Permitting Decisions- Variation

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

The variation number is EPR/DB3503HL/V002.

The variation is to accommodate well clean-up operations, extended well testing operations and to add new chemicals for drilling muds and to updated development description.

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 to show how the main relevant factors have been taken into account. We have assessed the aspects that are changing as part of this variation, we have not revisited any other sections of the permit.

This decision document provides a record of the decision-making process.

- highlights key issues in the determination
- summarises the decision making process in the decision considerations section to show how the main relevant factors have been taken into account

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

Read the permitting decisions in conjunction with the environmental permit and the variation notice.

Key issues of the decision

Decision considerations

Schedule 5 notices were issued to the applicant requesting additional information.

Air quality and modelling assessment was incomplete, additional modelling files were requested to allow modelling to be completed.

Impact assessment of the following habitats sites, Greater Wash SPA, Burton Constable Estate Local Wildlife Site (LWS), Burton Constable Parkland LWS, Mill Avenue, Burton Constable LWS and The Moors, Burton Constable LWS.

Contour plots to show the extension of impacts on air quality from the site to demonstrate the daily NOx critical level at ecological sites.

Provide an assessment and air dispersion modelling and predictions of the combined impacts from operation of the PW flare, the two CEB4500 combustors, fugitive emissions and cold venting only.

Revise The Odour Management Plan Rev0 RE-EPRA-WNB-OMP plan to include an assessment of the risks and provided details of the proposed control measures for the venting of mixtures of natural gas and N2/CO2 during N2/CO2 lifting.

Provide a copy of the monitoring report or calculations used as the basis for the low release rating as detailed in The Vapour Recovery Plan Rev3 RE-EPRA-WNB-VRP-011 and associated risk assessment state which state the crude oil storage tank breathing has been assessed as containing very low VOCs.

Provide a revise copy of The Surface Water Management Plan Rev2 RE-EPRA-WNB-SWMP-013 to remove all references to use of an orifice plate to control flow of the surface water discharge and replace with references to the hydrobrake that was agreed and installed. To revise Section 5 Discharge method and the decision tree figure 3 in appendix 1, and the discharge method and associated decision tree to make it clear that a discharge can only take place when there is no plant or equipment on site other than that used for surface water testing. To provide the specified screening limits referred to in the Discharge method part ii in Section 5. To remove reference to MCERTS accredited flow meter and replace with hydrobrake as a means demonstrate the maximum intended clean surface water discharge rate in section 9.

Provide a copy of the stack emissions monitoring report referred to in Work Instruction Operation of combustion units during well testing operations Rev6 RE-04-034, detailing that the PW flare is capable of efficiently combusting gas across a wide operating envelope given that temperature increases as flow rate increase.

To update The waste gas management plan West Newton B Wellsite Rev 0 April 2020 RE-EPRA-WNB-WGMP-010 to demonstrate that all appropriate measures to negate or minimise the cold venting of natural gas will be taken in relation to the proposal to carry out an artificial lift using nitrogen or carbon dioxide during the well clean-up phase. The following detail was requested in the report:

a. A methodology for the use of support fuel (include details of the range of conditions under which support fuel will be added including any additional measures that will be taken if the gas is odorous).
b. Details of and how you will determine the amount of support fuel that will be required.
c. The amount of propane (LPG) storage that will be available on site.
d. Confirmation that the design of the flare allows support fuel to be introduced at the required rate (please specify the maximum injection rate)
e. Provide calculations to demonstrate that the proposed flare system (PWWT Flare) is suitably sized for the purpose of the gas lift

Provide details of how the C_7-C_{10}+ content of the natural gas has been determined, in relation to the air dispersion model methodology in the Air quality assessment of a wellsite development, West Newton B wellsite, LSO200228.

Confirmation the support fuel delivery system to be installed on site will be capable of delivering propane at a rate of at least 183 kg/hr and so that support fuel can be added when it is beneficial to do so provide a detailed explanation of how the flammable gas concentration within the feed will be determined.

Confidential information

A claim for commercial or industrial confidentiality has not been made.

The decision was taken in accordance with our guidance on confidentiality.

Identifying confidential information

We have not identified information provided as part of the application that we consider to be confidential.

The decision was taken in accordance with our guidance on confidentiality.

Consultation

The consultation requirements were identified in accordance with the Environmental Permitting (England and Wales) Regulations (2016) and our public participation statement.

The application was publicised on the GOV.UK website.

No responses were received.

