



**Cyfoeth
Naturiol**
Cymru
**Natural
Resources**
Wales

Eich cyf/Your ref: EN010055

Llwyn Brain
Ffordd Penlan
Parc Menai
Bangor, LL57 4DE

Ebost/Email:

wrexhamenergy@cyfoethnaturiolcymru.gov.uk

Rynd Smith,
The Planning Inspectorate
3 Eagle Wing
Temple Quay House
2 The Square
Bristol, BS1 6PN

Date: 23rd August 2016

Annwyl Syr/Madam / Dear Sir/Madam,

WREXHAM ENERGY CENTRE

PROJECT REFERENCE: EN 010055

WRITTEN REPRESENTATIONS AND ANSWERS TO EXAMINERS QUESTIONS BY THE NATURAL RESOURCES BODY FOR WALES

1.1 The purpose of the Natural Resources Body for Wales (NRW) is to ensure that the environment and natural resources of Wales are sustainably maintained, sustainably enhanced and sustainably used. In this context sustainably means with a view to benefitting and in a manner designed to benefit the people, environment and economy of Wales now and in the future. NRW's functions are set out in the Natural Resources Body for Wales (Functions) Order 2013. NRW's advice and comments to the Planning Inspectorate (PINS) are therefore provided in the context of this remit.

1.2 The advice and comments contained in this Written Representation are provided as a Statutory Party under the Planning Act 2008 and Infrastructure Planning (Interested Parties) Regulations 2010 (as amended) and 'interested party' under s102(1) of the Planning Act 2008 (as amended).

1.3 NRW provided a summary of its principle concerns in its Relevant Representation submitted to the planning Inspectorate on the 31st May 2016.

1.4 NRW's comments are made without prejudice to any additional comments we may wish to make when consulted on any other documents provided by the applicant, the ExA or any of the regulating bodies who are involved in authorising different aspects of the overall development proposals (including NRW).

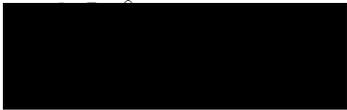
1.5 Annex A provides NRW's Written Representations. Annex B contains our response to the first questions issued by the Examining Authority.

1.6 We have been informed by the applicant that the draft SOCG will not be submitted by them to the ExA. As such, NRW consider it appropriate to provide the ExA with the draft of the SOCG to date. Annex C contains this draft which NRW provided to the developer on the 19/08/2016. We have received no further comments on the document.

1.7 Our comments are also provided without prejudice to any decision NRW may make on any application made to it by the applicant for an Environmental Permit under the Environmental Permit Regulations 2010 (EPR).

Please contact Tomos Hughes (wrexhamenergy@cyfoethnaturiolcymru.gov.uk) should you require further advice or information regarding this representation.

Yn gywir / Yours faithfully,



Mr. Richard Nines

HEAD OF ECOSYSTEMS, PLANNING, AND PARTNERSHIPS

Annex A

Wrexham Energy Centre Proposed Development Consent Order Written Representation from Natural Resources Wales (NRW)

1. Summary

1.1 NRW are generally satisfied with the documents provided by the developer to date, the level of survey undertaken and methodologies adhered to in each topic.

1.2 NRW has outstanding concerns in relation to the following topics:

- Grid Connection and cumulative impact assessment
- Flood Risk
- WFD
- Draft DCO

1.3 The recent amendment to the Grid Connection will require amendments / confirmation of a number of points within the submitted ES (as detailed in section 4. Below) which reference the previous connection method. NRW would require/ expect the applicant to address these issues in the Cumulative impact Assessment.

1.4 We require the outstanding issues regarding flood risk, WFD and the Draft DCO to be addressed by the developer during the examination period.

1.5 Notwithstanding the further information required with regard to the amended grid connections which may affect a number of topics (see section 4. Below), NRW considers that no substantial further information is required at this stage with regard to:

- Protected Landscapes
- Air Quality
- Protected Sites
- Protected Species
- Groundwater and Contaminated Land
- Waste

2. Gas Pipeline

2.1 The proposed scheme will entail the construction of a gas connection pipeline. It is understood that consent for this will not be secured by the DCO but will be dealt with by the local planning authority as an application under the Town and Country Planning Act 1990. As such, NRW expects to be consulted on that application by the relevant local planning authority and has not commented further on that part of the scheme in these representations.

3. Licencing

3.1 NRW note (from document 5.6 WEC Other Consents and Licences) that the applicant requires other permits, licences and/or consents from NRW as identified in Table 2 document 5.6. If changes are made to the proposed scheme the applicant may need to seek permissions other than those listed in Table 2 of document 5.6, from NRW.

3.2 NRW also note (from document 6.2.2 WEC EC Ch2 – Planning and Legislative Context, para 2.57 to 2.64) that the developer does not intend to apply for certain permits until after the DCO has been granted.

3.3 The requirement for an Environmental Permit is governed by distinct and separate legislation, namely the Environmental Permitting Regulations 2010. Such applications are determined by NRW's permitting team, the functions of which are distinct and separate to NRW's advisory role in respect of Development Consent Order applications. Notwithstanding this internal separation of function within NRW, we will endeavour to provide the Examining Authority with updates to the progress of any permit applications. It should however be noted that we will not be in a position to comment on the substance or merits of any such applications.

4. Grid Connection and Cumulative Impact Assessment (CIA)

NRW note that the updated Grid Connection Statement (Revision 1) will result in a substantially different connection with long trenching routes required. However, to our knowledge, the specific route to be taken and exact methodology has not been confirmed.

As such, NRW would request that the developer update / amend the chapters of the ES which reference specific details of the older connection option, or confirm the statements made within the chapters remain valid.

NRW consider that this relates primarily to ecological receptors and risks to the water environment, as such, we have not referenced this issue with the Cumulative Impact assessment in each individual topic section below.

Notwithstanding the above, NRW consider that main potential issues regarding the connection and the DCO are cumulative impacts. These should be avoidable providing sensitive siting of the connection and commitment to implementation of precautionary working methods in the vicinity of sensitive features.

