has been detected and an enforcement response has been selected above, this section summarises the steps you need to take to return to compliance and also provides timescales for this to be done.

Criteria Ref.	CCS Category	Action Required / Advised	Due Date
See Section 1 above			

Section 5 - Compliance notes for the Operator

To ensure you correct actual or potential non-compliance we may

- advise on corrective actions verbally or in writing
- require you to take specific actions in writing
- issue a notice
- require you to review your procedures or management system
- change some of the conditions of your permit
- decide to undertake a full review of your permit

Any breach of a permit condition is an offence and we may take legal action against you.

● We will normally provide advice and guidance to assist you to come back into compliance either after an offence is committed or where we consider that an offence is likely to be committed. This is without prejudice to any other enforcement response that we consider may be required.

● Enforcement action can include the issue of a formal caution, prosecution, the service of a notice and or suspension or revocation of the permit.

● A civil sanction Enforcement Undertaking (EU) offer may also be available to you as an alternative enforcement response for this/these offence(s).

See our Enforcement and Civil Sanctions guidance for further information

This report does not relieve the site operator of the responsibility to

- ensure you comply with the conditions of the permit at all times and prevent pollution of the environment
- ensure you comply with other legislative provisions which may apply.

Non-compliance scores and categories

CCS category	Description	Score
C1	A non-compliance which could have a major environmental effect	60
C2	A non-compliance which could have a significant environmental effect	31
C3	A non-compliance which could have a minor environmental effect	4
C4	A non-compliance which has no potential environmental effect	0.1

Operational Risk Appraisal (Opra) - Compliance assessment findings may affect your Opra score and/or your charges. This score influences the resource we use to assess permit compliance.

Section 6 – General Information

Data protection notice

The information on this form will be processed by the Environment Agency to fulfill its regulatory and monitoring functions and to maintain the relevant public register(s). The Environment Agency may also use and/or disclose it in connection with:

- offering/providing you with its literature/services relating to environmental matters
- consulting with the public, public bodies and other organisations (e.g. Health and Safety Executive, local authorities) on environmental issues
- carrying out statistical analysis, research and development on environmental issues
- providing public register information to enquirers
- investigating possible breaches of environmental law and taking any resulting action
- preventing breaches of environmental law
- assessing customer service satisfaction and improving its service
- Freedom of Information Act/Environmental Information Regulations request.

The Environment Agency may pass it on to its agents/representatives to do these things on its behalf. You should ensure that any persons named on this form are informed of the contents of this data protection notice.

Disclosure of information

The Environment Agency will provide a copy of this report to the public register(s). However, if you consider that any information contained in this report should not be released to the public register(s) on the grounds of commercial confidentiality, you must write to your local area office within 28 days of receipt of this form indicating which information it concerns and why it should not be released, giving your reasons in full.

Customer charter

What can I do if I disagree with this compliance assessment report?

If you are unable to resolve the issue with your site officer, you should firstly discuss the matter with the officer's line managers. If you wish to raise your dispute further through our official Complaints and Commendations procedure, phone our general enquiry number 03708 506 506 (Mon to Fri 08.00–18.00) and ask for the Customer Contact team or send an email to enquiries@environment-agency.gov.uk. If you are still dissatisfied, you can make a complaint to the Ombudsman. For advice on how to complain to the [Parliamentary and Health Service Ombudsman](#) phone their helpline on 0345 015 4033.