

From: Ken Cronin [mailto:REDACTIONREDACTION]
Sent: 05 November 2013 07:07
To: REDACTIONREDACTION REDACTIONREDACTION
Subject: RE: Possible chat at some point tomorrow, please? UKOOG: Regulatory Roadmap Comments

REDACTION

I think it would make sense if REDACTION arranges for you to discuss these particular changes with the people that proposed them

REDACTION can you liaise?

Ken

From: REDACTIONREDACTION REDACTIONREDACTION REDACTIONREDACTION
Sent: 04 November 2013 17:32
To: Ken Cronin; REDACTIONREDACTION
Subject: Possible chat at some point tomorrow, please? UKOOG: Regulatory Roadmap Comments
Importance: High

REDACTION/ Ken- thanks for this.

I had a chat with RSKL today- they aim to complete roadmap tomorrow and said that most of your amendments were OK to make, but some required a level of interpretation that they felt they couldn't make without further discussion/ clarification- where I have not placed an '[OK]' next to the points made below, would it be possible to perhaps give RSK more specific guidance or for us to have a chat about which changes are essential and which are 'nice to have', please?

The conversation I had with RSK concluded with the understanding that some of the required amendments will impact on the timescales and possibly cost of the project . It is important that the roadmap is accurate and useful for industry but equally I'd like to manage any changes to cost or timescales, if possible.

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Slide 4 – Line 6 of FAQ's – Use of word "intensive". Possibly remove.[OK]

Slide 4 – FAQ's – Doesn't discuss porosity and permeability which is an important aspect in relation to conventional/unconventional wells.

Slide 5 – FAQs – after "that grants exclusivity to operators in the licence area." Add in "to explore for and produce petroleum."

Slide 6 – Change reference to Local Planning Authority to “Planning Authority” .[OK]

Slide 6 – It's not clear from the hydraulic fracturing summary how it is actually regulated. It doesn't make reference to the Environment Agency permits including MWD, RSR, Groundwater and abstraction. It needs to be clear that these may not always apply. It currently references applying for a discharge permit, although not all operators would apply for this if it is not applicable. The slide should also possibly reference best practice guidance, in particular the Royal Society publication.

Second bullet - an abstraction license is only required if greater than 20 m3 in England and Wales, pretty sure abstraction licences aren't required by SEPA, but would need to check

Slide 9 – Needs to be clear that monitoring induced seismicity is only required if planning to frac. .[OK]

Slide 9 – It doesn't include securing a lease from the landowner

Slide 9 – Doesn't detail submitting relevant PON notifications to DECC

Slide 12 – Doesn't include obtaining lease

Slide 12 – ERA only required for shale operations.[OK]

Slide 13 – Make reference to PONs applications.

Slide 13 – Operator input should also include safety management systems, operator competency, well examination scheme and financial capability. It is understood that these are all aspects which are assessed prior to a licence being awarded.

Slide 13 – Don't believe the Environment Agency is the regulatory authority for seismic operations. .[OK]

Slide 16 – Recent legal cases demonstrate that the MPA must adopt a screening opinion even if it has not been requested by the applicant. .[OK]

If the applicant fails to apply for such an opinion and the MPA fails to screen the proposal, a subsequent grant of planning permission could be challenged.

Propose it is reworded as follows:

If the MPA fails to provide a screening opinion for the proposed development, a subsequent grant of planning permission could be challenged. .

Slide 17 – Unsure why the traffic light system has been identified specifically. Is this required? If it is to be included it needs to be clear that it applies to hydraulic fracturing operations and caution should be taken stating the level of information to be provided as this will be judged on a case by case basis. .[OK]

Slide 18 – Actions – key issues require some context, should also include noise, groundwater, contamination, induced seismicity, waste etc.

Slide 18 – Under “Guidance to Operators”, it should state that where an ES is required it should be submitted with a planning application. .[OK]

Slide 18 – Where an ES hasn’t been required it is sometimes necessary to support a planning application with technical reports including ecology, noise and archaeology. This should possibly be referenced on this slide.

Slide 19 – Include list of statutory consultees from slide 15. .[OK]

Slide 19 – Within heading 1 include a summary on the *Planning Statement* requirements. Planning Statement provides details in relation to the development, equipment etc.

Slide 19 – Operators aren’t required to publicise planning applications on their website although it is considered best practice. .[OK]

Slide 19 – Public access to information – The planning application and supporting documents will also be available on the MPA website for consultation. .[OK]

Slide 20 – Should also make reference to contacting the national oil and gas permit team.

Slide 21 – Require clearer information on the restoration plan. Any exploratory/ appraisal wells are likely to be suspended until it is determined they are not commercial. They would then be abandoned in accordance with Oil and Gas UK Guidance and the site restored.

Slide 23 – Very “unconventional” focussed. .[OK]

Slide 28 – requirements on Operators – well examiner should also review daily activities. .[OK]

Slide 29 – Should also make reference to the requirement for a site safety document. .[OK]

Slide 30 – Seems a bit brief. There are standards for data exchange e.g. WITSML which are not mentioned. It doesn't make reference to any PONs notifications.

Slide 31 – pre-drilling checklist – states the need to have agreed method for monitoring induced seismicity with DECC prior to issue consent to drill but flowchart (slide 12), shows this activity downstream of consent to drill.

Slide 32 – Remove “fracture height monitoring method” from title as it may not be applicable to all operations. If this was required it would be identified in frac plan. .[OK]

Slide 33 – Why are Operators disclosing frac chemicals on the UKOOG website? If an Operator wants to publicise the chemicals outside of any permit applications would this not be done on their website? .[OK]

Slide 81 – Should public consultation not be much earlier in the process rather than just before notifications to DECC? .[OK]

Would have expected a slide on community engagement (as per flow chart) for completeness

Thank you for your kind coopeartion.

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