



This form will report compliance with your permit as determined by an Environment Agency officer

Site	Knapton Generating Station EPR/HP3038LA		Permit Ref	HP3038LA		
Operator/ Permit holder	Third Energy UK Gas Limited					
Date	20/01/2016		Time in	10:55	Out	14:45
What parts of the permit were assessed	odour complaint; recent variation; reg 60 responses					
Assessment	Site Inspection	EPR Activity:	Installation	X	Waste Op	Water Discharge
Recipient's name/position	██████████ Third Energy					
Officer's name	██████████	EA	Date issued	21/01/2016		

Section 1 - Compliance Assessment Summary

This is based on the requirements of the permit under the Environmental Permitting Regulations. A detailed explanation and any action you may need to take are given in the "Detailed Assessment of Compliance" (section 3). This summary details where we believe any non-compliance with the permit has occurred, the relevant condition and how the non-compliance has been categorised using our [Compliance Classification Scheme](#) (CCS). CCS scores can be consolidated or suspended, where appropriate, to reflect the impact of some non-compliances more accurately. For more details of our CCS scheme, contact your [local office](#).

Permit Conditions and Compliance Summary			Condition(s) breached
a) Permitted activities	1. Specified by permit	N	
b) Infrastructure	1. Engineering for prevention & control of pollution	N	
	2. Closure & decommissioning	N	
	3. Site drainage engineering (clean & foul)	N	
	4. Containment of stored materials	N	
	5. Plant and equipment	N	
c) General management	1. Staff competency/ training	N	
	2. Management system & operating procedures	C3	1.1.1
	3. Materials acceptance	N	
	4. Storage handling, labelling, segregation	N	
d) Incident management	1. Site security	N	
	2. Accident, emergency & incident planning	N	
e) Emissions	1. Air	N	
	2. Land & Groundwater	N	
	3. Surface water	N	
	4. Sewer	N	
	5. Waste	N	
f) Amenity	1. Odour	A	
	2. Noise	N	
	3. Dust/fibres/particulates & litter	N	
	4. Pests, birds & scavengers	N	
	5. Deposits on road	N	
g) Monitoring and records, maintenance and reporting	1. Monitoring of emissions & environment	N	
	2. Records of activity, site diary, journal & events	N	
	3. Maintenance records	N	
	4. Reporting & notification	C4	4.3
h) Resource efficiency	1. Efficient use of raw materials	N	
	2. Energy	N	

KEY: C1, C2, C3, C4 = CCS breach category (* suspended scores are marked with an asterisk), A = Assessed (no evidence of non-compliance), N = Not assessed, NA = Not Applicable, O = Ongoing non-compliance – not scored

Number of breaches recorded	2	Total compliance score (see section 5 for scoring scheme)	4.1
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If the Total No Breaches is greater than zero, then please see Section 3 for details of our proposed enforcement response

Section 2 – Compliance Assessment Report Detail

This section contains a report of our findings and will usually include information on:

- the part(s) of the permit that were assessed (e.g. maintenance, training, combustion plant, etc)
- where the type of assessment was 'Data Review' details of the report/results triggering the assessment
- any non-compliances identified
- any non-compliances with directly applicable legislation
- details of any multiple non-compliances
- information on the compliance score accrued inc. details of suspended or consolidated scores.
- details of advice given
- any other areas of concern
- all actions requested
- any examples of good practice.
- a reference to photos taken

This report should be clear, comprehensive, unambiguous and normally completed within 14 days of an assessment.

Meeting with Operations Support Manager, Operations Systems Analyst and Operations Director.
Agenda

Response to request for information for oil and gas sites.

Odour complaint from November 2015.

Combustion permit variation and requirements

Annual report and monitoring returns received 12th Jan 2016. Thank you, these will be placed on the public register.

Following introductions, a discussion on the reg 60 response from Third Energy for the oil and gas re-permitting programme took place. Third Energy agreed to resubmit their responses with further information within 14 days of this visit.

Odour Complaint

Third Energy received an odour complaint in November 2015. This aligned with some work being carried out on Malton 4 wellsite. During this work the pipeline contents were discharged through the flare at Knapton Generating Station in order for essential maintenance work to be carried out. The turbine was not running at the time and procedures were followed to direct the gas to the flare as per standard operations in this scenario.

This odour complaint is classed as substantiated and according to the management systems and permit should have been notified to the Environment Agency. In this case it was not (although was reported to Ryedale Council).

This non-conformance is classed as a CAT 4 against notification and CAT 3 for management systems for reporting. Operational systems in place in this scenario appear to have functioned appropriately.

Advice and guidance is given as an enforcement outcome to review the management procedure for notification and reporting, considering the requirements of Schedule 5 of the Environmental Permit. A notification and investigation report of this event plus update of the relevant procedure is required by 29th January 2016. Please include in this report the volume of gas flared in this instance.

A review/update of the whole Environment Management System is currently being carried out. This is due to be complete by the end of April 2016 with appropriate training implemented for staff.

Combustion IED

Third Energy have had a recent variation to their permit to update it for IED relating to combustion activities.

Advice was provided that Third Energy need to ensure that appropriate systems are in place for data collection, reporting and alarms. Management systems and training appropriate to these should be in place. Start-up/shut down figures have been submitted and are specified in the permit. Operating hours also need to be recorded.

Guidance documents are available on Energy UK website.

