



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

Site	Kirby Misperton A Well site		Permit Ref	402444		
Operator/ Permit holder	Third Energy U K Gas Limited					
Date	14/11/2017		Time in	10:25	Out	12:50
What parts of the permit were assessed	Sampling points, test results for geophones, groundwater monitoring reports, chemicals on site					
Assessment	Site Inspection	EPR Activity:	Installation	Waste Op	X	Water Discharge
Recipient's name/position	Operations Support Manager					
Officer's name	[REDACTED]			Date issued	20/11/2017	

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

<b>Number of breaches recorded</b>	0	<b>Total compliance score</b> (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.

### Inspection on KM8 - check of actions with equipment in place

The previous inspection on 8th-10th Nov was not concluded as equipment was not fully connected and in position.

Calibration of the EA Mobile Air Monitoring Facility by an EA officer also took place at the same time as this inspection.

### Agenda

Spill prevention and emergency plans

Sampling points

Chemicals on site

Procedures for coiled tubing activities

Check of groundwater boreholes

Other actions from CAR forms

String shot results from KM7

### KM7 geophones

String shots had been carried out on Monday 13th November as part of the calibration for the KM7 geophones. Halliburton reported that this had been successful and a report was being prepared. The comprehensive Design of Service for the KM7 geophones was viewed. This still needs to be brought into the Third Energy management system to assure compliance with all permit requirements.

### Management Systems:

A full protocol for geophones was still outstanding at the time of inspection, as above.

The air monitoring schedule, leak detection checklists and groundwater sampling schedule were in place as part of the operator management system and tracked, to ensure permit requirements are met.

A decision tree for waste management including sampling and testing required was included in the operator management system.

The sample points for the frac fluid inlet were viewed and Halliburton explained that they would be using the sample point on the low pressure side of the frac fluid truck next to the blender, furthest from the high pressure side. How and when this sample will be taken to meet permit requirements is still outstanding.

There are also multiple flowmeters in the frac equipment. Documentation must be available to demonstrate which flowmeter is being used in order for permit reporting, together with model and calibration information.

### Emergency Plan

The emergency plan was available in the well site supervisor office. This had a section on spill containment. There were also spill kits around the site, these were inspected and were mostly in order.

**Action: There is a minor action to improve labelling and access to some spill kits now that all equipment is in place.**

**Inspect and ensure that heavy pipes across the site do not distort temporary containment**

systems in place.

**Groundwater monitoring boreholes**

These were checked for assurance that there has not been any damage. Third Energy had caged these in order to provide additional protection and these all appeared to be in good condition.

**Chemicals on Site**

The unlisted chemicals from the visit on the 8th were discussed. Third Energy stated that these were direct replacements for Safe-cide, Safe-scav and WG11 gelling agent.


**Action: Third Energy to provide written information and further details on these.**

**Groundwater Monitoring Reports**

We have asked for resubmission of water monitoring reports to provide further information on the sampling technique used for headspace methane, and to update references contained within the report.

**Procedures for Coiled Tubing Activities – Screen out**

These had been progressed and were not yet available on site.

 Environment Agency	<b>EPR Compliance Assessment Report</b>	Report ID: 402444/0295876	
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Operator/ Permit	Third Energy U K Gas Limited	Date	14/11/2017

<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.			
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			

## 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.