

# Permitting decisions

## Bespoke permit

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We have decided to grant the permit for Albury Well site operated by Island Gas Limited.

The permit number is EPR/EB3100FC.

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 provides a record of the decision making process. It summarises the decision making process in the decision checklist to show how all relevant factors have been taken into account.

This decision document provides a record of the decision making process. It:

- highlights [key issues](#) in the determination
- summarises the decision making process in the [decision checklist](#) to show how all relevant factors have been taken into account
- shows how we have considered the [consultation responses](#).

Unless the decision document specifies otherwise we have accepted the applicant's proposals.

Read the permitting decisions in conjunction with the environmental permit. The introductory note summarises what the permit covers.

## Key issues of the decision

### Site surfacing

The current compound contains two wells (Albury 1 and Albury 2), which are located in the central section of the site and are surrounded by an impermeable concrete well cellar. An electricity transformer (sub-station) and switch room are located in the north-eastern corner of the site, with the only other built development being a fire water tank located immediately to the west of the compound entrance.

Albury 1 is currently suspended pending work over and clean-up operations, whilst Albury 2 also remains suspended.

The original soils stripped from the site are stored in peripheral bunds up to three metres in height which help screen the operational area from the surrounding woodland. To the south of the site entrance, two third party telecommunication masts approximately 30m in height, are situated within small compounds either side of the access track.

The well site surface consists of a layer of sand across the subsoil overlain with a non-woven geotextile membrane. A damp proof course was overlaid on top of the geotextile membrane with a further non-woven geotextile membrane completing the site containment design to protect the damp proof course against damage. The site surface was then completed using 400mm of limestone chippings.

Surface run-off water at the Albury wellsite is collected within the containment ditches for subsequent removal via road tanker and disposed at an Environment Agency licenced waste facility. No discharges will take place at the Albury wellsite during work over and clean-up operations.

Secondary containment will be provided for all hydrocarbons, well work over liquids and mining wastes stored on site in addition to secondary containment around flaring activities. Overall the Environment Agency consider that the site will be constructed in accordance with our published guidance on site surfacing and integrity and complies with the requirements of BAT where relevant. Where measures outlined in the application are adhered to, the site does not pose a significant risk to groundwater and surface water receptors.

## Gas management

The Albury 1 well is a pre-existing borehole previously used for the production of gas before it was suspended in 2009 in order to allow the drilling of the Albury 2 well. The clean-up operation will allow the well to flow to surface where ordinarily produced fluids will arise. Produced fluids are expected to be one or any combination of the following: formation water, oil, gas and gas condensate. Based on data obtained during the previous production of the well only gas is anticipated as the well is considered a dry well which means that the quantities of formation water are expected to be low.

Any natural gas separated through the three phase separator will be diverted by temporary pipework to a ground flare located onsite for incineration. At the point of incineration, the natural gas is considered a waste. The Albury operations are anticipated to incinerate natural gas at levels exceeding 10 tonnes per day.

The duration of the clean-up phase is anticipated to be 4 days. The Operator is proposing to use the PW Well Test shrouded ground flare for the well clean-up operations. The rated capacity of the flare is in excess of 10 tonnes per day and therefore the activity is permitted as a listed Part 1(A) activity under the Environmental Permitting Regulations 2016 (amended). Shrouded ground flares, whilst not considered BAT for the management of waste gasses in general, are best suited for the early stages of appraising well performance when flow rates, pressures and composition are uncertain or are likely to be variable. We have reviewed the specification of the flare and we are satisfied that its design and capabilities are adequate to deal with the waste gas during this short duration activities.

## Waste Management

The Albury work over, clean-up and subsequent production operations will involve the management of non-hazardous extractive waste, not including a waste facility.

**Work over:** A work over rig will be mobilised to site and placed centrally over the ALB1 well. The work over will involve a number of stages including equipment checks prior, pressure tests and casing scraping. Well suspension brine will also be circulated out of the well during this phase. The extractive wastes generated during the work over include: Well Suspension Brine and Waxes.