We consider that, at this stage, it is appropriate for the developer to assess the cumulative effects of the project as a whole (including intra effects) and for the ES to identify and address cumulative impacts associated with relevant parallel development that would fall within the scope of a cumulative impact assessment. However, any mitigation required for the electrical connection should be secured as part of that scheme where the securing of the mitigation is outwith the control and scope of the determination of the DCO.

5. Landscape

5.1 NRW notes that the proposal lies at 11km to the west of the Clwydian Range and Dee Valley AONB and 4.5km to the north of the Maelor Registered Historic Landscape. Having regard to the distance between the proposed development and these designated/registered landscapes, it is NRW's view that there would be no adverse effects upon these landscapes.

5.2 In respect of effects on these protected landscapes, NRW consider the methods used in the Landscape and Visual Impact Assessment to be appropriate and, compliant with current guidance.

6. Air Quality

6.1 NRW notes that detailed assessment of air quality will be required for other licences / permits for the project (see Section 3. Licencing). NRW has assessed the documentation with regard to air quality here primarily to assist in the assessment of impacts upon protected sites and to inform Habitats Regulations Assessment (HRA) (assessed further in section 6. European Protected Sites).

6.2 NRW is satisfied that the applicant is applying the correct assessment process, which is referred to as the 'EA Risk assessments for specific activities: environmental permits' (previously H1 annex F air emissions) guidance on the DEFRA GOV.UK webpages.

6.3 The assessments to date have not flagged up significant concerns.

6.4 For clarification, the applicant has referenced "EA Air Quality Technical Advisory Group (AQTAG)". This is a joint UK conservation agency and regulatory AQTAG and it has members from NRW, NE, SEPA, NIEA and the EA, as such, we consider this should be referenced simply as the AQTAG.

7. European Protected Sites

7.1 NRW is satisfied with that the methodologies used with regard to assessment of European protected sites are appropriate and conform to current guidance.

7.2 NRW will undertake HRA assessments for the other licences/consents for which NRW is responsible, where NRW is a Competent Authority.

7.3 NRW does not consider that an Appropriate Assessment is required. NRW has set out below the reasoning for this.

7.4 NRW consider that the case does fall within the scope of the H1 Guidance and that is the most appropriate basis for making assessment in this case.

7.5 The project has been assessed alone as not contributing more than 1% to Nitrogen deposition rates on any sensitive site features within the study area.

7.6 Under Annex F of the Environment Agency's H1 guidance, the 1% value is a threshold designed to screen out applications from having LSE so that no Appropriate Assessment is required.

7.7 This applies alone – due to insignificance of the emissions.

7.8 This also applies to any potential in-combination effects as it is deemed to be an insignificant contribution to any potential in-combination effects.

7.9 As such NRW consider that LSE can be screened out due to the insignificance of (under 1%) process contributions of the scheme to sensitive site features.

8. Sites of Special Scientific Interest

8.1 NRW is satisfied with the assessments of the potential impacts of the project upon Sites of Special Scientific Interest. It is agreed that the project is unlikely to have significant adverse effect upon these areas.

9. Protected Species

9.1 NRW considers the submitted surveys and assessments to be appropriate. As indicated in point 4.

9.2 The proposal has the potential to adversely impact on a number of species protected under the provisions of European and British legislation. Of these species, the great crested newt is the species most likely to be affected by both the construction of the Energy Centre and the gas pipeline. The local populations of this species present within and in the environs of the Wrexham Industrial Estate are considered by NRW to be of national significance.

9.3 The submission includes outline avoidance, mitigation and compensation measures designed to mitigate or offset impacts on protected species. In NRW's view, these submissions are satisfactory for the purposes of demonstrating:

1. No detriment to the maintenance of the populations of European protected species concerned at a favourable conservation status.
2. No adverse impact on individual local populations of British protected species which NRW has assessed.

9.4 It is acknowledged by the developer that licences will be required to undertake certain elements of the scheme. Such licence applications will be considered separately from the DCO within a separate function of NRW (see section 3. Licencing).

9.5 The applicant will be required to submit further detailed information in respect of the proposed EPS licence application particularly where material components of the scheme include long term compensatory proposals. Components of long term compensatory measures may include management, wardening surveillance, tenure and land use. These components will collectively evidence long term functionality of mitigation, compensation or other offsetting measures.

10. Groundwater and Contaminated Land

10.1 The site is located on principal aquifer and in close proximity to source protection zones for potable water supplies. NRW therefore considers the site highly sensitive with respect to controlled waters.

10.2 NRW is generally satisfied with the proposed approach in the ES and methodologies used. We have concerns regarding the methodologies used to assess potential source-pathway-receptor linkages. Appendix 13 sets out the tables showing how risk is estimated for the various potential source-pathway-receptor linkages. For the various sources within the Order Limits the probability of “Leaching of contaminants to groundwater in underlying aquifers” is classified as being of a “Low likelihood”. It is possible that that in places that were subject to previous potentially contaminative uses, this probability could be elevated to “likely”.

10.3 Nevertheless, we consider that securing the necessary mitigation measures, , specifically: the proposed ground investigation, risk assessments, remediation (if necessary) and verification should address all risks to controlled waters from historic contamination.

10.4 NRW notes that neither Chapter 13 ‘Ground Conditions’ or Chapter 14 ‘The Water Environment’, reference ‘Groundwater protection: Principles and practice (GP3)’. This is an important document that sets out Natural resources Wales’ policies with respect to protection of groundwater.

11. Flood Risk

11.1 As NRW indicated in our EIA scoping advice, while the site is in flood Zone A (as defined in TAN 15 Development & Flood Risk (2004) and shown on Welsh Government's Development Advice Map (DAM)), there may be flood risks associated with the smaller watercourse on the site. The flood risk from this smaller watercourse on the site is currently unknown because catchment sizes less than 3km² are not generally modelled for inclusion in Natural Resources Wales’ flood map, which is used to produce the Development Advice Map. Given the scale and nature of the proposed development, the flood risk from this watercourse, particularly with reference to any existing structures which could redirect flows if they were to block (such as the access track culvert at approximate location SJ3907650503) should be considered and addressed by the applicant.

