

## **Standard rules SR2014 No 2**

### **The management of extractive waste, not including a waste facility, generated from onshore oil and gas prospecting activities of drill, core and decommissioning without well stimulation (using oil and / or water based drilling mud)- existing permits**

#### **Introductory note**

This introductory note does not form part of these standard rules. These rules only relate to the activity(ies) specified and cannot be taken to allow or control other permissible activities.

These standard rules are only available to existing SR2014 No2 permit holders. New applicants should use standard rules SR2015 No1.

When referred to in an environmental permit, these rules will allow the operator to carry out the following activities involved in oil and gas exploratory drilling operations;

A mining waste operation for the management of extractive waste generated from prospecting, including well suspension and decommissioning, not involving a mining waste facility.

- The management of extractive waste will be limited to non-hazardous waste with the exception of any hydrocarbons present in rock and which either contaminate drill cuttings or may be returned to the surface as free hydrocarbons during the drilling operation which would be hazardous waste and will not involve a waste facility; and
- includes oil based drilling mud and cuttings which may be contaminated with oil based drilling fluid.

These rules do not cover

- The management of waste generated by well stimulation of any type, including hydraulic fracturing and /or hydrocarbon extraction and/or production (including appraisal and extended well testing).

The operator prior to applying for these rules shall determine through pre-application discussion whether their proposed operations require the benefit of an environmental permit for a groundwater activity.

Extractive waste includes the following materials;

- Spent drilling mud
- Drill cuttings
- Hydrocarbons
- Spent spacer fluid
- Spent suspension fluid
- Cement returns

These rules do not apply to a regulated facility with more than one operator.

**End of Introductory Note**

# Rules

## 1 Management

### 1.1 General management

1.1.1 The operator shall manage and operate the activities:

- (a) in accordance with a written management system that identifies and minimises risks of pollution, including those arising from operations, maintenance, accidents, incidents, non-conformances closure and those drawn to the attention of the operator as a result of complaints; and
- (b) using sufficient competent persons and resources.

1.1.2 Records demonstrating compliance with condition 1.1.1 shall be maintained.

1.1.3 Any person having duties that are or may be affected by the matters set out in these standard rules shall have convenient access to a copy of them kept at or near the place where those duties are carried out.

### 1.2 Avoidance, recovery and disposal of wastes produced by the activities

1.2.1 The operator shall take appropriate measures including but not limited to those in the approved waste management plan to ensure that:

- (a) the waste hierarchy referred to in Article 4 of the Waste Framework Directive is applied to the generation of waste by the activities; and
- (b) any waste generated by the activities is treated in accordance with the waste hierarchy referred to in Article 4 of the Waste Framework Directive; and
- (c) where disposal is necessary, this is undertaken in a manner which minimises its impact on the environment.

1.2.2 The operator shall review and record at least every 12 months whether changes to those measures should be made and take any further appropriate measures identified by a review.

## 2 Operations

### 2.1 Permitted activities

2.1.1 The operator is only authorised to carry out the activities specified in table 2.1 below ("the activities").

<b>Table 2.1 Activities</b>	
<b>Description of activities</b>	<b>Limits of activities</b>
<p>The management of extractive waste not involving a waste facility, arising from prospecting for oil and gas without well stimulation of any sort.</p>	<p>Where activities involve only the use of water based drilling muds, The activities shall be limited to and conform to those described in the Waste Management Plan (WMP1). The management of extractive waste will be limited to the wastes described in this waste management plan</p>
	<p>Where activities involve the use of oil and water based drilling muds, the activities shall be limited to and conform to those described in the Waste Management Plan (WMP2). The management of extractive waste will be limited to the wastes described in this waste management plan</p>
<p>The management of extractive waste generated by well decommissioning.</p>	<p>The management of extractive waste will be limited to the wastes described in the applicable waste management plan</p>
	<p>The storage of hazardous extractive waste is limited to temporary storage in secure containment as part of the collection and transportation of waste from the site</p>
	<p>The storage of non-hazardous waste shall not exceed a period of 3 months.</p>
	<p>The authorised activities include the management of extractive waste generated by well decommissioning, providing that the well(s) are abandoned prior to commencement of extraction and/or production (including pre-production development)</p>

## **2.2 The site**

2.2.1 The activities shall not extend beyond the site, being the land shown edged in green on the site plan attached to the permit.

