



Oil & Gas Authority

21 Bloomsbury
Street
London WC1B 3HF

Helen Chuntso

By email to: request-539433-d66ba7cf@whatdotheyknow.com

Our ref: FOI-2018-0081

13 February 2019

Dear Ms Chuntso

1. Thank you for your email of 14 December in which you requested:

"After re commencement of Cuadrilla hydraulic fracturing operations at Preston New Road on 11th December 2018, seismic activity was registered by British Geological Survey at 1.5 ML magnitude, on 12th December 2018. 1) Please confirm, answering 'yes' or 'no', if a desktop examination of data, sent by the operator to OGA, is adequate to confirm well integrity following the 1.5ML registered seismic event on 12th December 2018, and what method of testing the well integrity is deemed adequate by OGA. 2) Please state the time(s) of the test(s) made on 12th December 2018. 3) Please provide a copy of all communications held from Cuadrilla to OGA from 9th November 2018-13th December, to include i) all daily reports ii) well integrity reports"

2. We have considered your request under the Freedom of Information Act 2000 (**FOIA**) and, where relevant, the Environmental Information Regulations 2004 (**EIR**).

3. Your first request appears to seek an opinion on a matter of policy and is therefore being dealt with as ordinary business as opposed to under the FOIA or EIR. In any case, it relates to well integrity, which is the responsibility of the Health and Safety Executive (HSE), it would therefore not be appropriate for the OGA to provide an opinion. HSE can be contacted at:
<http://www.hse.gov.uk/contact/index.htm>

4. In regard to your questions 2 & 3: *"Please state the time(s) of the test(s) made on 12th December 2018."* and *"Please provide a copy of all communications held from Cuadrilla to OGA from 9th November 2018-13th December, to include i) all daily reports ii) well integrity reports"* please find attached documents which fall within the scope of your request - two communications, from Cuadrilla to the OGA, received between 9 Nov and 13 Dec 2018.

Section 40(2) FOIA and Regulation 13(1) EIR (personal data)

5. The names, signatures and contact details in the disclosed letter and email have been redacted. The redacted information is being withheld under Section 40(2) FOIA and Regulation 13(1) EIRs.

6. The disclosed correspondence contains the names and contact details of a number of individuals. This information is being withheld under Section 40(2) and 40(3A) FOIA and Regulation 13(1) EIRs. Section 40(2) provides that personal data is exempt from if one of the conditions in 40(3A) is satisfied. One of the conditions in Section 40(3A) is a breach of any of the data protection principles in the Data Protection Act 2018 (**'DPA'**). The data protection principles include that any processing of personal data must be fair and lawful. The provisions of Section 13 EIRs mirror those of Section 40(2) FOIA.

7. The OGA considers that disclosure of the names and contact details of the individuals would breach the principles of fairness and lawfulness. The individuals whose details have been withheld have and are entitled to an expectation of privacy. In any event, the relevant individuals have not



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consented to their personal data being disclosed. As such, disclosure would meet neither the fair nor lawful processing principles. In light of this, this is being withheld under Sections 40(2) and 40(3A) FOIA and Regulation 13(1) EIR.

8. The remainder of the information you have requested (i.e. daily reports, which include reference to well integrity) form part of the hydraulic fracturing operations report and will be published in the future, in accordance with the relevant model clauses of the licence. The company has 3 months from the end of hydraulic fracturing operations to submit the report to the OGA, after which the OGA is able to release them after a period of six further months.

Section 22(1) FOIA (future publication) & Reg 12(4)(d) EIR (material in course of completion)

9. As such, this information is being withheld under (i) Section 22 of the FOIA and (ii) Regulation 12(4)(d) EIR. This exemption/exception provide that information is exempt from disclosure if it is (i) planned to be published at a future date, and/or (ii) is material in the course of completion,

Public Interest

10. The OGA intends to make this completed information available on its website within the timeframe specified above once it has been received from Cuadrilla upon completion of hydraulic fracturing operations. The OGA considers that it is in the public interest not to make the information available prior to that date, to provide for the analysis of the information to be finalised in a closed user group in order to ensure that scientific rigour is maintained.

11. This concludes the OGA's handling of your request

Appeals Procedure

12. If you are unhappy with the way the OGA has handled your request, you may request an internal review. A request for an internal review should be made within 40 working days of the date of receipt of the response to your request and should be addressed to: FOI Manager, Oil and Gas Authority, 21 Bloomsbury Street, London, WC1B 3HF Email: foirequests@ogauthority.co.uk Please quote the reference number above in any future communications with regard to this request.

13. If you are unhappy with the outcome of the internal review, you may contact the Information Commissioner at www.ico.org.uk or at Information Commissioner's Office, Wycliffe House, Water Lane, Wilmslow, Cheshire, SK9 5AF.

Yours sincerely

FOI Officer