



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	06/04/2017		Time in		Out
What parts of the permit were assessed	groundwater and surface water monitoring parameters				
Assessment	Report/data review	EPR Activity:	Installation	Waste Op	X Water Discharge
Recipient's name/position	Operations Support Manager				
Officer's name	EA Officers		Date issued	06/04/2017	

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	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	N
	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	N
	2. Land & Groundwater	A
	3. Surface water	A
	4. Sewer	N
	5. Waste	N
f) Amenity	1. Odour	N
	2. Noise	N
	3. Dust/fibres/particulates & litter	N
	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	N
	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.

Thank you for the submission of the Technical Note Surface Water and Groundwater Monitoring Parameters, KMA SoM Tech Note, received by email on 20th February 2017. This document is in relation to condition 3.5.1(b) of the permit DB3002HE and relates to the monitoring of groundwater and surface water parameters.

Envireauwater state that it is not possible to analyse for all the parameters listed in the permit and submit within this report a list of parameters with summary comments for alternative analysis and a justification where alternative analysis is not possible.

We have reviewed this report and have had an initial discussion with Third Energy and Envireauwater on the justifications put forward.

We accept the proposal for monitoring ionic constituents (and pH) for aluminium sulphate, potassium chloride, sodium bicarbonate, sodium chloride, sulphuric acid, ammonium bisulphate, hydrochloric acid, sodium hydroxide and 2-ethylhexyl zinc dithiophosphate.

For Aluminium sulphate octadecahydrate we require further clarification on the octadecahydrate.

For Sorbitan monododecanoate poly (oxy1,2-ethanediyl) we require further clarification on the type of surfactant that this is and therefore the relevant analytical method that will be used.

For triacine, we require further clarification from the supplier on whether this is a tradename or is the IUPAC name triazine which is referred to in this report and subsequent justification on whether analysis is possible. Please identify the exact substance.

With regards to the statements that some substances are likely to degrade, bind to soil and rock, or are unlikely to be detectable in groundwater, these are assumptions that can only be validated by laboratory analysis. Envireauwater agreed that these are not justifications for removing them from the monitoring programme.

Note: It is incumbent on the analytical laboratory to ensure that analysis is carried out before degradation of the substance occurs after sampling and the stability time should be considered in the sampling programme.

For the remaining 6 substances, Citric acid triethyl ester, Hemicellulase enzyme, Maltodextrin, Sodium carboxymethyl cellulose, Sodium gluconate and Glycine, we require further detail and justification on how much the operator and Envireauwater have actively approached laboratories to see if methods are available, can be developed or adapted. It may be possible to explore options for development of suitable methods which may at least give a result of presence or absence.

Please provide this additional information requested.



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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.