



Meeting Note

File reference	EN010054 – South Hook Combined Heat and Power Station
Status	Final
Author	Iwan Davies

Meeting with	Applicant / CCW / EAW
Meeting date	15th January 2013
Attendees (Planning Inspectorate)	Tom Carpen – Principal Case Manager Iwan Davies – Case Officer Hannah Pratt – EIA Advisor
Attendees (non Planning Inspectorate (PINS))	<u>Applicant</u> Lyn Powell (RPS) Dan Smyth (RPS) Peter Ireland (RPS) Paul Ericsson (SHCHP) Jason Rundle (SHCHP) <u>Environment Agency Wales (EAW)</u> John Hogg Louise Edwards Gareth Lewis Alex Hardy <u>Countryside Council for Wales (CCW)</u> Andrea Winterton Dawn Power Anne Bunker Alex Harding
Location	Environment Agency Wales offices, Cross Hands, Carmarthenshire

Meeting purpose	South Hook CHP issues
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Summary of key points discussed and advice given	Agenda Item 1 - Introductions PINS explained the purpose of the meeting was to pick up on matters raised in letters to PINS from EAW (dated 21 st November 2012) and CCW (dated 22 nd November 2012). Agenda Item 2 - Grid Connection <u>Grid Connection Statement</u> The Applicant confirmed that a draft Grid Connection Statement (GCS) was sent to EAW and CCW the day prior to the meeting (Monday 14 th January).
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The Applicant ran through the key elements of the draft GCS.

PINS agreed to review the GCS and provide advice by the next meeting between PINS and the Applicant w/c 11th February. PINS advised that the important factors to consider whilst producing the GCS are:

- To state who would be responsible for designing and building the grid connection;
- To set out what consent(s) would be required and principle timescales involved for those consents; and
- Demonstrate how feedback from consultees had been taken into consideration.

The Applicant advised that the grid connection would be underground and would cross the Haven either by tunnelling or trenching. As a final decision on the construction technique has not yet been made, both grid connection construction options have been considered in the GCS. The Applicant advised that it intended to progress the grid connection alongside the application for the CHP plant.

CCW advised that it hoped the detail EAW and CCW had discussed with the Applicant regarding the content of the Environmental Statement (ES) and Habitats Regulations Assessment (HRA) will have been incorporated into the GCS. The Applicant confirmed it has been incorporated into the GCS.

Environmental Permitting Regulations (EPR) application / Marine Consent for the Grid Connection

EAW advised that depending upon the construction technique employed for the Grid Connection, a Marine Licence may be required, for which a separate HRA may need to be undertaken. PINS and EAW suggested that the Applicant communicate with the Welsh Government Marine Consents Unit regarding the potential for a separate Marine Licence application to be made to them. CCW advised that any licence would consider more than just the environmental impact of a grid connection.

Agenda Item 3 – Cooling Options

PINS sought clarification as to whether there would be discharge into the Haven from the proposed Dry Cooling system.

The Applicant advised that there would not be any direct discharge from the Dry Cooling system; however there would be boiler blowdown which would be treated in the water treatment plant prior to being discharged into the Haven. There was a discussion between the Applicant and EAW on the scope for using an existing discharge permit for the

adjacent LNG facility.

PINS informed the Applicant of the importance of submitting a complete application to PINS, as it is difficult to amend the application once it has been submitted. If, in relation to cooling, the Applicant has more than one option for handling the discharge, it will need to consider how this is reflected in the draft DCO, how impacts have been assessed in the ES, ensure it is contained within the HRA, and how they have been consulted on.

Agenda Item 4 – Draft documents, Habitats Regulations Assessment (HRA) and Environmental Permitting Regulations (EPR)

The Applicant, EAW and CCW discussed what draft documents had been circulated to date and the anticipated timelines for feedback to be provided. EAW and CCW reiterated to the Applicant that EAW and CCW cannot provide exact dates of when they are able to provide feedback on submitted draft documents, however they will endeavour to provide comments to the Applicant as soon as practicable.

The Applicant stated that it is aiming to submit an Environmental Permit (EP) application to EAW a few months after the DCO application is submitted to the Secretary of State (SoS). PINS advised that its Advice Note 11 (Working with public bodies in the infrastructure planning process: Annex D – Environment Agency) advocates submitting an EP application prior to submitting a DCO. EAW concurred with this, but acknowledged that there is no regulatory requirement to do so. PINS informed the Applicant that, should the application be accepted, there could be a risk that consent would not be granted if the EP application has not been progressed to the stage that EAW could submit a letter of comfort during the examination advising the Examining Authority that, without prejudice, the EAW sees no obvious reasons why an EP would not be granted for the proposed development, based on the information they have at the time.

The Developer said that their concern is that there may be inadequate information provided in the HRA.