The regulated facility

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 RGN2 ‘Defining the scope of the installation’, Appendix 1 of RGN 2 ‘Interpretation of Schedule 1’, guidance on waste recovery plans and permits.

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.

The site

The operator has provided a plans which we consider to be satisfactory.

These show the extent of the site of the facility including the discharge points.

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.

Waste management plan

The operator has provided a waste management plan which we consider is satisfactory.

Nature conservation, landscape, heritage and protected species and habitat designations

We have checked the location of the application to assess if it is within the screening distances we consider relevant for impacts on nature conservation, landscape, heritage and protected species and habitat designations. The application is within our screening distances for these designations.

We have assessed the application and its potential to affect sites of nature conservation, landscape, heritage and protected species and habitat designations identified in the nature conservation screening report as part of the permitting process.

We conducted air quality assessment on the following local designated site:

Greater Wash SPA

The maximum long term and short term process contributions of nitrogen oxides and sulphur dioxide are equivalent to less than 1% and 10% of the applicable critical levels for most sites with a European designation. At the Greater Wash SPA the long term process contribution exceeds 1%, although the predicted environmental concentration is no more than 70% of the critical level. Process contributions at these sites are therefore considered insignificant.

Process contributions to acid deposition are below 1% and 100% of the applicable critical loads at the sites with European and local designations respectively and as such are not considered significant. While there is exceedance of the critical load at some sites, this is due to existing large background depositions and it is not considered that the process contributions have any significant influence on critical load compliance at these sites.

Process contributions to nutrient nitrogen deposition are below 1% and 100% of the applicable critical loads at the sites with European and local designations respectively and as such are not considered significant. While there is

exceedance of the critical load at all sites, this is due to existing large background depositions and it is not considered that the process contributions have any significant influence on critical load compliance at these sites.

Therefore we consider that the application will not affect any site of nature conservation, landscape and heritage, and/or protected species or habitats identified.

We have consulted Natural England for information only regarding the acid deposition detailed above.

The decision was taken in accordance with our guidance.

Environmental risk

We have reviewed the operator's assessment of the environmental risk from the facility.

The operator’s risk assessment is satisfactory.

General operating techniques

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.

The operating techniques that the applicant must use are specified in table S1.2 in the environmental permit.

National Air Pollution Control Programme

We have considered the National Air Pollution Control Programme as required by the National Emissions Ceilings Regulations 2018. By setting emission limit values in line with technical guidance we are minimising emissions to air. This will aid the delivery of national air quality targets. We do not consider that we need to include any additional conditions in this permit.

Odour management

We have reviewed the odour management plan in accordance with our guidance on odour management.

We consider that the odour management plan is satisfactory and we approve this plan.

We have approved the odour management plan as we consider it to be appropriate measures based on information available to us at the current time. The applicant should not take our approval of this plan to mean that the

measures in the plan are considered to cover every circumstance throughout the life of the permit.

The applicant should keep the plans under constant review and revise them annually or if necessary sooner if there have been complaints arising from operations on site or if circumstances change. This is in accordance with our guidance ‘Control and monitor emissions for your environmental permit’.

Noise management

We have reviewed the noise management plan in accordance with our guidance on noise assessment and control.

We consider that the noise and vibration management plan is satisfactory and we approve this plan.

We have approved the noise and vibration management plan as we consider it to be appropriate measures based on information available to us at the current time. The applicant should not take our approval of this plan to mean that the measures in the plan are considered to cover every circumstance throughout the life of the permit.

The applicant should keep the plans under constant review and revise them annually or if necessary sooner if there have been complaints arising from operations on site or if circumstances change. This is in accordance with our guidance ‘Control and monitor emissions for your environmental permit’.

Updating permit conditions during consolidation

We have updated permit conditions to those in the current generic permit template as part of permit consolidation. The conditions will provide the same level of protection as those in the previous permit.

Pre-operational conditions

Based on the information in the application, we consider that we need to include pre-operational conditions.

Carried forward from previous permit variation as still applicable.

Emission limits

No emission limits have been added, amended or deleted as a result of this variation.

Monitoring

Monitoring has not changed as a result of this variation.

Reporting

Reporting has not changed as a result of this variation.

Management system

We are not aware of any reason to consider that the operator will not have the management system to enable it to comply with the permit conditions.

The decision was taken in accordance with the guidance on operator competence and how to develop a management system for environmental permits.

Growth duty

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 variation.

Paragraph 1.3 of the guidance says:

“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.”

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 economic growth at the expense of necessary protections.

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.