2.2.2 The permitted activities must not be carried out within:

- (a) 10 metres of any watercourse;
- (b) groundwater source protection zone 1 or 2, or if a source protection zone has not been defined then within 250 metres of any well, spring or borehole used for the supply of water for human consumption. This includes private water supplies;
- (c) a specified Air Quality Management Area;

- (d) 200 metres of a European Site or a Site of Special Scientific Interest (excluding any site designated solely for geological features);
- (e) 200 metres from the nearest sensitive receptor.

## 2.3 Operating techniques

- 2.3.1 The activities shall, subject to these rules, be operated in accordance with the waste management plan reference WMP1 or WMP2, as indicated in the application for a permit unless otherwise agreed in writing by the Environment Agency.
- 2.3.2 The activities shall be operated using the techniques and in the manner described in Table 2.3 below.

<b>Table 2.3 Operating Techniques</b>	
<b>Measures</b>	
1.	The management of extractive wastes shall be operated using the techniques described in the relevant waste management plan reference WMP1 or 2 as indicated in the permit application.
2.	All extractive waste solids, liquids and sludges shall be stored using containment systems constructed in accordance with CIRIA R164 and C736 to prevent any pollutants entering the environment.
3.	All extractive waste storage tanks shall be located on an impermeable surface (a permeability of less than $1 \times 10^{-9}$ m/s) with sealed construction joints within a bunded area. The bunded area shall have a capacity of at least 110% of the largest vessel or 25% of the total tankage volume, whichever is the greater. Bunds shall be inspected daily during operational periods to ensure that this capacity is maintained, such as but not limited to the removal of rainwater.
4.	If a borehole is to be suspended or decommissioned it will be sealed or otherwise made safe, including any associated surface works in accordance with established procedures and the following regulatory provisions: The Borehole Sites and Operations Regulations 1995 and Offshore Installations and Wells (Design & Construction etc) Regulations 1996.

## 3 Emissions and Monitoring

### 3.1 Emissions to air, water or land

- 3.1.1 There shall be no point source emissions to air, water or land.

## **3.2 Emissions of substances not controlled by emission limits**

- 3.2.1 Emissions of substances not controlled by emission limits (excluding odour) shall not cause pollution. The operator shall not be taken to have breached this rule if appropriate measures, including, but not limited to, those specified in the approved waste management plan and in any approved emissions management plan, have been taken to prevent or where that is not practicable, to minimise, those emissions.
- 3.2.2 The operator shall:
- (a) if notified by the Environment Agency that the activities are giving rise to pollution, submit to the Environment Agency for approval within the period specified, an emissions management plan which identifies and minimises the risk of pollution;
  - (b) implement the approved emissions management plan, from the date of approval, unless otherwise agreed in writing by the Environment Agency.
- 3.2.3 All liquids in containers, whose emission to water or land could cause pollution, shall be provided with secondary containment, unless the operator has used other appropriate measures including but not limited to those specified in the mining waste management plan to prevent or where that is not practicable, to minimise leakage and spillage from the primary container.

## **3.3 Odour**

- 3.3.1 Emissions from the activities shall be free from odour at levels likely to cause pollution outside the site, as perceived by an authorised officer of the Environment Agency, unless the operator has used appropriate measures, including, but not limited to, those specified in the waste management plan, to prevent or where that is not practicable, to minimise, the odour.
- 3.3.2 The operator shall:
- (a) if notified by the Environment Agency that the activities are giving rise to pollution outside the site due to odour, submit to the Environment Agency for approval within the period specified, an odour management plan which identifies and minimises the risk of pollution;
  - (b) implement the approved odour management plan, from the date of approval, unless otherwise agreed in writing by the Environment Agency.

### **3.4 Noise and vibration**

- 3.4.1 Emissions from the activities shall be free from noise and vibration at levels likely to cause pollution outside the site, as perceived by an authorised officer of the Environment Agency, unless the operator has used appropriate measures, including, but not limited to, those specified in the waste management plan or an approved noise and vibration management plan, to prevent or where that is not practicable, to minimise, the noise and vibration.
- 3.4.2 The operator shall:
- (a) if notified by the Environment Agency that the activities are giving rise to pollution outside the site due to noise and vibration, submit to the Agency for approval within the period specified, a noise and vibration management plan which identifies and minimises the risk of pollution;
  - (b) implement the approved noise and vibration management plan, from the date of approval, unless otherwise agreed in writing by the Environment Agency.