11.2 NRW would suggest the applicant should review paragraph 2.8 of the submitted Flood consequence assessment to describe the watercourse more clearly.

12. Surface water

12.1 The submitted information in the FCA (paragraphs 3.7-3.10) and Chapter 14: The water environment of 6.2.14 Volume 2: Environmental Statement, indicates that

proposed surface water from the site is attenuated and discharged at a maximum rate of 12.21l/s up to the 1% AEP plus 20% climate change storm, which seems reasonable. NRW are satisfied that there is no indication that the existing drainage pattern of the site will be modified, and the watercourse in the west and north of the site is an obvious discharge point. NRW recommends that the advice of Wrexham County Borough Council's drainage department is sought with regard to surface water management on the site, and information detailed in Appendix 14.3: Drainage Strategy, 6.4.9 Volume 4: Environmental Statement, as they fulfil the role of Lead Local Flood Authority.

12.2 NRW advise that details of adoption and management of any proposed surface water scheme should be submitted to ensure that the scheme remains effective for the lifetime of the development. This should be addressed during the examination period.

13. Water Framework Directive (WFD)

NRW Has responded directly to the examiners question 1.17.4 stating that the WFD assessments require further detail. In particular, a map showing the water bodies in relation to the proposed development is required, the water body baseline data should be considered in the approach and any potential impacts against the WFD quality elements considered in full. These matters should be addressed within the examination period.

14. Waste

14.1 NRW is of the opinion that subject to all relevant legislative waste requirements being followed (as set out in document 6.2.13 WEC ES Ch15 – Waste) and a site waste management plan is secured by DCO requirement, 'Chapter 15: of the ES concerning Waste' provides a suitable framework for the management of waste.

15. DCO Requirements

14.1. We recommend that within 'Schedule 2 Requirements' specific reference to consultation with NRW is included within the following sections:

- Provision of and implementation and maintenance of landscaping and ecological mitigation 3.
- Construction and Environment Management Plan 4.
- Ground investigation 5.
- Foul and surface water drainage 12.
- Artificial lighting 13.

Annex B

Request number	Request to	Request	NRW Response
1.1	Air Quality and Emissions		
1.1.4.	The Applicant, Natural Resources Wales/ Cyfoeth Naturiol Cymru (NRW) and Wrexham County Borough Council/ Cyngor Bwrdeistref Sirol Wrecsam (WCBC)	<p>Air emissions: design and impact assessment process: stack height In other DCOs, stack design parameters have been secured (see for example the made Hirwaun Power Station DCO) to ensure that a proposal is delivered within its assessed Rochdale Envelope.</p> <p>A. Is it necessary to secure emission limit values (as summarised in ES Table 8.4) [APP-056] in the DCO or is this an Environmental Permit (EP) matter?</p> <p>B. Is it necessary to secure the minimum and maximum stack height?</p> <p>C. If these values should be specified and secured, should this be in Table 2 of Schedule 2 to the DCO or in another location?</p>	<p>A. & B. NRW Agree to the principle of assessing proposals within 'Rochdale Envelope' parameters. These should indicate the 'worst case scenario' which could arise if the project as proposed was given consent.</p> <p>C. NRW would not wish to comment on the location of this information within the DCO</p>
1.1.5.	The Applicant, NRW and WCBC	<p>Air emissions: design and impact assessment process: stack height Paragraph 8.85 of ES Chapter 8 [APP-056] considers a 50m stack height. However, it also states that a 46-50m stack was considered appropriate under Her Majesty's Inspectorate of Pollution (HMIP) D1 calculations.</p> <p>A. Are there circumstances in which a 46m stack could be constructed?</p> <p>B. With reference to your answer to question 1.1.2 above, what is the worst case stack height for EIA purposes?</p>	No comment

Request number	Request to	Request	NRW Response
1.1.8.	The Applicant, NRW and WCBC	<p>Air emissions: construction effects Paragraph 8.212 of ES Chapter 8 [APP-056] states that a detailed inventory of the equipment that will be used during the construction of the power station complex is not available. In its absence, the Applicant concludes that <i>"the effect of construction plant emissions on local air quality will not be significant"</i> due to the temporary and intermittent nature of the works and the existing background concentrations being well below Air Quality Strategy (AQS) objectives.</p> <p>A. Can the Applicant explain how a 'worst case' has been assessed, taking into account the estimated/ assumed construction methods with the most significantly adverse air quality impacting construction plant (as referred to in paragraph 9.50 of ES Chapter 9 [APP-057])?</p> <p>B. Can the Applicant clarify that any worst case assumption of construction plant mix is based on construction being carried out at the nearest point of the Order Land boundary to the nearest sensitive receptors for air quality purposes (as referred to in the context of construction dust at paragraph 8.53 and Table 8.3 of ES Chapter 8 [APP-056])?</p> <p>C. Do NRW or WCBC have any further observations on the matters raised in this question?</p>	C. NRW advises that the applicant should set out the worst case for construction emissions within the DCO application
1.1.9.	The Applicant, NRW and WCBC	<p>Air emissions: regulation of construction effects Paragraph 5.15 of the draft Construction Environmental Management Plan (CEMP) [APP-152] states that <i>"[m]obile plant will be operated and permitted in accordance with the most recent version of DEFRA's Process Guidance Note 3/16 for Mobile Crushing and Screening. It will be regulated under the Environmental Permitting (England and Wales) Regulations 2010 via an environmental permit</i></p>	Mobile plant operations would not be covered under an environmental permit issued by NRW. As such, NRW is not in a position to comment further on this matter