PINS confirmed that the SoS would be the competent authority for the purposes of the HRA, although if the application is accepted, the information provided within the application documents to support the HRA may be subject to examination by Inspectors.

Agenda Item 5 – Carbon Capture and Storage (CCS) / Carbon Capture Readiness (CCR)

The Applicant advised that it has identified a 4ha parcel of

land on-site for CCR. However, as the project plan develops, pressure for other uses for this parcel of land are apparent both during construction and operational stage, including its use for construction purposes, attenuation ponds and the location of the cooling towers. The Applicant advised that there would still currently be enough land for the CCR area despite these pressures once the project became operational, and confirmed that the CCR feasibility study includes two options for the location of the CCR area.

EAW informed the Applicant that it is not unusual for the CCR parcel of land to be used during the construction phase, the important matter is that the area will be ready and available for the Operational phase.

PINS referred the Applicant to the National Policy Statements for guidance on CCS/CCR. In broad terms the NPSs advise that in order to assure PINS/SoS that a proposed development is CCR, Applicants will need to demonstrate that their proposal is technically and economically feasible. The Applicant should refer to the NPS for further details (in particular section 4.7 of NPS EN-1).

Agenda Item 6 – draft DCO and Explanatory Memorandum

PINS confirmed that there will be a separate meeting between PINS and the Applicant w/c 11th February to discuss the draft DCO and EM.

EAW/CCW confirmed they would provide a joint response to the draft DCO.

PINS advised the Applicant that, from experience of other examinations, ExAs examine the draft DCO in detail and the ExA may seek evidence that comments of the statutory bodies have been taken on board in formulating the draft DCO. The Applicant may also wish to make the draft DCO available to other parties who may have useful comments on the operation of the order. In particular, the relevant planning authorities may benefit from early sight of the DCO's proposed draft requirements that are relevant to them.

The Applicant should also seek to agree wording for proposed requirements with the body to whom details would be submitted for subsequent approval, and in any event seek the relevant planning authority's views on proposed requirements as they will enforce any breach of the terms of any order granted.

PINS advised that the DCO is a key application document and that the DCO made by the Secretary of State is the primary document which sets the parameters for what is

permitted in the event that development consent is granted. There is limited scope for changes to be made to a DCO once an application has been accepted for examination; the opportunity to submit any additional or amended information would be constrained within examination procedures.

Agenda Item 7 – Application Timetable

PINS requested an update on the application timetable.

The Applicant confirmed that it remains on course to submit its application to PINS in March 2013. The Applicant's next stage is to incorporate the feedback received from recent meetings with EAW and CCW into the application documents. The Applicant is keen to stick to this submission date as they are aiming for the Plant to be operational by 2016/2017. The Applicant advised that it is encouraged that PINS have statutory deadlines for the determining process.

The Applicant requested clarification on what is a Non-Material Change. PINS advised that, if a change was sought during the Examination stage, it would be for the ExA to determine whether that change is non-material. If an Applicant is minded to submit a change during the examination stage, they should take into consideration how the change would impact the Environmental Statement and other documents produced, and whether anyone would have been prejudiced at the Pre-Application stage.

Agenda Item 8 – AOB

PINS confirmed that draft documents are not published on the PINS website.

Risks to Application

EAW asked PINS what it sees as the greatest risks to the application moving forward.

PINS advised that it is key that a complete application is submitted, and that if PINS/the SoS are of the opinion that information is missing at Acceptance stage then the application may not be accepted. PINS advised that whilst they do not consult with external bodies during acceptance, PINS/the SoS would look at the consultation report to see whether matters raised by consultees appear to have been addressed in the application, and if not this could lead to the application being considered incomplete.

PINS re-iterated the importance of the Applicant having regard to all feedback received at Pre-Application stage.

Further Meeting prior to submission

CCW asked if there will be another meeting prior to submission.

	<p>PINS advised that it is up to the Applicant and EAW/CCW – if they believe it would be beneficial then PINS would be willing to attend.</p> <p>It was agreed by all participants that a telecom would be beneficial prior to submission.</p> <p><u>Environmental Statement (ES)</u></p> <p>EAW advised that it is important they receive the draft ES as soon as possible.</p> <p>The Applicant confirmed it will circulate the draft ES in early February.</p> <p>The Applicant advised that they require feedback on the documents already submitted to EAW as this will influence the content of the ES.</p> <p><u>Draft Habitat Regulations Assessment (HRA)</u></p> <p>PINS asked the Applicant if they would be submitting draft HRA documents to PINS and advised that it is the Applicant's choice whether to do so, but if the documents are submitted 6 weeks before submission then PINS are able to guarantee feedback.</p>
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Circulation List	Tom Carpen (PINS)
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	John Hogg (EAW)
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