Improvement Conditions

Third Energy have a number of Improvement Conditions due in 2016. IC12 and IC13 are due by the end of the year and involve verification of data submitted during the permit variation. If any work is

being carried out on the turbine during this period, Third Energy are advised to consider the requirements of IC12 in particular and to refer to the Commission Implementing Decision when considering IC13.

IC14 is due by 28/1/16 and Third Energy advised this is in hand.

IC15 and IC16 are due by the end of March 2016. Discussion was had around the consideration of BAT for the site and the implications of the varying fuel feed. Third Energy will now progress this and the due date was highlighted.

Third Energy were advised that the combustion BREF is due shortly and will be incorporated into permits in a BREF review process. Third Energy should ensure that they keep up to date with developments and there is often information on the Energy UK website.

Other Information

Third Energy were advised that the IED compliance protocol has been updated and is available on the Energy UK website.

The technical guidance for oil and gas is now on the gov.uk EA consultation website and Third Energy are advised to review this document.



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Section 3- Enforcement Response **Only one of the boxes below should be ticked**

<p>You must take immediate action to rectify any non-compliance and prevent repetition. Non-compliance with your permit conditions constitutes an offence and can result in criminal prosecutions and/or suspension or revocation of a permit. Please read the detailed assessment in Section 2 and the steps you need to take in Section 4 below.</p>	
<p>Other than the provision of advice and guidance, at present we do not intend to take further enforcement action in respect of the non-compliance identified above. This does not preclude us from taking enforcement action if further relevant information comes to light or advice isn't followed.</p>	X
<p>In respect of the above non-compliance you have been issued with a warning. At present we do not intend to take further enforcement action. This does not preclude us from taking additional enforcement action if further relevant information comes to light or offences continue.</p>	
<p>We will now consider what enforcement action is appropriate and notify you, referencing this form.</p>	

Section 4- Action(s)

Where non-compliance has been detected and an enforcement response has been selected above, this section summarises the steps you need to take to return to compliance and also provides timescales for this to be done.

Criteria Ref.	CCS Category	Action Required / Advised	Due Date
See Section 1 above			
C2	C3	Update EMS relating to complaints and notifications to the EA. This should make reference to the requirements of Schedule 5 of the Environmental Permit.	29/1/16
G4	C4	Submit a notification and investigation regarding the odour complaint in November 2015.	29/01/2016

Section 5 - Compliance notes for the Operator

To ensure you correct actual or potential non-compliance we may

- advise on corrective actions verbally or in writing
- require you to take specific actions in writing
- issue a notice
- require you to review your procedures or management system
- change some of the conditions of your permit
- decide to undertake a full review of your permit

Any breach of a permit condition is an offence and we may take legal action against you.

● We will normally provide advice and guidance to assist you to come back into compliance either after an offence is committed or where we consider that an offence is likely to be committed. This is without prejudice to any other enforcement response that we consider may be required.

● Enforcement action can include the issue of a formal caution, prosecution, the service of a notice and or suspension or revocation of the permit.

● A civil sanction Enforcement Undertaking (EU) offer may also be available to you as an alternative enforcement response for this/these offence(s).

See our Enforcement and Civil Sanctions guidance for further information

This report does not relieve the site operator of the responsibility to

- ensure you comply with the conditions of the permit at all times and prevent pollution of the environment
- ensure you comply with other legislative provisions which may apply.

Non-compliance scores and categories

CCS category	Description	Score
C1	A non-compliance which could have a major environmental effect	60
C2	A non-compliance which could have a significant environmental effect	31
C3	A non-compliance which could have a minor environmental effect	4
C4	A non-compliance which has no potential environmental effect	0.1

Operational Risk Appraisal (Opra) - Compliance assessment findings may affect your Opra score and/or your charges. This score influences the resource we use to assess permit compliance.

Section 6 – General Information

Data protection notice

The information on this form will be processed by the Environment Agency to fulfill its regulatory and monitoring functions and to maintain the relevant public register(s). The Environment Agency may also use and/or disclose it in connection with:

- offering/providing you with its literature/services relating to environmental matters
- consulting with the public, public bodies and other organisations (e.g. Health and Safety Executive, local authorities) on environmental issues
- carrying out statistical analysis, research and development on environmental issues
- providing public register information to enquirers
- investigating possible breaches of environmental law and taking any resulting action
- preventing breaches of environmental law
- assessing customer service satisfaction and improving its service
- Freedom of Information Act/Environmental Information Regulations request.

The Environment Agency may pass it on to its agents/representatives to do these things on its behalf. You should ensure that any persons named on this form are informed of the contents of this data protection notice.

Disclosure of information

The Environment Agency will provide a copy of this report to the public register(s). However, if you consider that any information contained in this report should not be released to the public register(s) on the grounds of commercial confidentiality, you must write to your local area office within 28 days of receipt of this form indicating which information it concerns and why it should not be released, giving your reasons in full.

Customer charter

What can I do if I disagree with this compliance assessment report?

If you are unable to resolve the issue with your site officer, you should firstly discuss the matter with the officer's line managers. If you wish to raise your dispute further through our official Complaints and Commendations procedure, phone our general enquiry number 03708 506 506 (Mon to Fri 08.00–18.00) and ask for the Customer Contact team or send an email to enquiries@environment-agency.gov.uk. If you are still dissatisfied, you can make a complaint to the Ombudsman. For advice on how to complain to the [Parliamentary and Health Service Ombudsman](#), phone their helpline on 0345 015 4033.