Request number	Request to	Request	NRW Response
		<p><i>issued by WCBC."</i></p> <p>A. Is this approach agreed between the Applicant, NRW and WCBC?</p> <p>B. Are there any aspects of mobile plant operation that will not be regulated under an EP and require to be addressed in the DCO or by some other means?</p>	
1.1.10.	NRW	<p>Air emissions: regulation of operational effects and the IED</p> <p>The Directive on Industrial Emissions (Integrated Pollution Prevention and Control) –2010/75/EU, the "Industrial Emissions Directive" (IED), came into force on 6 January 2011. The purpose of the IED is <i>"to achieve a high level of protection for the environment taken as a whole"</i> from the potentially harmful effects of industrial activities. It does so by requiring relevant emitting installations to have an EP under the Environmental Permitting Regulations 2013 (as amended) (EPR) from the competent authority. An EP will normally require the Applicant to demonstrate the application of best available techniques (BAT) to protect the environment.</p> <p>A. NRW is requested to confirm that they would be the competent authority for IED licensing for the application proposal and this would be by way of an EP?</p> <p>B. If the application proposal were to be constructed and operated as proposed in the ES, is NRW content that all relevant emission limit values and benchmarks for NOx (Nitrogen Dioxide), CO (Carbon Monoxide), SO2 (Sulphur Dioxide) and PM10 (particulate matter equal to or less than 10 microns in diameter) emissions derived from the IED / EPR can be met?</p>	<p>A. Confirmed</p> <p>B. It should be noted that NRW's remit in respect of the DCO application does not extend to dealing with substantive matters arising in connection with an application for an Environmental Permit which is dealt with under distinct and separate legislation. There must be a clear separation between the respective decision making procedures. To date, an application for an EP has not been received.</p> <p>C. To date an application for an EP has not been received</p> <p>D. Please see C. above</p>

Request number	Request to	Request	NRW Response
		<p>C. Are there any reasons of which NRW are aware why an EP should not be forthcoming for the application proposal as described in the ES?</p> <p>D. Are there any reasons of which NRW are aware why an EP for the application proposal would be granted subject to conditions or operational limitations that are not anticipated in the ES?</p>	
1.1.11.	The Applicant and NRW	<p>Air emissions: regulation of operational effects and the IED</p> <p>Are there circumstances in which start-up and shut-down conditions or extensive low load operation (say below 70% load) can lead to airquality being subject to a material decline from the values included in the assessed Rochdale Envelope maximum and hence operation that exceeds the assessed worst case? More particularly:</p> <p>A. Are there any operating techniques and conditions currently understood to meet Best Available Technology (BAT) under which start-up or shut-down conditions can lead to raised volume and/ or raised hazard emissions per unit of time when compared with continuous operation;</p> <p>B. Can low load conditions (below 70% load) lead to raised volume and/or raised hazard emissions per unit of time when compared with continuous operation; and</p> <p>C. Could there be circumstances (for example if operating as a 'peaking plant') in which the temporal pattern of start-ups and shut-downs and/ or low or fluctuating load conditions lead to raised volume and/ or raised hazard emissions beyond the extent of those assessed in the ES?</p> <p>D. Will likely operational conditions of the application</p>	NRW is not in a position to comment on these matters as they will be assessed in detail during the EP determination.

Request number	Request to	Request	NRW Response
		<p>proposal in foreseeable market conditions be able to meet (operate at or</p> <p>E. beneath) the emissions anticipated from the Rochdale Envelope and meet relevant IED/EPR emissions limit values and benchmarks and or BAT as expressed in EP conditions?</p> <p>F. Are any additional controls needed in the DCO to ensure that the air emissions Rochdale Envelope as assessed in the ES is not exceeded and relevant IED / EPR emissions limit values and benchmarks are met, or are these matters that will be satisfactorily addressed by the EP process?</p>	
1.1.12.	The Applicant and NRW	<p>Air emissions: regulation of operational effects</p> <p>ES Chapter 8 [APP-056] makes reference to plant being maintained "<i>in accordance with the manufacturer's specification</i>" (para 8.218) and to the manufacturer's performance guarantee (para 8.230).</p> <p>A. Are these matters relevant to the constructed generating station meeting relevant emissions quality performance standards?</p> <p>B. If so, how will maintenance to specification be secured. Is this a matter for the DCO, the EP, or another mechanism?</p>	NRW consider that these matters could be covered by specific conditions within any EP should one be granted.
1.1.13.	The Applicant, NRW and Mr Christopher Briggs	<p>Air emissions: regulation of operational effects</p> <p>The relevant representation from Mr Christopher Briggs [RR-005] suggests that:</p> <ul style="list-style-type: none"> •CO₂ emissions may be higher than assessed in the ES during start- up conditions; and •emissions may include formaldehyde, although a particular emission level is not suggested. <p>Mr Briggs is requested to support his concerns about CO₂</p>	NRW response not required for Deadline 1

Request number	Request to	Request	NRW Response
		<p>and formaldehyde emissions in his written representation, or in direct response to this question at Deadline 1.</p> <p>The Applicant and NRW are requested to respond to Mr Briggs concerns at Deadline 2 and to provide views on whether the concerns raised by Mr Briggs require any further controls, taking into account responses to question 1.1.10 and 1.1.11 above. If further controls are warranted, should these be in the DCO, in the EP or be delivered by some other mechanism?</p>	
1.1.14.	The Applicant and NRW	<p>Air emissions: operational effects: stack design Stack design is a key means to ensure that air emissions meet relevant standards.</p> <p>A. Are there any matters arising from responses to questions 1.1.10, 1.1.11 or 1.1.13 above that suggest a need to reconsider the stack design parameters assessed in the ES?</p> <p>(The respondents to this question are requested to monitor responses from others at Deadline 1 and to reconsider this question in respect of matters raised in responses at Deadline 2).</p>	NRW response not required for Deadline 1
1.2	Biodiversity, Ecology and Natural Environment (including Habitats Regulations Assessment (HRA))		
1.2.1.	NRW, Natural England (NE), WCBC and any other interested party (IP) with an interest in the natural environment	<p>Natural environment: survey methodology and baseline data for the primary development NRW, NE, WCBC and other relevant IPs are asked to review the natural environment survey methods and outcomes relevant to the primary development (the generating station proposal) reported on in ES Chapter 11 [APP-059], from which the following methodological issues that the ExA has observed emerge:</p>	<p>Great Crested Newt (GCN) – NRW consider that sufficient information has been collected to demonstrate no detriment to the maintenance of the FCS of each local population.</p> <p>Bats – NRW consider that in this case, the assessments undertaken are</p>