### **3.5 Monitoring**

- 3.5.1 The operator shall, unless otherwise agreed in writing by the Environment Agency, undertake the monitoring specified in the relevant waste management plan reference WMP1 or WMP2.
- 3.5.2 If required by the Environment Agency, the operator shall
- (a) take such samples and conduct such measurements, tests, surveys, analyses and calculations, including environmental measurements and assessments, at such times and using such methods and equipment as the Environment Agency may specify and
  - (b) keep samples, provide samples, or dispatch samples for tests at a laboratory, as the Environment Agency specifies, and ensure that the samples or residues thereof are collected from the laboratory within three months of receiving written notification that testing and repackaging in accordance with the relevant legislation are complete.
- 3.5.3 The operator shall maintain records of all monitoring required by these rules including records of the taking and analysis of samples, instrument measurements (periodic and continual), calibrations, examinations, tests and surveys and any assessment or evaluation made on the basis of such data.
- 3.5.4 The operator shall carry out:
- (a) regular calibration, at an appropriate frequency, of systems and equipment provided for carrying out any monitoring and measurements necessary to determine compliance with these rules; and

- (b) regular checking, at an appropriate frequency, that such systems and equipment are serviceable and correctly used.

## **4 Information**

### **4.1 Records**

4.1.1 All records required to be made by these standard rules shall:

- (a) be legible;
- (b) be made as soon as reasonably practicable;
- (c) if amended, be amended in such a way that the original and any subsequent amendments remain legible or are capable of retrieval; and
- (d) be retained until notified in writing by the Environment Agency that records no longer need to be retained.

4.1.2 The operator shall keep on site all records, plans and the management system required to be maintained by these standard rules, unless otherwise agreed in writing by the Environment Agency.

### **4.2 Reporting**

4.2.1 The operator shall send all reports and notifications required by these standard rules to the Environment Agency using the contact details supplied in writing by the Environment Agency.

4.2.2 Within one month of the end of each month, the operator shall submit to the Environment Agency using the form made available for the purpose, the information specified on the form relating to the site and the waste removed from it during the previous month.

### **4.3 Notifications**

- 4.3.1
- (a) In the event that the operation of the activities gives rise to an incident or accident which significantly affects or may significantly affect the environment, the operator must immediately-
    - inform the Environment Agency,
    - take the measures necessary to limit the environmental consequences of such an incident or accident, and
    - take the measures necessary to prevent further possible incidents or accidents;
  - (b) in the event of a breach of any standard rule the operator must immediately-
    - Inform the Environment Agency, and
    - take the measures necessary to ensure that compliance is restored within the shortest possible time;



- (c) in the event of a breach of standard rule which poses an Immediate danger to human health or threatens to cause an immediate significant adverse effect on the environment, the operator must immediately suspend the operation of the activities or the relevant part of it until compliance with the standard rules has been restored.

4.3.2 Any information provided under standard rule 4.3.1 shall be confirmed in writing within 24 hours.

4.3.3 The Environment Agency shall be notified in writing, at least 21 days in advance or, where this is not possible, without delay, of the operator's intention to cease to manage extractive waste.

4.3.4 Where the Environment Agency has requested in writing that it shall be notified when the operator is to undertake monitoring and/or spot sampling, the operator shall inform the Environment Agency when the relevant monitoring and/or spot sampling is to take place. The operator shall provide this information to the Environment Agency at least 14 days before the date the monitoring is to be undertaken.

4.3.5 The Environment Agency shall be notified within 14 days of the occurrence of the following matters except where such disclosure is prohibited by Stock Exchange rules:

(a) Where the operator is a registered company:

- any change in the operator's trading name, registered name or registered office address; and
- any steps taken with a view to the operator going into administration, entering into a company voluntary arrangement or being wound up.

(b) Where the operator is a corporate body other than a registered company:

- any change in the operator's name or address; and
- any steps taken with a view to the dissolution of the operator.

(c) In any other case:

- the death of any of the named operators (where the operator consists of more than one named individual);
- any change in the operator's name(s) or address(es); and
- any steps taken with a view to the operator, or any one of them, going into bankruptcy, entering into a composition or arrangement with creditors, or, in the case them being in a partnership, dissolving the partnership.