**Clean up:** Following completion of the work over phase the ALB1 well will be cleaned up by flowing gas to surface. Once at surface the natural gas will be diverted by temporary pipework to a three phase separator, which will separate out gas, oil and formation water. The ALB1 well is a dry gas well and as such oil and formation water are not expected to be produced from the well. The natural gas will be flowed through a series of well testing equipment at surface before being incinerated by a flare onsite.

The duration of the well clean-up phase is anticipated to be 4 days. At the point of incineration, the natural gas is considered a waste. The Albury operations are anticipated to incinerate natural gas at levels exceeding 10 tonnes per day. The extractive wastes generated during the clean-up include: Natural Gas, Nitrogen and possibly but unlikely Formation Water.

**Production:** Following the work over of the well it will be put back into a state of production with natural gas being utilised for the generation of electricity for site. In this event the natural gas will not be considered a waste but as a product as it is being used to generate electricity onsite with the remaining gas being used for export through a gas grid connection. The extractive waste generated during production could possibly be Formation Water but this is considered unlikely.

Extractive wastes generated during the work over, clean-up and subsequent production operations do not undergo any changes in relation to surface area or exposure to conditions above ground. All extractive waste generated during work over, clean-up and subsequent production operations will be temporarily stored onsite for subsequent offsite treatment and/or disposal at a separately permitted waste treatment facility, including reinjection facilities independent from the Albury wellsite.

The following wastes are expected to be generated from activities at the wellsite:

- EWC 01 05 08, Well suspension brine, estimated quantity 32m<sup>3</sup>
- EWC 16 03 06, Paraffin waxes, estimated quantity <50kg
- EWC 16 05 04, Natural Gas, estimated disposal of >10 tonnes per day.
- 01 01 02, Formation Water

Formation water may be encountered when undertaking activities. Where it is encountered the formation water will be separated at the surface and stored in dedicated cylindrical closed tanks located onsite for removal. The formation water has the potential to contain Naturally Occurring Radioactive Material (NORM) and will be handled, tested and disposed of in accordance with a standard rules RSR permit which will be applied for by the operator prior to the commencement of testing operations. Further information on the restrictions and requirements of an RSR permit can be found here

(<https://www.gov.uk/government/collections/radioactive-substances-regulation-for-non-nuclear-sites>).

### **Noise**

Planning conditions are to be imposed on the operator in accordance with the Surrey County Council local plan – supplementary planning document: oil and gas exploration, production and distribution. This document sets out a requirement for operators to demonstrate that the noise levels as a result of development shall be 5dB (A) or more below the measurement background level in accordance with the BS4142:2014 standard.

The Environment Agency believes that where noise management practices as outlined in the environmental risk assessment are adopted by the Operator then the impact at residential receptors is likely to be minimal. It should also be noted that flaring activities are a temporary activity (limited to 4 days) and that any nuisance caused is likely to be short lived.

### **Odour**

In general, the odorous component of flare releases tends to be the higher hydrocarbon compounds (C<sub>6</sub> and above) which are those with the lower odour thresholds. The predominant higher hydrocarbon compounds present in flare releases are expected to be acetylene, ethyl benzene, benzene, styrene, ethyl benzene and naphthalene.

The combustion efficiency of higher hydrocarbons is generally expected to be lower than the combustion efficiency of the lower hydrocarbon compounds (C<sub>5</sub> and below).

The Applicant submitted an Odour Risk Assessment for the Albury Wellsite for potential odour release points, potential sources of odour, operations carried out which may lead to odour emissions and risk management to control and minimise odour. As a result of the risk assessment the Applicant has produced an Odour Management Plan which is designed to consider odour sources, releases and impacts of odour and the implementation of appropriate methods of control. The Environment Agency believes that where odour management practices as outlined in the environmental risk assessment and Odour Management Plan are adopted by the Operator then the impact at sensitive receptors is likely to be minimal.