Request number	Request to	Request	NRW Response
		<ul style="list-style-type: none"> • Baseline surveys are understood to have been undertaken between 2008 and 2014, making some of the data older than would normally be acceptable. • The timing in the year (February to May) of Phase 1 surveys was early for some grassland species. • There was no reptile survey, although the ES has sought to address • this through precautionary assumptions that a small population of common reptile species are present. • Not all water bodies outside the application site but within 500m of its boundary appear to have been surveyed for Great Crested Newt (GCN). • Bat surveys have not fully complied with Bat Conservation Trust survey guidance. <p>With regard to these matters:</p> <ul style="list-style-type: none"> A. Does the age of baseline data affect the reliability of the conclusions drawn in any significant degree? B. Do the selected study areas respond to the zone of influence of the application proposal in respect to relevant receptors? C. What additional action by the Applicant (if any) is recommended to ensure a reliable basis for a decision on this application? D. Would you recommend the need for any additional survey work to be carried out over and above that which the Applicant has already done or proposes to do, and in respect of which habitats and/or species? 	<p>satisfactory for the purposes of demonstrating no detriment to the maintenance of the FCS of each local population.</p> <p>A. No, not in this case. NRW considers that there is satisfactory information for assessment of impact on ecological interests and for the purposes of demonstrating no detriment to the maintenance of the favourable conservation status of European protected species.</p> <p>B. Yes, to an acceptable level.</p> <p>C. None</p> <p>D. As in C. above, we consider that no further surveys are required to inform a decision. However to assist in long term monitoring informing long term FCS and assessing Key Performance Indicators, NRW would recommend that GCN modelling works together with cross referencing the draft Wrexham GCN conservation should be provided by the developer to discharge Requirements 3 of the draft DCO</p> <p>E. NRW would request pre-</p>

Request number	Request to	Request	NRW Response
		E. Is there a need for any additional pre-construction survey work to be secured in the DCO?	commencement surveys to inform detailed implementation plans
1.2.2.	NRW, NE, WCBC and any other IP with an interest in the natural environment	<p>Natural environment: survey methodology and baseline data for consequential development (the gas connection route)</p> <p>NRW, NE and other relevant IPs are asked to review the natural environment survey methods and outcomes relevant to the consequential development (the gas connection route) in ES Chapter 11 [APP-059], from which the following methodological issues that the ExA has observed emerge:</p> <ul style="list-style-type: none"> • The absence of detailed bat surveys (embedded mitigation through the avoidance of roost sites is assumed). • Lack of access to the south bank of the River Clwydog for water vole and otter surveys (the river is said to be narrow and the ES views a survey from the north bank to be adequate). • The absence of a physical survey for GCN. <p>With regard to these matters:</p> <p>A. What additional action by the Applicant (if any) is</p>	<p>A. No additional action is required.</p> <p>B. No additional survey work is required.</p> <p>C. NRW would request pre-commencement surveys to inform detailed implementation plans</p>

Request number	Request to	Request	NRW Response
		<p>recommended to ensure a reliable basis for a decision on this application?</p> <p>B. Would you recommend the need for any additional survey work to be carried out over and above that which the Applicant has already done or proposes to do and for which habitats and/or species?</p> <p>C. Is there a need for any additional pre-construction survey work to be secured in the DCO?</p>	
1.2.3.	The Applicant, NRW, NE, WCBC and any other IP with an interest in the natural environment	<p>Natural environment: roosting bats and noise ES Paragraph 11.221 [APP-059] states that construction noise is likely to result in disturbance to roosting bats and that the noise assessment is showing that construction noise levels at Target Note 26 (TN26)(see Figure 11.5) are likely to be above ambient noise levels.</p> <p>A. The noise assessment in EA Chapter 9 [APP-057] makes no reference to TN26 and does not appear to consider ecological receptors. Can the Applicant explain what evidence supports the statement in ES paragraph 11.221 at Deadline 1?</p> <p>B. Can the other respondents to this question review and comment on the Applicant's response at Deadline 2?</p>	NRW response not required for Deadline 1
1.2.4.	NRW, NE, WCBC and any other IP with an interest in the natural environment	<p>Natural environment: provision of and security for mitigation The ES identifies a range of mitigation measures for adverse natural environment effects which it characterizes as 'inherent' (i.e. embedded or provided for directly within the design of the application proposal) or 'additional' (requiring to be specifically provided for and delivered on a separate basis). On the basis of applying both inherent and additional mitigation, the ES concludes</p>	A. Yes. NRW considers the framework for short and long term mitigation is satisfactory, though further detail is to be provided by the applicant under requirement 3 in the DCO (as indicated in 1.2.1.).

Request number	Request to	Request	NRW Response
		<p>that there would be no significant residual effects on the natural environment during any phase of the development.</p> <p>A. Is this conclusion on mitigation sound? B. If it is not, in what respect and with respect to what evidence is it not sound? C. What (if any) further mitigation is required and for what purpose? D. Should any further mitigation be by way of change to the design of the application proposal (inherent mitigation) or by new additional mitigation measures? E. Has the currently proposed mitigation been sufficiently secured in the DCO? F. If not, what additional steps are needed to secure it? G. If any additional mitigation is proposed, how should that be secured?</p>	<p>B. Not applicable.</p> <p>C. Not applicable.</p> <p>D. No additional measures are required at this stage.</p> <p>E. Yes. We consider that the mitigation to be secured by the DCO will be sufficient. NRW advise that should consent be granted, the documentation to be provided by the developer should include information relating to the long term implementation of compensation measures including wardening, management and surveillance. Furthermore, detail will be required in respect of ensuring the security of compensation areas from any possible future land use change. This is to ensure the FCS of the populations is maintained in the long term.</p> <p>F. Not applicable</p> <p>H. Not applicable</p>

