

# SEPA continues its twin-track approach to ExxonMobil – ongoing monitoring whilst working to address root causes of ‘unacceptable’ flaring

24 January 2020

The Scottish Environment Protection Agency (SEPA) today (Friday 24 January 2020), confirmed the continuation of its ‘twin-track’ approach to the responsible restart of ExxonMobil Chemical Ltd’s Mossmorran facility in Fife.

With the agency having regular contact with the operator regarding its planned restart, SEPA confirmed it stands ready with a deployment of air quality, noise and regulatory monitoring.

Whilst more than twenty reports from the agency continue to confirm no breaches of air quality standards due to flaring at Mossmorran, SEPA is continuing its deployment of air quality monitoring in multiple locations surrounding the site. Locations in Lochgelly, Auchtertool and Donibristle, upwind and downwind of the complex, ensure that SEPA can monitor in local communities and take account of changes in wind direction. Full air quality reports are published at [sepa.org.uk/mossmorran](https://sepa.org.uk/mossmorran).

The agency has also deployed noise monitoring in Lochgelly and a residential location to the South East of the site, with additional responsive mobile monitoring to be deployed if required. Noise monitoring data associated with our regulatory investigation cannot be published at this time.

SEPA has previously confirmed air quality monitoring will stay in place whilst the recently announced investments are made at Mossmorran. SEPA is also working alongside partner agencies with air quality responsibilities to assess future requirements.

The agency also confirmed progress in driving change to address the root causes of ‘unacceptable’ flaring including requiring noise-reducing flare tips and fully enclosed ground flare technologies to be installed that will significantly reduce the impact on the rare future occasions when flaring is necessary.

Rob Morris, SEPA Senior Manager, Compliance & Beyond, said:

“We’re clear that compliance with Scotland’s environmental rules is simply non-negotiable. That’s why we’re continuing our twin-track approach to ExxonMobil. In addition to continuing our monitoring across the responsible restart of the facility, we’re firmly focused on addressing the root causes of ‘unacceptable’ flaring.

“People rightly expect that their lives won’t be impacted by nearby industrial processes. In addition to requiring ExxonMobil Chemicals Limited and Shell U.K. Limited to install noise reducing flare tips, we’re finalising proposals requiring new ground flare capacity that will be planned, designed, built and safely integrated in the shortest period possible.

“Public partners have been working closely together regarding the restart. With regulatory, air quality and noise monitoring officers working to ensure a responsible and reliable restart, we’ll provide regular updates and publish monitoring information as quickly as possible on social media and [sepa.org.uk/mossmorran](https://sepa.org.uk/mossmorran). Useful information is also available via ExxonMobil Chemical Limited’s Mossmorran’s social media. Anyone who is concerned about pollution can use SEPA’s online reporting tool at [sepa.org.uk/report](https://sepa.org.uk/report) available around the clock.”

**ENDS**

## **Notes**

### **Regulatory investigation in final stages**

On Thursday 25 April 2019 the SEPA announced a formal regulatory investigation into the unacceptable flaring from the ExxonMobil Chemical Limited site in Fife that started on Sunday 21 April.

The investigation is now in the final stages. A small number of interviews remain to be conducted and a further update will be provided when complete.

### **Operating permit variations**

SEPA has served a series of permit variations to lock in compliance at Mossmorran and reduce flaring impacts. The operating permit variations served on ExxonMobil Chemical Limited and Shell U.K. Limited have required both operators to achieve ‘Best Available Techniques’ in the shortest timeframe possible.

The variations will require investments in equipment that reduces the impacts of flaring on local communities when flaring is necessary. Flaring, an important safety feature of industrial facilities, will become the “exception rather than routine” and new infrastructure will address the issues that cause most disturbance to local people.

### **New infrastructure**

SEPA expects investment in noise-reducing flare tips and fully enclosed ground flare technologies at Mossmorran and that these will significantly reduce the impact on the rare occasions when flaring is necessary.

Noise reducing flare tips are to be installed by the operators within the following timescales:

- ExxonMobil Chemical Limited in 2020
- Shell U.K. Limited in 2021

ExxonMobil Chemical Limited has committed to optimising timescales to install new ground flares – which will significantly address impacts from flaring. SEPA welcomes the £140 million investment announced by ExxonMobil Chemical Limited and the assurances that reliability and performance will improve.

