



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	01/08/2017	Time in	10:20	Out	13:45
What parts of the permit were assessed	specified activities; waste storage; impact on amenities				
Assessment	Site Inspection	EPR Activity:	Installation: X	Waste Op:	Water Discharge:
Recipient's name/position	Health Safety Environment and Planning Manager				
Officer's name	[REDACTED]			Date issued	24/08/2017

**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 Conditions and Compliance Summary	Condition(s) breached
a) Permitted activities	1. Specified by permit A
b) Infrastructure	1. Engineering for prevention & control of pollution N
	2. Closure & decommissioning NA
	3. Site drainage engineering (clean & foul) N
	4. Containment of stored materials N
	5. Plant and equipment N
c) General management	1. Staff competency/ training N
	2. Management system & operating procedures N
	3. Materials acceptance N
	4. Storage handling, labelling, segregation C3
d) Incident management	1. Site security N
	2. Accident, emergency & incident planning N
e) Emissions	1. Air N
	2. Land & Groundwater N
	3. Surface water N
	4. Sewer N
	5. Waste N
f) Amenity	1. Odour A
	2. Noise A
	3. Dust/fibres/particulates & litter A
	4. Pests, birds & scavengers A
	5. Deposits on road N
g) Monitoring and records, maintenance and reporting	1. Monitoring of emissions & environment N
	2. Records of activity, site diary, journal & events N
	3. Maintenance records N
	4. Reporting & notification N
h) Resource efficiency	1. Efficient use of raw materials N
	2. Energy N

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	1	Total compliance score (see section 5 for scoring scheme)	4
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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.

Scheduled inspection at Preston New Road to check progress on site development and ensure there is no environmental impact from current waste operations on site.

The inspection was carried out by a 5 man inspection team including a noise expert, a groundwater expert, two waste officers and the site inspector.

During the visit, the inspectors questioned permit holder's Health, Safety, Environment and Planning Manager.

Inspectors checked waste management practices on site and the acoustic barrier around perimeter of the site.

### **NOISE MANAGEMENT**

Permit condition 3.4 specifies:

'Emissions from the regulated activities shall be free from noise and vibration at levels likely to cause pollution outside the site, as perceived by an authorised officer of the Environment Agency, unless the operator has used appropriate measures, including, but not limited to, those specified in any approved noise and vibration management plan to prevent or where that is not practicable to minimise the noise and vibration.'

To reduce noise impact the operator placed a noise barrier around the site. The barrier is 4000mm high and approximately 150mm thick. It has a perforated sound absorbing surface facing into the site and a non-absorbing insulated surface facing out of the site. This arrangement maximises the effectiveness of the barrier by using the absorption to reduce the sound energy and the insulation to reflect noise back into the site. The barrier panels are installed snugly into concrete pillars with no gaps or holes. The doorways in the barrier are constructed of the same absorbing/insulating material and are sealed around the edges. The main vehicle entrance gates were open during the inspection and would be expected to be closed once drilling starts. These are also constructed of the same material.

The live noise monitoring data was viewed from one of Cuadrilla's permanent noise monitoring stations. The levels of various sound parameters, including LAeq and LAmx were plotted. The software saves a 30-second recording of the sound if a threshold level is breached and one of these events was listened to, revealing that in that instance traffic on the adjacent road caused the exceedance. It should be noted that the Environment Agency do not assess or regulate noise using absolute levels.

### **WASTE CONTAINMENT**

Within its Section 2.2.1, the Waste Management Plan Preston New Road Reference HSE-Permit-INS-PNR-006 Version 6 states 'A 1.0 m deep, minimum 2.3m wide open trapezoidal drainage ditch

will be constructed around part of the well pad perimeter to collect surface water and any spillages. The surface water run-off attenuation capacity will be provided by a perimeter drainage ditch system.'

At the time of inspection, the drainage ditch had a reduced storage capacity. You should ensure sufficient surface water run-off drainage and attenuation capacity is provided at all time, to avoid water pooling on site and/or ditch overflowing. Currently, the surface water run-off is tankered off-site for treatment and disposal at a regulated facility, in line with the Waste Management Plan requirements. Contingency plans should be in place to cover periods of heavy or prolonged rainfalls and any changes in the normal operations (i.e. on-site operational breakdowns, limited site access, shutdowns or limited capacity at the site currently accepting this waste et.al) . This will be looked at in a future inspection.

Within its Section 2.2.1, the Waste Management Plan Preston New Road Reference HSE-Permit-INS-PNR-006 Version 6 also states that 'on completion of the well pad an integrity test of membrane will be conducted by a competent contractor. Any identified punctures will be repaired. Once a continuous seal across the pad has been validated by the competent contractor the well pad will be commissioned for operations'. By 31/08/2017, please provide us access to the Construction Quality Assurance Validation Report.

### NON-COMPLIANCES

Spoilt drilling muds and drilling cutting were stored on seven standard metal skips, 4 to 6 cubic yard capacity, not hydro tested for leaks or appropriately certified for integrity, as set out in the Waste Management Plan. This is not regarded as a significant issue.

Permit condition 2.3.1 ( a) specifies 'the activities shall, subject to the condition of the permit, be operated using the techniques and in the manner described in the documentation specified in Schedule 1, table S1.2, unless otherwise agreed in writing by the Environment Agency.'

Schedule 1, table S1.2. 'Operating techniques' includes the Waste Management Plan Preston New Road Reference HSE-Permit-INS-PNR-006 Version 6. The Section 5.1 of this document specifies:


'Drill cuttings that are separated at the surface from the drilling muds will be temporarily stored in a number of steel rectangular open skips with a capacity of up to 50 m<sup>3</sup>. The rectangular containers will be subject to annual thickness tests and weekly visual inspections. Prior to drilling commencing ancillary equipment, which includes the containers, shall be hydro tested for leaks or appropriately certified for integrity.'

We recorded this non-compliance under Sub-Criterion C4 - Management – Storage, Handling, Labelling and Segregation as a C3 score - a non-compliance that could foreseeably result in a minor environmental effect. It should be noted that this could also have been scored under Sub-Criterion B1 - Infrastructure - Engineering for Prevention & Control of Emissions or B4 - Infrastructure - Containment of Stored Materials

### ACTION

Ensure waste drilling muds and waste drilling cuttings are stored only on containers hydro tested for leaks or appropriately certified for integrity. These containers should be also subject to annual thickness tests and weekly visual inspection.

Operator confirmed that on Thursday 3/08/2017 all the waste stored on those containers, and all the untested containers, were removed from site.

 Environment Agency	<b>EPR Compliance Assessment Report</b>	Report ID: UP3431VF/0289932	
<b>This form will report compliance with your permit as determined by an Environment Agency officer</b>			
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Operator/ Permit	Cuadrilla Bowland Limited	Date	01/08/2017

<b>Section 3- Enforcement Response</b>		<b>Only one of the boxes below should be ticked</b>	
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.			
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.			<input checked="" type="checkbox"/>
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.			
We will now consider what enforcement action is appropriate and notify you, referencing this form.			

<b>Section 4- Action(s)</b>			
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			
C4	C3	Ensure waste drilling muds and waste drilling cuttings are stored only on containers hydro tested for leaks or appropriately certified for integrity. These containers should be also subject to annual thickness tests and weekly visual inspection.	at all times

## 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 <b>major</b> environmental effect	60
C2	A non-compliance which could have a <b>significant</b> environmental effect	31
C3	A non-compliance which could have a <b>minor</b> environmental effect	4
C4	A non-compliance which has <b>no</b> 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](mailto: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.