

Dear Ada

Thank you for your further email received on 31 December 2018, which was logged as a further enquiry with new reference: KSL 113250. We respond to requests for information under the Freedom of Information Act 2000 and Environmental Information Regulations 2004.

Your questions refer to 2014 and 2015 under the operator's previous 'old-style' permit, so these answers refer to that permit rather than the permit in place now. We recognise and agree that the previous permit did not provide the same level of protection that is now provided through their modern permit. To strengthen the regulatory framework not just for this site, but all sites, a national permitting review took place of all conventionally-producing oil and gas sites to bring in new, modern permits to ensure a high level of protection for the environment.

We have drawn out your questions and answered them below:

1. Does the operator make any actual measurements of gas emissions? How are the numbers for gas arrived at?

In this instance, we do not hold detailed records of how the operator measured the gas emissions and whether this was actual or estimated. The relevant exception under the Environmental Information Regulations is Regulation 12(4)(a) – We do not hold the information. Please see appendix below for further details.

2. Has the EA ever made any measurements of gas emissions at Brockham to verify the reported figures? If so, what was the method used?

For the reporting period you have enquired about, 2014-2015, the Environment Agency did not make any measurements of gas emissions at Brockham. There would not have been a reason to pay particular attention to verifying gas emissions when the gas emissions were nil. The reported gas emissions were also supported by their testing of the level of H₂S in oil produced, there was nil or negligible H₂S in the oil, so it follows that there would be nil or negligible gas emissions to the environment. It is not routine practice for us to verify reported gas emissions at any of the sites we regulate. Operators are required to carry out self-monitoring to ensure that they are complying with their permit and waste management plan, therefore they carry out their own testing. As part of self-monitoring, the operator is required to notify us of any instances of non-compliance.

3. Are the oil to gas ratio annual documents the only reporting the EA has? Are there any other reports to satisfy this permit requirement?

The site was not under the jurisdiction of the Kent, South London and East Sussex area in 2014-2015. We have contacted the officer from the Thames area who was responsible for the site at the time and they do not have detailed information or records available on this subject. Therefore the exemption 12(4)(a) applies – We do not hold the information. Please see appendix below for further details.

4. Does the EA have sight of 'estimated gas and H₂S emissions based on weekly quality reports'?

When visiting a site we may inspect weekly reports, but we tend to rely primarily on the submitted reports. We would only request copies of weekly reports if there was a specific problem that this may assist with. For this site we do not hold any records of weekly reports.

5. Is there any reporting available on H2S emissions in 2014-2015 or is this assumed '0' because the reported gas emissions are '0'?

As referred to earlier, the reported level of H2S in oil produced was nil or negligible, so it follows that there would be nil or negligible gas emissions to the environment, including H2S emissions.

Please refer to the [Open Government Licence](#) which explains the permitted use of the information provided.

If you have any further queries or if you'd like us to review the information we have provided under the Freedom of Information Act 2000 and Environmental Information Regulations 2004, please contact us within two months and we will happily do this for you.

Regards

KSL Customers and Engagement Team

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Appendix

EIR Regulation 12(4)(a)

Where a request is for environmental information, the regulations allow us to refuse to disclose it if the exception at EIR Regulation 12(4)(a) applies. The regulation states that a public authority may refuse to disclose environmental information to the extent that it does not hold that information when an applicant's request is received. As a public body we are required under the Freedom of Information Act 2000 and Environmental Information Regulations 2004 to give reasons for this refusal.

It is not possible for us to conduct a public interest balancing test because the reason for non-disclosure is that the information is not held.