Shell U.K. Limited must provide SEPA with a project plan by the end of January 2020 for their future use of ground flares. SEPA is currently reviewing the detailed plans for the installation of ground flares that were received from ExxonMobil Chemical Limited at the end of October 2019.

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## [SEPA Mossmorran investigation in final stages as agency's regulation drives investment to make flaring "the exception rather than routine"](#)

 19 December 2019

The Scottish Environment Protection Agency (SEPA) today (19 December 2019) updated stakeholders on the progress of its regulatory investigation into "unacceptable" flaring by ExxonMobil Chemical Limited during Easter 2019.

The agency also outlined the steps it continues to take to tackle the unacceptable impacts of flaring from the operation of the Mossmorran facility.

### **Regulatory investigation concluding**

On Thursday 25 April 2019 SEPA announced a formal regulatory investigation into the unacceptable flaring from the ExxonMobil Chemical Limited site in Fife that started on Sunday 21 April.

SEPA today confirmed that the investigation is now in the final stages. A small number of interviews remain to be conducted and a further update will be provided in the new year.

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### **Monitoring**

SEPA continues to monitor air quality around Mossmorran. Regular reports have been published on our Mossmorran Hub and the results from these consistently show that levels of particulate matter are well within daily (UK) Air Quality Standards.

Currently, SEPA has air quality monitoring equipment at Lochgelly, Auchtertool and Donibristle. These locations ensure that we can monitor in local communities and take account of changes in wind direction. It also means we can monitor both upwind and downwind of the Mossmorran Complex.

SEPA is planning for these monitors to stay in place whilst the investments are made at Mossmorran. SEPA is also working alongside partner agencies with air quality responsibilities to assess future requirements.

Noise monitoring has also been carried out by SEPA in response to unplanned flaring. The data from this monitoring is associated with our regulatory investigations and cannot be published at this time.

If you do not have access to the internet and would like copies of our Air Quality Summary Reports, please contact [03000 99 66 99](tel:03000996699).

## **ExxonMobil Chemical Limited restart**

ExxonMobil Chemical Limited has confirmed that the safe, responsible and considered re-start of the Fife Ethylene Plant at Mossmorran will now occur in January. SEPA has been advised of limited, low-level volume flaring at Mossmorran on Sunday 22 December as ExxonMobil Chemical Limited prepares for this start-up. We will continue to monitor air quality throughout.

Further to detailed dialogue with the operator, SEPA welcomes the commitment to pause re-start operations during the Christmas and New Year period, and to work to minimise the impact of those operations on in the New Year.

In addition to an active programme of communications from the company, SEPA's specialist regulatory and scientific officers will fully monitor the re-start. We'll provide regular updates during the re-start and will publish monitoring information as quickly as possible on [sepa.org.uk/mossmorran](https://sepa.org.uk/mossmorran)

*Ian Buchanan, SEPA Chief Officer Compliance and Beyond, said:*

"SEPA has been clear that flaring at Mossmorran has been both preventable and unacceptable. Having served final warning letters on both operators in 2018, our investigation into Easter 2019 flaring by ExxonMobil Chemical Limited is now in its final stages, with a small number of interviews remaining to be conducted. It's important we complete the investigation and a further update will be provided in the new year.

"Aligned with this we're taking the action required to ensure that the operators of the Mossmorran Complex (both ExxonMobil Chemical Limited and Shell UK Limited) make the investment needed to address the root causes of unacceptable flaring and mitigations. This includes the installation of noise reducing flare tips in 2020/21, the £140m investment programme and totally enclosed ground flares to follow will ensure flaring becomes the exception rather than routine and when flaring does occur the communities are protected from unacceptable impacts.

"SEPA welcomes the commitment to pause re-start operations during the Christmas and New Year period, and to work to minimise the impact of those operations on in the New Year. SEPA's specialist regulatory and scientific officers will fully monitor the re-start. We'll provide regular updates during the re-start and will publish monitoring information as quickly as possible on [sepa.org.uk/mossmorran](https://sepa.org.uk/mossmorran)"

**Ends**

### **Notes to editors**

- For further information, including a copy of our recently distributed community newsletter, is available at [sepa.org.uk/mossmorran](https://sepa.org.uk/mossmorran)
- If people do not have access to the internet and would like copies of our Air Quality Summary Reports they can contact [03000 99 66 99](tel:03000996699)
- Noise monitoring has also been carried out by SEPA in response to unplanned flaring. The data from this monitoring is associated with our regulatory investigations and cannot be published at this time.