Request number	Request to	Request	NRW Response
1.2.5.	NRW	<p>Natural environment: Cumulative Impact Assessment (CIA)</p> <p>The ES states that the worst case impact scenario would be the parallel construction of the application proposal with other developments (Chapter 11, paragraph 11.424). The CIA is qualitative. Potential pollution impacts on designated sites (Sites of Special Scientific Interest (SSSIs)) via surface water connectivity are identified, but then the ES states that only the electrical connection would be likely to have any direct effects. It assumes that as consent would be required under section 28 of the Wildlife and Countryside Act for work affecting SSSIs, HRA screening and appropriate mitigation would be required to avoid adverse impacts should any be identified. The cumulative effects arising from the electrical connection in parallel with other development in the Applicant's view would therefore not be significant.</p> <p>A. Does NRW agree with this assessment? B. How would the mitigation of any cumulative impacts to SSSIs arising from the electrical connection be controlled and would this control be satisfactory?</p>	<p>NRW note that the updated Grid Connection Statement (Revision 1) will result in a substantially different connection with long trenching routes required. However, to our knowledge, the specific route to be taken and exact methodology has not been confirmed.</p> <p>As such, NRW would request that the developer update / amend document 1.2.11 WEC ES Ch11 Ecology and any other chapters of the ES which reference specific details of the older connection option, or confirm the statements made within the chapters remain valid.</p> <p>Notwithstanding the above, NRW consider that cumulative impacts should be avoidable providing sensitive siting of the connection and commitment to implementation of precautionary working methods in the vicinity of sensitive features.</p> <p>We consider that, at this stage, it is appropriate for the developer to assess the cumulative effects of the project as a whole (including intra effects) and for the ES to identify and address cumulative impacts associated with relevant parallel development that would fall within the scope of a cumulative</p>

Request number	Request to	Request	NRW Response
			<p>impact assessment. However, any mitigation required for the electrical connection should be secured as part of that scheme where the securing of the mitigation is outwith the control and scope of the determination of the DCO.</p>
1.2.6.	NRW and WCBC	<p>Natural environment: CIA – GCN The ES also states that cumulative impacts on GCN would be avoided because both the project and Kingmoor Park North include Ecological Mitigation Areas and compensation for the loss of notable habitats. The Applicant considers that this would avoid problems arising due to the loss of GCN ponds and there would not be any cumulative effect on the GCN population as a consequence.</p> <p>A. Do NRW and WCBC agree with this assessment?</p>	<p>NRW consider that with regard to these two projects and in-combination effects, provided appropriate compensatory and other off setting measures are implemented, in the long term there will be no in-combination impacts on local GCN populations. Also, NRW consider proposal is not likely to be detrimental to the maintenance of the FCS of each of the extant local populations of GCN at this locality</p>
1.2.7.	NRW	<p>Natural environment: impacts on species protected under European and domestic legislation, mitigation and monitoring (other than GCN) Where the application proposal affects European Protected Species (EPS), the works (including mitigation measures) require a licence under Regulation 53 of the Habitats Regulations from NRW. NRW’s relevant representation states that the measures proposed by the Applicant to avoid, mitigate and compensate for effects on EPS (including bats) are sufficient to avoid effects on favorable conservation status.</p> <p>A. Can NRW advise whether there is any reason in principle why a EPS licence would not be granted for any of the EPS affected by the application</p>	<p>A. NRW are unable to provide confidence at this stage as the EPS licencing process is a separate legal process.</p> <p>B. providing minor amendments referenced in 1.2.8 are implemented</p>

Request number	Request to	Request	NRW Response
		<p>proposal?</p> <p>B. Are NRW satisfied that Requirements 3 and 4 of the draft DCO will sufficient to secure the mitigation necessary to avoid impacts on populations of species protected under European and domestic legislation?</p>	
1.2.8.	The Applicant, NRW and WCBC	<p>Natural environment: EPS mitigation and monitoring: GCN</p> <p>As GCN are an EPS, the works (including mitigation measures) require a EPS licence. The Applicant has provided a draft licence application (ES Appendix 11.6 [APP-103]).</p> <p>A. Can the Applicant confirm that the proposals referred to in the draft licence application are those shown on the illustrative landscape and ecological mitigation plan? ([APP-026] Doc 2.9.7, sheet 1 of 7).</p> <p>B. Can the Applicant confirm that the Ecological Monitoring and Management Plan (EMMP) referred to in the draft licence application is the plan secured by Requirement 3 of the draft DCO?</p> <p>C. Are NRW and WCBC satisfied with the wording of Requirements 3 and 4 of the draft DCO?</p>	<p>C. As stated in NRW’s Relevant Representation, we recommend that within ‘Schedule 2 Requirements’ specific NRW should be consulted within sections:</p> <ul style="list-style-type: none"> • Provision of and implementation and maintenance of landscaping and ecological mitigation 3. • Construction and Environment Management Plan 4.
1.2.9.	NRW and WCBC	<p>Natural environment: species mitigation and monitoring: butterflies</p> <p>With respect to the dingy skipper and grizzled skipper butterflies:</p> <p>A. Are NRW and WCBC satisfied with the proposed mitigation measures for these species?</p> <p>B. Are NRW and WCBC satisfied that Requirements 3 and 4 of the draft DCO are sufficient to secure these mitigation measures?</p>	No comment

Request number	Request to	Request	NRW Response
1.2.10.	NRW	<p>HRA: scope of assessment in Wales NRW has not raised any concerns about the scope of the Applicant’s assessment (the European sites and features identified and considered) but has not formally recorded that it is satisfied that all relevant European sites and features in Wales have been identified and considered.</p> <p>A. Please confirm that all relevant European sites and features in Wales have been identified and considered or indicate those European sites and/ or features in Wales that require to be further addressed.</p>	<p>NRW is satisfied all relevant sites have been considered</p>
1.2.12.	NRW, NE and the Applicant	<p>HRA: approach to airborne emissions effects in-combination NRW has not agreed that likely significant effects (LSE) on European sites or features from airborne emissions can be excluded. It has advised that the Applicant should undertake an appropriate assessment (AA). NE does not appear to share this view.</p> <p>The NRW position is understood to respond to findings by the inspector in the Hirwaun Power Project Nationally Significant Infrastructure Project examination, where the Recommendation Report did not agree that a process contribution of 1% or less excluded the installation from the need to undertake Appropriate Assessment (AA) with regard to in- combination effects¹. However, the Secretary of State (SoS) took a different position in her decision letter on Hirwaun Power Project and explicitly stated that an AA was not required².</p> <p>A. In view of the SoS’s decision on Hirwaun Power Project, does NRW maintain that an AA is still required? If the answer to this question is yes, please provide reasons.</p>	<p>NRW does not consider that an Appropriate Assessment is required. NRW has set out below the reasoning for this.</p> <p>NRW consider that the case does fall within the scope of the H1 Guidance and that is the most appropriate basis for making the assessment in this case.</p> <p>The Wrexham Energy NSIP has been assessed alone as not contributing more than 1% to Nitrogen deposition rates on any sensitive site features within the study area.</p> <p>Under Annex F of the Environment Agency’s H1 guidance, the 1% value is a threshold designed to screen out applications from having LSE so that no</p>

