

# Environment Agency permitting decisions

## Standard rule permit

We have decided to grant the permit for West Newton B Wellsite operated by Rathlin Energy (UK) Limited.

The permit number is EPR/EB3301MB

We consider in reaching that decision we have taken into account all relevant considerations and legal requirements and that the permit will ensure that the appropriate level of environmental protection is provided.

## Purpose of this document

This decision document:

- explains how the application has been determined
- provides a record of the decision-making process
- shows how all relevant factors have been taken into account.

## Structure of this document

- Annex 1 the decision checklist
- Annex 2 the consultation and web publicising advertising responses

## Annex 1: decision checklist

This checklist should be read in conjunction with the Duly Making checklist the application and supporting information and permit/notice..

Aspect	Justification / Detail	Criteria met
		Yes
<b>Receipt of submission</b>		
Standard rules criteria met	The application meets the criteria for the standard rules identified in Part B of the application form.	✓
<b>Advertising</b>		
Responses to web publicising	The responses to web publicising (Annex 2) were taken into account in the decision. The decision was taken in accordance with our guidance.	✓
<b>The site</b>		
Extent of the site of the facility	The operator has provided a plan which we consider is satisfactory, showing the extent of the site of the facility. A plan is included in the permit and the operator is required to carry on the permitted activities within the site boundary.  The permitted activities will be carried on the same permitted site covered by permit EPR/DB3806TL held by the same Operator	✓
Site condition report or baseline report	The operator has provided a satisfactory site condition report (SCR) and where relevant (where there is a risk of contamination with relevant hazardous substances) a baseline report.	✓
<b>Operator competence</b>		
Technical competence	For these operations, operators are not required to be members of an agreed scheme as there is no scheme with modules that cover these operations.	✓
Financial provision	There is no known reason to consider that the operator will not be financially able to comply with the standard rules.	✓

## **Annex 2: Web publicising responses**

We consult in certain circumstances, to allow interested individuals and organisations to provide us with relevant information on issues related to an application that might affect them or upon which they have particular expertise.

Also, consultation on installation standard rules is legally required: The Industrial Emissions Directive requires us to consult on all applications for installations, even in those cases where the low risk and public interest would not otherwise justify it.

### **Summary of responses to web publication and the way in which we have taken these into account in the determination process.**

One written response was received from a member of the public

#### **Brief summary of issues raised**

Concern was raised that comments made in respect of a separate application, for the same site had not been addressed. The application reference number for this separate permit application is EPR/DB3503HL/A001. The respondent objected to the granting of the permit to the Applicant and wanted to be informed of the outcome of the initial application.

The respondent also expressed concern that the application was not advertised widely and was not easily accessible to the public.

#### **Summary of actions taken or show how this has been covered**

At the time the response was received, the permit application EPR/DB3503HL/A001 was still being determined and all issues raised during the consultation were still being considered. A decision for this permit application has now been made and a document on how we have made our decisions has now been published.

We carried out consultation on the Application taking into account the Environmental Permitting Regulations and our statutory Public Participation Statement and the requirements of Article 8 of the Mining Waste Directive (MWD).

We advertised the Application by a notice placed on our website, which contained all the information required by the regulations, including telling people where and when they could see a copy of the Application.

We placed a paper copy of the Application and all other documents relevant to our determination on our Public Register and also sent a copy to East Riding of Yorkshire Council. Anyone wishing to see these documents could do so and arrange for copies to be made.

Due to a technical problem the page with the advert on our website went down for a few hours on the last day of the consultation period. However, in the interest of fairness we considered and took into account all comments that

we received on this application, even those received well after the end of the public consultation period.

We have discretion as to whether to carry out “minded to” consultation on draft permits for sites. We normally do so for sites of High Public Interest. The decision to do so is not solely based on the number of responses we receive as part of our standard 4 weeks consultation. It is also based on complexity of activity and the overall environmental risk associated with the application. This site is not classified as high public interest and we have decided that a “minded to” consultation is not warranted as the site is not a site of high Public Interest issues.