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# Landmark agreement launched to create exemplar new town at Shawfair

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- First of its kind in the planning and construction sector to encourage collaboration and partnership working

The developers behind the new town of Shawfair have committed to a landmark Sustainable Growth Agreement (SGA) that will accelerate the delivery of a well-designed, sustainable community that promotes wellbeing and healthy lifestyles.

The three-year Agreement between Shawfair, Midlothian Council and the Scottish Environment Protection Agency (SEPA) is the first of its kind in the planning and construction sector.

The shared vision of the three organisations recognises the effective partnerships created through the planning process to date, and identifies opportunities for increased collaboration in the future through great design, a commitment to low carbon heating, sustainable working practices, and the promotion of active travel and healthy lifestyles.

One of the key projects covered within the SGA is the planned delivery of a District Heating system for Shawfair's town centre, powered by surplus, zero carbon heat from the adjacent Recycling and Energy Recovery Centre (RERC).

District Heating works by distributing heat from one source, via an energy efficient network, instead of having individual central heating systems in each building or home.

It is anticipated that all viable buildings in Shawfair town centre – affordable housing, private homes, businesses and community premises such as the proposed new Community Campus and health centre – will reap the benefit of lower cost energy bills.

The principles and practical guidance enshrined in the Agreement will become the exemplar for the future with learnings shared with other organisations interested in sustainable development.

Ed Monaghan, a director of Shawfair LLP said: "Our ambition for our new town

of Shawfair is to become a model for healthy living by creating a highly connected, sustainable environment and an attractive alternative to traditional suburbs. The SGA will accelerate our progress in this regard and we look forward to working even more closely with our partners to make Shawfair a fantastic place to live and work.”

Cllr Russell Imrie from Midlothian Council said: “Our desire is for Shawfair to become a model for sustainable development, where good ideas can flourish and where local people can benefit from excellent access to employment, public transport and local amenities.”

SEPA’s Chief Executive, Terry A’Hearn: “At SEPA we’re focused on helping build an environmentally, socially and economically successful Scotland where communities and businesses thrive within the resources of our planet. We call this One Planet Prosperity.

“To achieve this we need to work in new, innovative ways with public and private sector partners. We’re delighted to be signing a Sustainable Growth Agreement with Shawfair and Midlothian Council and to be looking at opportunities to lock in sustainable development and living at this key location.”

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## [Supporting Scottish farmers on water abstraction returns](#)

 18 December 2019

The Scottish Environment Protection Agency today (Wednesday 18 January 2019) confirmed that Scottish farmers and landowners who hold a water abstraction license would have until 31 January 2019 to submit annual returns.

The returns, a mandatory requirement for license holders, ensure that their abstraction of water doesn’t impact on the ecology of Scotland’s rivers and reservoirs. The data is also a key indicator of compliance and forms an important component of SEPA’s annual Compliance Assessment Scheme.

The move recognises the impact of external factors such as extreme weather and EU Exit preparations impacting farmers. It also acknowledges that whilst a commonly understood annual deadline, an annual reminder issued by the agency in previous years had been delayed.

Ian Buchanan, Chief Officer at the Scottish Environment Protection Agency, said:

“The data that water abstractors supply is really important in helping understand the state of Scotland’s environment. The process is both quick



and simple, involving the downloading and return of a document at [www.sepa.org.uk/regulations/water/abstractions/#five](http://www.sepa.org.uk/regulations/water/abstractions/#five) which can either be posted or emailed to [WRDataReturns@sepa.org.uk](mailto:WRDataReturns@sepa.org.uk)

“We’re grateful to those who have already completed their returns or plan to do so by the end of December. For those who need a little more time, we’re here to help. We’ll be writing to abstractors to advise of the extra time and support available and our colleagues are here to help on 03000 99 66 99.”

NFUS Environmental Regulations Policy Manager Jenny Brunton said:

“NFUS appreciates that SEPA has extended the water abstraction licence deadline return until the 31 January 2020 in recognition of the low return rate and current pressures on Scottish growers.

“It is important that data returns are submitted to SEPA in order to allow them to make an accurate assessment of the impact of irrigation on watercourses. Even if no water has been abstracted for any period, a nil return must still be submitted to SEPA using the abstraction data returns form.”