## Decision checklist

Aspect considered	Decision
<b>Receipt of application</b>	
Confidential information	A claim for commercial or industrial confidentiality has not been made.
Identifying confidential information	We have not identified information provided as part of the application that we consider to be confidential.
<b>Consultation</b>	
Consultation	<p>The consultation requirements were identified in accordance with the Environmental Permitting Regulations and our public participation statement.</p> <p>The application was publicised on the GOV.UK website.</p> <p>We consulted the following organisations:</p> <ul style="list-style-type: none"> <li>Department for public health</li> <li>Environmental Health</li> <li>Health and Safety Executive</li> <li>Local Planning Authority</li> <li>Onshore Oil and Gas Authority</li> <li>Public Health England</li> </ul> <p>The comments and our responses are summarised in the <a href="#">consultation section</a>.</p>
<b>Operator</b>	
Control of the facility	We are satisfied that the applicant (now the operator) is the person who will have control over the operation of the facility after the grant of the permit. The decision was taken in accordance with our guidance on legal operator for environmental permits.
<b>The facility</b>	
The regulated facility	<p>We considered the extent and nature of the facility at the site in accordance with RGN2 'Understanding the meaning of regulated facility', Appendix 2 of RGN 2 'Defining the scope of the installation', Appendix 1 of RGN 2 'Interpretation of Schedule 1', guidance on waste recovery plans and permits.</p> <p>The extent of the facility is defined in the site plan and in the permit. The activities are defined in table S1.1 of the permit.</p>
<b>The site</b>	
Extent of the site of the facility	The operator has provided plans which we consider are satisfactory, showing the extent of the site of the facility. The plans are included in the permit.

<b>Aspect considered</b>	<b>Decision</b>
Site condition report	The operator has provided a description of the condition of the site, which we consider is satisfactory. The decision was taken in accordance with our guidance on site condition reports and baseline reporting under the Industrial Emissions Directive.
Waste management plan	The operator has provided a waste management plan which we consider is satisfactory.
Biodiversity, heritage, landscape and nature conservation	<p>The application is within the relevant distance criteria of a site of heritage, landscape or nature conservation, and/or protected species or habitat.</p> <p>We have assessed the application and its potential to affect all known sites of nature conservation, landscape and heritage and/or protected species or habitats identified in the nature conservation screening report as part of the permitting process.</p> <p>We consider that the application will not affect any sites of nature conservation, landscape and heritage, and/or protected species or habitats identified.</p>
<b>Environmental risk assessment</b>	
Environmental risk	<p>We have reviewed the operator's assessment of the environmental risk from the facility.</p> <p>The operator's risk assessment is satisfactory.</p>
<b>Operating techniques</b>	
General operating techniques	<p>We have reviewed the techniques used by the operator and compared these with the relevant guidance notes and we consider them to represent appropriate techniques for the facility.</p> <p>The operating techniques that the applicant must use are specified in table S1.2 in the environmental permit.</p>
Odour management	<p>We have reviewed the odour management plan in accordance with our guidance on odour management.</p> <p>We consider that the odour management plan is satisfactory.</p>
<b>Permit conditions</b>	
Use of conditions other than those from the template	Based on the information in the application, we consider that we do not need to impose conditions other than those in our permit template.
Raw materials	We have specified limits and controls on the use of raw materials and fuels.
Waste types	<p>We have specified the permitted waste types, descriptions and quantities, which can be accepted at the regulated facility.</p> <p>We are satisfied that the operator can accept these wastes for the following reasons:</p>

