



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

Site	Kirby Misperton A Wellsite		Permit Ref	402444		
Operator/ Permit holder	Third Energy U K Gas Limited					
Date	20/12/2017		Time in	11:00	Out	13:45
What parts of the permit were assessed	management systems, water monitoring					
Assessment	Site Inspection	EPR Activity:	Installation	Waste Op	X	Water Discharge
Recipient's name/position	Operations Support Manager					
Officer's name	EA Officers		Date issued	22/12/2017		

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
a) Permitted activities	1. Specified by permit	N	
b) Infrastructure	1. Engineering for prevention & control of pollution	N	
	2. Closure & decommissioning	N	
	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	A	
	3. Materials acceptance	N	
	4. Storage handling, labelling, segregation	N	
d) Incident management	1. Site security	N	
	2. Accident, emergency & incident planning	N	
e) Emissions	1. Air	A	
	2. Land & Groundwater	A	
	3. Surface water	A	
	4. Sewer	N	
	5. Waste	N	
f) Amenity	1. Odour	A	
	2. Noise	A	
	3. Dust/fibres/particulates & litter	A	
	4. Pests, birds & scavengers	N	
	5. Deposits on road	N	
g) Monitoring and records, maintenance and reporting	1. Monitoring of emissions & environment	A	
	2. Records of activity, site diary, journal & events	A	
	3. Maintenance records	N	
	4. Reporting & notification	A	
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	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.

Met with Operations Support Manager, Drilling Manager & Wellsite Supervisor on KM8 site.

At the same time as the inspection, an EA officer from the ambient air monitoring team carried out calibration on the Environment Agency mobile monitoring facility on site.

Operations over the Christmas period

KM3 now operational again. No odour issues. Discussed operational plans over Christmas period.

Air monitoring

It was agreed to suspend walkover/leak detection monitoring as no operations are taking place for KM8. No other changes are made to the air monitoring and this will continue as agreed in the EMP.

Discussion had over how the walkover/leak detection equipment is used and Third Energy will contact the supplier for further information on the use of the monitoring equipment to provide assurance on the setup and data. Training on this for the equipment operator on site should also be given and full records kept on what operational equipment/area has been covered. If a suitable data logger is available this should be used.

Reporting

As agreed in CAR 402444/0297597 dated 7th December 2017, water sampling is now monthly until operations recommence. The water monitoring report was delayed and submitted 21st December 2017. You must ensure that in future a timely notification is provided with any delays in reporting.

The water monitoring report will be placed on the public register.

The air monitoring report was received on 22nd Dec 17. This will be placed on the public register.

Outstanding issues:

Previous water monitoring reports have noted laboratory anomalies.

Action: Provide updates on these by January 14th 2018.

14th Dec 17

blank sulphate 0.8 mg/L
blank anionic surfactants 0.4 mg/L
blank Petroleum hydrocarbons (EPH) 100 µg/L
blank boron in the blank 13 µg/L
S4 duplicate Nitrate 13 and 24 mg/L
S4 duplicate COD 20 and 38mg/L

5th to 6th Dec 17

blank total dissolved solids 116mg/L
blank sulphate 0.6 mg/L
blank boron 38 µg/L
blank Anionic surfactants 1.6 mg/L
G3 duplicate Anionic surfactants 0.3 and 1.2mg/L
G3 duplicate Arsenic <2.5 and 6.1 µg/L

29th Nov 17

blank dissolved methane 18 µg/L
blank total dissolved solids content 79 mg/L
blank boron 18 µg/L
S1 duplicate dissolved methane 1 µg/L and 12 µg/L

22nd Nov 17

blank Anionic surfactants 0.7mg/L

Water

Third Energy have prebooked tankers for surface water removal from site over the Christmas period and are confident that they also have sufficient storage on site. The drainage ditch had been recently emptied on site and inspection of records showed that surface water checks were ongoing.

An on site inspection confirmed that the groundwater monitoring boreholes remain in good condition externally with no signs of damage. Off site, Sugar Hill Drain was observed to be flowing.

EMS

Procedures for monitoring were inspected.


OP-EN-07 Surface water and Groundwater Sampling

OP-EN-08 Surface Water Management Procedure

There is now a new procedure to cover frac fluid and flowback fluid sampling:

OP-EN-09 Hydraulic Fracture Fluid Monitoring

Information on the microseismic monitoring in KM7 is contained in TEGL-KM8HF-008 rev 2 which refers to the comprehensive information available and the requirements of the HF Plan and the Halliburton Design of Service.

 Environment Agency	EPR Compliance Assessment Report	Report ID: 402444/0298598	
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Operator/ Permit	Third Energy U K Gas Limited	Date	20/12/2017

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

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.