Request number	Request to	Request	NRW Response
		<p>B. Having reviewed the NRW position, does NE see any reason to change its conclusions on this topic? If the answer to this question is yes, please provide reasons.</p> <p>C. With reference to the NRW position and to the Hirwaun Recommendation Report and the SoS's decision, and noting also that the Secretary of State is the competent authority for HRA purposes, there remains an argument that information sufficient to enable the SoS to undertake an AA on this point should nevertheless be provided. The Applicant is requested to respond to this point at Deadline 3, in the light of responses from NRW and NE to the questions raised above.</p>	<p>Appropriate Assessment is required.</p> <p>This applies alone – due to insignificance of the emissions.</p> <p>This also applies to any potential in-combination effects as it is deemed to be an insignificant contribution to any potential in-combination effects.</p> <p>As such NRW consider that LSE can be screened out due to the insignificance of (under 1%) process contributions of the scheme to sensitive site features.</p>
1.2.13.	The Applicant, NRW, NE and any other interested party with an interest in HRA.	<p>HRA: no significant effects conclusion</p> <p>The Applicant has submitted a No Significant Effects Report (NSER) [APP-046] with the application.</p> <p>A. Setting aside your responses (if any) to questions 1.2.11 to 1.2.12 above, are there any further respects in which you disagree with the conclusions in that report?</p> <p>B. Appendix F of the NSER considers the combined effects from the gas connection and the power station site. The electrical connection is not referred to in either Appendix F or the list of projects in Table 5.1. Can the Applicant provide an updated statement about the in-combination effects for the project which includes the electrical connection at Deadline 1? Other interested parties may respond to this at Deadline 2</p>	<p>Nothing raised to date... perhaps wait to determine question above as may have implications...</p>

Request number	Request to	Request	NRW Response
		C.If you disagree with any of the conclusions reached in the NSER, please identify which conclusion(s) you disagree with, your reasons for disagreement and the evidence on which your reasons are based.	
1.2.15.	NRW, NE and WCBC	<p>DCO and related security for natural environment matters</p> <p>NRW, NE and WCBC are asked to identify whether there are any matters of natural environment relevance that require to be secured by a requirement in the draft DCO but have not been.</p> <p>A. Are any new natural environment DCO requirements sought and if so, what biodiversity objective(s) would these address?</p>	A. NRW consider the DCO requirements to be sufficient in most regards. However, NRW is not clear whether obligations restricting any future land use change of proposed ecological compensation areas could be covered by the DCO or would require section 106 agreement.
1.2.16.	NRW, NE and WCBC	<p>DCO and related security for natural environment matters</p> <p>NRW, NE and WCBC are asked to identify whether there are any matters of natural environment relevance that require to be secured, but which cannot be secured by a requirement in the draft DCO.</p> <p>A. Are any additional forms of security such as planning obligations under the Town and Country Planning Act 1990 (TCPA 1990) as amended or commercial agreements sought and if so, what biodiversity objective(s) would these address?</p>	A. As with 1.2.15. NRW consider the DCO requirements to be sufficient in most regards. However, NRW requests clarity as to whether obligations restricting any future land use change of proposed ecological compensation areas are to be covered by the DCO or by planning obligation.
1.3 Combined Heat and Power (CHP) Readiness			
1.3.2.	The Applicant, NRW and WCBC	<p>Heat export: effects on combustion performance</p> <p>If the response to question 1.3.1 above records that the active take-up and export of heat will materially affect combustion performance, at Deadline 3:</p>	NRW response not required for Deadline 1

Request number	Request to	Request	NRW Response
		<p>A. Please identify how the revised combustion performance of the electricity generating station together with active CHP has been or should be secured to ensure that it remains within the Rochdale Envelope?</p>	
1.3.4.	The Applicant, NRW, DC/WW and WCBC	<p>Heat export: water environment Are there any circumstances in which the installation and operation of CHP could materially change water environment effects beyond those assessed in the ES and particularly would any additional water supply or abstraction be required to support a heat distribution network?</p>	No Comment
1.5A Decommissioning			
1.5A.1.	The Applicant, NRW, WCBC, Dwr Cymru /Welsh Water (DC/WW), Cadw	<p>Decommissioning strategy: general Draft DCO requirement 17 secures a decommissioning strategy, but there is no outline strategy document or other indication as to what this strategy should contain.</p> <p>A. What measures should be taken to ensure that decommissioning take place within the Rochdale envelope?</p> <p>B. Should a specific/ minimum set of topics, performance evaluation</p> <p>C. criteria and or outcomes that the decommissioning strategy needs to address be secured as part of requirement 17?</p> <p>D. If so, how can they be delivered: should there be an outline decommissioning strategy and when should it be prepared?</p> <p>E. Is WCBC content to take the lead role in decommissioning implied by requirement 17?</p> <p>F. Are other relevant bodies satisfied with the apparent approach to decommissioning?</p>	NRW would advise that closure and decommissioning of the plant would be covered by an EP should one be granted for the proposals.

