

Briefing 1: Well site for oil and gas exploration, near A3056, Arreton, Blackwater, Isle of Wight

Permit number: **EPR/AP3804LV/A001**

June 2021

- We have received an environmental permit application from UK Oil and Gas PLC for a proposed new well site to explore and appraise hydrocarbon minerals at Arreton on the Isle of Wight.
- The well site would include one exploratory borehole (Arreton-3), one side-track borehole (Arreton-3z) and operate for a temporary period of three years. This involves the siting of plant and equipment, the erection of boundary fencing and entrance gates, well drilling using a drilling rig and well testing. Any natural gas produced during the well testing would be incinerated in a temporary on-site flare. Any oil, water and surface water produced would be collated and removed from site for further use, treatment or disposal.
- The applicant needs both planning permission and an environmental permit in order to operate. Isle of Wight Council are assessing their planning application and consultation was completed on 12 February 2021. A decision on the application is awaited.
- We are now inviting you to comment on this environmental permit application and we will take all relevant comments into account when determining the permit application. These will be covered in our decision document. We are only able to consider certain aspects of the development, other aspects are Isle of Wight Council's responsibility and will be considered when making a decision on the planning application.

Introduction

We have received an environmental permit application from UK Oil and Gas PLC for a proposed new well site, to explore and appraise hydrocarbon minerals at Arreton on the Isle of Wight. This briefing note will explain what the operator has to do to be issued a permit from us, what we can and can't consider when deciding whether to grant the permit or not and how you make comments.

What is an environmental permit?

An environmental permit sets the conditions which an operator must meet when operating the facility. It covers the management and operation of the site and the control and monitoring of emissions from the site. The operator will need to demonstrate they are putting in place the necessary measures to meet current standards to protect human health and the environment.

The permit will set out the detail of how the applicant intends to protect the health of people and the wider environment. The plans will describe the measures they will take which need to be appropriate to control the risks identified. The operator will need to show that what they propose uses Best Available Technique (BAT) for preventing or minimising emissions and impacts on the environment.

How do we assess an environmental permit application?

We assess all permit applications to make sure they meet the requirements of the Environmental Permitting Regulations. Emissions limits are set by the EU Industrial Emissions Directive (IED) to protect the environment and human health. The Extractive Waste Directive, more commonly referred to as the Mining Waste Directive (MWD) defines the management of extractive waste at an onshore oil and gas facility.

When we consider a permit application we review the design of the proposed facility, how it will be operated, the emissions it will generate (to air, water and land) and whether it will meet the required standards.

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We consult professional partners, such as Natural England and the local authority. We also take advice on potential health impacts from Public Health England. As well as taking into consideration the competence of the operator to run the facility.

When an application does, or we anticipate that it might, give rise to significant public interest we consult local communities likely to be affected before making a final decision on whether to grant an environmental permit.

We can only consider issues covered by the environmental permit and can only refuse a permit application based on technical information. We cannot consider if this is an appropriate location for this development as this is a planning matter and should be considered by Isle of Wight Council. We cannot consider refusing crude oil exploration or production applications as a matter of principle.

All applications must be assessed on their individual facts. Providing an operator can prove that the proposed activities meets all the legal requirements, including environmental, technological and health requirements, then we are legally obliged to grant a permit even if some people do not approve of the decision.

Our regulatory role

If we decide to issue the permit to UK Oil and Gas PLC, this would allow us to regulate the site in order to prevent harmful pollution and to minimise environmental and human health impacts.

We check:

- process chemicals being used
- emissions to air, land and water
- management of extractive wastes generated
- site monitoring – techniques, equipment, standards, sampling
- management and plant operating techniques
- energy efficiency, accident prevention, noise and vibration control, odour
- compliance with the legal requirements of the Industrial Emissions Directive and the special conditions related to onshore oil and gas facilities
- compliance with legally binding permit conditions

We do this by:

- issuing permits which say how the plant must be operated, the monitoring that must be done and the limits it must meet
- carrying out regular inspections and audits to ensure compliance with the permit conditions
- requiring operators to monitor selected key emissions continuously and other emissions periodically in accordance with the required monitoring standards and to report the results to us
- regularly reviewing monitoring techniques and assessing monitoring results to measure the performance of the plant and check that it is meeting its limits

If we are aware that an Oil and Gas facility breaches any of its permit conditions we will take appropriate enforcement action (operators are legally obliged to report all permit breaches to us). This may be a warning for minor breaches along with a compliance score (which can increase the amount of money the plant operator has to pay us each year for our regulatory work) or enforcement notices, suspension and revocation of the environmental permit and even prosecution for more serious offences.

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We put all of the monitoring results and records of our inspections and audits on the public register.

How is the planning system different?

Planning permission must be sought from the local planning authority before any development takes place. Planning is a separate and distinct process from permitting. Planning permission can be granted by a local authority without an environmental permit being in place and vice versa.

In broad terms, the planning process is intended to ensure that the right sort of development takes place in the right place, and that it is necessary. It addresses the development's proposed land use and how suitable the location is, as well as considering flood risk, other environmental constraints and if there is a local and national need for the development. It also considers operating hours, implications for road traffic, safety and congestion and the potential visual impact in the landscape. These issues are not covered by an environmental permit.

How can you comment on the environmental permit application?

We now invite you to comment on this permit application. The permit application can be viewed online on our Consultation Portal, Citizen Space:

Online: <https://consult.environment-agency.gov.uk/psc/po30-3bt-u-k-oil-gas-plc/>

We would encourage you to take part in this consultation online where possible, due to Covid-19 restrictions. If you are unable to access the application online please call our national contact centre on 03708 506 506 between 9am to 6pm Monday to Friday.

This consultation will be open from Friday 11 June until Friday 9 July 2021. You can send us your comments using our online consultation portal, Citizen Space, or by email to:

pscpublicresponse@environment-agency.gov.uk

We welcome feedback from everyone who has comments on the application, regardless of their age, sex, disability, marriage and civil partnership status, pregnancy or maternity status, race, religion or belief or their sexual orientation.

We must receive your comments by midnight on Friday 9 July 2021. We will then review all the comments received before making a draft decision on whether we will issue an environmental permit.

If we decide that the application has provided sufficient information for us to determine that the facility will not cause harm to the environment or people's health, we will issue our draft decision for consultation. This will give you the opportunity to examine and make comments on our decision document and on the conditions we are minded to include in the draft permit. We will consider these comments before making our final decision. If we decide to refuse the permit, UK Oil and Gas PLC have the right to appeal this decision.

For general information about our permitting process please see our Citizen Space page

<https://consult.environment-agency.gov.uk/psc/po30-3bt-u-k-oil-gas-plc/>

Or www.gov.uk/topic/environmental-management/environmental-permits

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