“We remind all Scottish growers that a failure to submit data returns is considered a non-compliance with the conditions of the licence and could affect payments under the Basic Payment Scheme or result in a Cross-Compliance inspection.”

Further information on abstraction returns is available at [www.sepa.org.uk/regulations/water/abstractions/#five](http://www.sepa.org.uk/regulations/water/abstractions/#five)

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## [Appointment of the Members of the Board of the Scottish Environment Protection Agency](#)

 18 December 2019

Cabinet Secretary for the Environment, Climate Change and Land Reform, Roseanna Cunningham MSP, today announced the appointment of Craig Hume, Julie Hutchison, Dr Harpreet Kohli and Philip Matthews as Members of the Board of the Scottish Environment Protection Agency (SEPA).

### **Appointments**

Craig Hume heads up Utopia, a computer manufacturer in Ayrshire who have built a reputation for an innovative company culture that puts people and the environment first. Away from Utopia, Mr Hume is a committed supporter of the



Living Wage, working for both the Scottish Leadership Team and as a Commissioner for the UK Living Wage Foundation. He joins SEPA with the belief that now is the time for businesses to unite behind SEPA's One Planet Prosperity strategy.

Julie Hutchison holds a first class degree in Law from the University of Edinburgh and supports charity boards on matters of governance and strategy in her role at Aberdeen Standard Capital. She was a Committee Member of the UK Sustainable Investment and Finance Association and a Trustee of Youth Scotland. Ms Hutchison is a guest lecturer at various universities on themes including cross-sector working, and co-hosts an online community of practice for trustees. Her public sector experience includes a role with the Scottish Charity Regulator (OSCR), where she co-authored new regulatory guidance. She is also the Chair of the Review of Governance of NHS Endowment Funds in Scotland.

Dr Harpreet Kohli retired in March 2017 as Director of Public Health (DPH) and a Board Member of NHS Lanarkshire. He has extensive experience and skills of working in public health and experience of working at a corporate/strategic level and at local national levels. After completing GP vocational training, he trained in public health in Glasgow and then worked as a consultant in public health medicine in Lanarkshire and NHS Quality Improvement Scotland. Dr Kohli returned to Lanarkshire in 2008 as DPH with responsibility for information governance, resilience, emergency planning and business continuity, health inequalities and leading the public health department. He is a member of the Steering Committee of Scottish Health Action on Alcohol Problems and a Board Trustee of UK-Med, a UK Charity.

Philip Matthews has worked on sustainable development and climate change for over 25 years in the public, private and third sector. He is currently the Executive Director of NuLeAF (Nuclear Legacy Advisory Forum), representing local government on nuclear decommissioning and waste management.

Between 2007 and 2010 he served as the Sustainable Development Commission's Senior Policy Advisor and Acting Director in Scotland. He was also Director of CAG Consultants and previously held a number of Board positions including Chair of Transform Scotland and Non-Executive Director at Zero Waste Scotland. Mr Matthews holds an honours Degree in Geography from Edinburgh University and a Masters (with Distinction) in Environment Change and Management from Oxford University.

The appointments are regulated by the Ethical Standards Commissioner.

### **Length of term, remuneration and time commitment**

The appointments are for four years and run from 1 January 2020 until 31 December 2023. Members of the SEPA Board commit to between a minimum of 24 days and a maximum of 30 days per year for a fee of £287.54 per day.

### **Other ministerial appointments**

Mr Hume, Ms Hutchison, Dr Kohli and Mr Matthews do not hold any other Ministerial appointments.

## **Political activity**

All appointments are made on merit and political activity plays no part in the selection process. However, in accordance with the original Nolan recommendations, there is a requirement for appointees' political activity within the last five years (if there is any to be declared) to be made public.

Mr Hume, Ms Hutchison, Dr Kohli and Mr Matthews have had no political activity in the last five years.

## **Scottish Environment Protection Agency (SEPA)**

SEPA has been given a unique and visionary Statutory Purpose: to protect and improve the environment in ways that, as far as possible, also create health and well-being benefits and sustainable economic growth.

With 1,250 staff, split over 22 offices across Scotland, and a budget of over £80 million, SEPA is responsible for delivering two core services – regulation and flood risk management. As Scotland's authority for strategic flood risk management, they will implement Scotland's Flood Risk Management Strategies with their partners, develop new flood warning schemes, and further improve flood forecasting to help people and businesses protect themselves and their property from the impacts of flooding.