## 4.4 Interpretation

4.4.1 In these standard rules the expressions listed below shall have the meaning given.

4.4.2 In these standard rules references to reports and notifications mean written reports and notifications, except when reference is being made to notification being made “without delay”, in which case it may be provided by telephone.

“accident” means an accident that may result in pollution.

“annual limit” means the limit over a calendar year.

“authorised officer” means any person authorised by the Environment Agency under section 108(1) of the Environment Act 1995 to exercise, in accordance with the terms of any such authorisation, any power specified in Section 108(4) of that Act.

“environment” means all, or any, of the media of air, water (to include sewers and drains) and land.

“Environmental Permitting Regulations” means the Environmental Permitting (England and Wales) Regulations 2010 [as amended].

“emissions of substances not controlled by emission limits” means emissions of substances to air, water or land from the activities, either from the emission points specified in these standard rules or from other localised or diffuse sources, which are not controlled by an emission limit.

“European Site” means “European Site” means a European site within the meaning of Regulation 8 of the Conservation of Habitats and Species Regulations 2017.

“Extractive waste” means waste which directly results from the prospecting, extraction, treatment and storage of mineral resources and the working of quarries.

“groundwater” means all water, which is below the surface of the ground in the saturation zone and in direct contact with the ground or subsoil.

“groundwater source protection zone” has the meaning given in the document titled “Groundwater Protection: Principles and practice” published by the Environment Agency in 2012 (see pages 23-24).

“impermeable surface” means a surface or pavement constructed and maintained to a standard sufficient to prevent the transmission of liquids beyond the pavement surface, and should be read in conjunction with the term “sealed drainage system” (below).

“MCERTS” means the Environment Agency’s Monitoring Certification Scheme.

“nearest sensitive receptor” means the nearest place to the permitted activities where people are likely to be for prolonged periods. This term would therefore apply to dwellings and associated gardens (including farmhouses) and to many types of workplaces. We would not normally regard a place where people are likely to be present for less than 6 hours at one time as being a sensitive receptor. The term does not apply to the operators of the permitted facility, their staff when they are at work or to visitors to the facility, as their health is covered by Health and Safety at Work legislation.

"pollution" means emissions as a result of human activity which may—

- (a) be harmful to human health or the quality of the environment,
- (b) cause offence to a human sense,
- (c) result in damage to material property, or
- (d) impair or interfere with amenities and other legitimate uses of the environment.

“Prospecting” means the search for mineral deposits of economic value, including sampling, drilling and trenching but excluding any works required for the development of such deposits, and any activities directly associated with an existing extraction operation.

“quarter” means a calendar year quarter commencing on 1 January, 1 April, 1 July or 1 October.

“samples" includes samples that have been prepared or treated to enable measurements of activity to be made.

“sealed drainage system” in relation to an impermeable surface, means a drainage system with impermeable components which does not leak and which will ensure that:

- (a) no liquid will run off the surface otherwise than via the system;
- (b) except where they may lawfully be discharged to foul sewer, all liquids entering the system are collected in a sealed sump.

“secure storage” means storage where waste cannot escape and members of the public do not have access to it.

“site” means the location where waste the activities can take place..

“specified AQMA” means an air quality management area within the meaning of the Environment Act 1995 which has been designated due to concerns about oxides of nitrogen.

“SSSI” means Site of Special Scientific Interest within the meaning of the Wildlife and Countryside Act 1981 (as amended by the Countryside and Rights of Way Act 2000).

“techniques” include both the technology used and the way in which the installation is designed, built, maintained, operated and dismantled.

“year” means calendar year commencing on 1 January.

“Waste facility means” an area designated for the accumulation or deposit of extractive waste, whether in solid or liquid state or in a solution or suspension, for the following time periods:

- No time period for Category A mining waste facilities and for extractive waste characterised as hazardous in the Waste Management Plan (WMP);
- Six months for hazardous extractive waste generated unexpectedly;
- A year for non-hazardous non-inert extractive waste; and
- Three years for inert extractive waste and non-hazardous waste from the prospecting of oil, and evaporites other than gypsum and anhydrite.

“Well stimulation” for the purposes of this permit includes the use of acid or alkali to either open or increase the porosity of the target strata to increase the production of oil or gas and the flow of hydrocarbons to the well bore

**End of standard rules**