Aspect considered	Decision
	<ul style="list-style-type: none"> <li>• they are suitable for the proposed activities</li> <li>• the proposed infrastructure is appropriate</li> <li>• the environmental risk assessment is acceptable.</li> </ul>
Improvement programme	Based on the information on the application, we consider that we need to impose an improvement programme.
Monitoring	<p>We have decided that monitoring should be carried out for the parameters listed in the permit, using the methods detailed and to the frequencies specified.</p> <p>Based on the information in the application we are satisfied that the operator's techniques, personnel and equipment have either MCERTS certification or MCERTS accreditation as appropriate.</p>
Reporting	We have specified reporting in the permit.
<b>Operator competence</b>	
Management system	<p>There is no known reason to consider that the operator will not have the management system to enable it to comply with the permit conditions.</p> <p>The decision was taken in accordance with the guidance on operator competence and how to develop a management system for environmental permits.</p>
Relevant convictions	<p>The Case Management System has been checked to ensure that all relevant convictions have been declared.</p> <p>No relevant convictions were found. The operator satisfies the criteria in our guidance on operator competence.</p>
Financial competence	There is no known reason to consider that the operator will not be financially able to comply with the permit conditions.
<b>Growth Duty</b>	
Section 108 Deregulation Act 2015 – Growth duty	<p>We have considered our duty to have regard to the desirability of promoting economic growth set out in section 108(1) of the Deregulation Act 2015 and the guidance issued under section 110 of that Act in deciding whether to grant this permit.</p> <p>Paragraph 1.3 of the guidance says:</p> <p>“The primary role of regulators, in delivering regulation, is to achieve the regulatory outcomes for which they are responsible. For a number of regulators, these regulatory outcomes include an explicit reference to development or growth. The growth duty establishes economic growth as a factor that all specified regulators should have regard to, alongside the delivery of the protections set out in the relevant legislation.”</p> <p>We have addressed the legislative requirements and environmental standards to be set for this operation in the body of the decision document above. The guidance is clear at paragraph 1.5 that the growth duty does not legitimise non-compliance and its purpose is not to achieve or pursue</p>

Aspect considered	Decision
	<p>economic growth at the expense of necessary protections.</p> <p>We consider the requirements and standards we have set in this permit are reasonable and necessary to avoid a risk of an unacceptable level of pollution. This also promotes growth amongst legitimate operators because the standards applied to the operator are consistent across businesses in this sector and have been set to achieve the required legislative standards.</p>

## Consultation

The following summarises the responses to consultation with other organisations, our notice on GOV.UK for the public and the way in which we have considered these in the determination process.

### Responses from organisations listed in the consultation section

<b>Response received from</b>
Guilford Borough Council – Planning Enforcement
<b>Brief summary of issues raised</b>
GBC stated that they are not aware of any noise or other amenity issues at the site and a check of their records show that there are no outstanding planning enforcement actions for the site
<b>Summary of actions taken or show how this has been covered</b>
No action required by the Environment Agency following this consultation response.

<b>Response received from</b>
Public Health England
<b>Brief summary of issues raised</b>
<p>PHE stated that the site is located in a rural area. The nearest residential property is approximately 200m to the northwest of the site boundary. Further residential properties lie approximately 300m to the southeast. A public footpath runs northwest-southeast through Albury Park, approximately 200 m to the northeast of the wellsite.</p>
<p>We recommend that any Environmental Permit issued for this site should contain conditions to ensure that the following potential emissions do not impact upon public health: fugitive particulate matter and hydrocarbon emissions to air arising from the activities onsite.</p>
<p>Based solely on the information contained in the application provided, PHE has no significant concerns regarding risk to health of the local population from this proposed activity, providing that the applicant takes all appropriate measures to prevent or control pollution, in accordance with the relevant sector technical guidance or industry best practice.</p>
<p>In relation to potential risk to public health, we recommend that the Environment Agency also consult the following relevant organisation(s) in relation to their areas of expertise:</p>
<ul style="list-style-type: none"> <li>• the local authority for matters relating to impact upon human health of contaminated land; noise, odour, dust and other nuisance emissions;</li> <li>• the Food Standards Agency, where there is the potential for deposition on land used for the growing of food crops or animal rearing;</li> </ul>

- the Director of Public Health for matters relating to wider public health impacts.

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

The Environment Agency considers that all measures have been taken by the Operator to prevent or minimise the adverse environmental impacts from emissions from the site including direct emissions to air, water and land, including both point source and fugitive emissions. We have also considered the Operators Noise and Odour Management Plans and consider these to be acceptable. As detailed above we sent copies of the Application to other relevant organisations for their expert consideration and consultation.