Request number	Request to	Request	NRW Response
1.9 Landscape and Visual			
1.9.9.	WCBC and NRW	<p>Landscape and visual impact: CIA Have all relevant developments been included in the Applicant's cumulative impact assessment for landscape and visual impact purposes?</p>	NRW have no additional developments which NRW would want included.
1.10 Noise and Vibration			
1.10.8.	NRW and WCBC	<p>Noise: operational effects ES Chapter 9 at Table 9.2 [APP-057] presents the list of operational noise sources associated with the application proposal. The sound power levels (SPLs) for these sources are not related back to verifiable data such as manufacturers specifications. The draft DCO does not appear to restrict the Applicant to selecting equipment that is no more adverse in terms of SPLs than that assessed in the ES.</p> <p>A. Will all relevant operational effects be regulated under the EP and, if not; B. does an operational noise envelope need to be secured in the draft DCO?</p>	NRW consider that these matters would be covered by specific conditions within any EP should one be granted.
1.10.10 .	The Applicant, NRW and WCBC.	<p>Noise: operational effects and mitigation ES Chapter 9 [APP-057] at paragraphs 9.108 and 9.151 state some assumptions regarding the design of the plant and buildings providing mitigation to the propagation of sound. <i>"For the purpose of this assessment an insulated metal panel system construction that will achieve an overall Rw of 43dB has been assumed"</i> (where Rw characterises the airborne sound insulation of a material or building element). (BS EN ISO 10140:2010 "Acoustics – Laboratory measurement of sound insulation of building elements.") Similarly, paragraph 9.109 of chapter 9 of the ES states</p>	NRW consider that these matters would be covered by specific conditions within any EP should one be granted.

Request number	Request to	Request	NRW Response
		<p>that "Stack noise will be mitigated by the use of silencers as standard, limiting the noise emissions to an SWL of 86dB".</p> <p>A. Should there be a commitment to meeting the assessed Rw factors and stack noise limits as part of the design in the DCO, or would/should these matters fall to be controlled via the EP?</p>	
<p>1.10 Other Strategic Projects and Proposals (including Cumulative and in-combination impact assessment)</p>			
<p>1.12.1.</p>	<p>The Applicant, NRW, WCBC and any other IP with an interest in cumulative and / or in-combination impact assessment</p>	<p>CIA included projects Chapter 4 [APP-052] of the ES identifies the projects which have been considered in CIA within the ES. These are:</p> <ul style="list-style-type: none"> • the electrical connection for the project; • the North Wales Prison proposal; • the Kingmoor Park North application; and • Pickhill Bridge Farm Solar Park. <p>The ES does not clearly explain how the Applicant identified the schemes to be taken into consideration in the CIA.</p> <p>One other consented scheme within 2km of the project has been excluded on the grounds that it considered to be is too far away to lead to cumulative impacts with the project, but it is not clear what the effects of this scheme would be and so whether this decision was appropriate.</p> <p>A. Can the Applicant explain and justify how they identified the developments included and not included in the CIA?</p>	<p>NRW advises that the developer should provide the details requested by the ExA to demonstrate that sound methodology has been applied in screening projects out of the CIA with regards to all potential impact pathways.</p> <p>Please also consider our response to 1.2.5.</p>

Request number	Request to	Request	NRW Response
		<p>B. Are stakeholders satisfied that all the relevant developments have been included in the CIA? C. Should any others be included and if so, what are they, why should they be included and what ES topics are they relevant to?</p> <p>If additional developments are identified at Deadline 1, can the Applicant please respond to these at Deadline 2, providing a table to make clear for each additional development that either:</p> <p>D. analysis is not required (for stated reasons); or E. a need for analysis is accepted and that analysis is provided.</p>	
1.17 Water Environment			
1.17.1.	NRW, WCBC	<p>Water environment: baseline data and study area The study area used to collect the baseline data is defined in paragraph ES Chapter 14 [APP-062]. The study area includes the land within the Order limits (including the gas connection corridor). Ground conditions are considered up to 0.5km from the Order limits, main rivers are covered up to 1km and designated sites are covered up to 3km. Although paragraph 14.27 provides some justification for the area considered it is not entirely clear why these distances were chosen.</p> <p>A. Are NRW and WCBC satisfied that the Applicant has provided adequate reasoning for selecting the study area? B. Is the study area appropriate?</p>	Please see response to 1.17.3 for specific issues with regard to topics covered here. NRW are generally satisfied with the study area chosen and would not request further information with regard to this.
1.17.2.	NRW and WCBC	<p>Water environment: methodology The assessments in ES Chapter 14 [APP-062] include:</p> <ul style="list-style-type: none"> • flood consequences assessment; 	Please see response to 1.17.3 for specific issues with regard to topics covered here. NRW are generally satisfied that

Request number	Request to	Request	NRW Response
		<ul style="list-style-type: none"> • Water Framework Directive (WFD) screening; • effects on groundwater and aquifer quality and flow; • effects on surface water quality and flow; and • effects on the River Dee Site of Special Scientific Interest (SSSI) and Special; • Area of Conservation (SAC). <p>It is noted that the methodology described in Chapter 14 of the ES appears to be based on the approach suggested in the Design Manual for Roads and Bridges which is designed for road schemes.</p> <p>A. Are NRW and WCBC satisfied that the Applicant has used appropriate methods to assess effects on the water environment due to the application proposal?</p> <p>B. Are there any particular matters in respect of which a different method or methods should have been used?</p> <p>C. Are there any matters in which methodological concerns are sufficient to affect judgements reached in the light of the assessment, and if so, is any additional data and/ or analysis required?</p>	<p>the methodologies adhered to with regard to these aspects are appropriate and that there are no matters in which methodological concerns are sufficient to affect judgements reached in the light of the assessment.</p>
1.17.3.	NRW	<p>Water environment: WFD screening</p> <p>The Water Framework Directive (WFD) screening in ES Appendix 14.3 [APP-146] does not identify any effects which, once mitigation is taken into account, would cause deterioration in the ecological or chemical status of a water body or affect the attainment of good status under the WFD.</p> <p>A. Does NRW agree with the approach used by the Applicant in the WFD screening?</p> <p>B. Does NRW agree with the conclusions of the WFD screening?</p> <p>C. If not, what additional matters need to be taken into</p>	<p>NRW consider that the WFD assessment is not sufficiently specific to allow confidence in the conclusions at this point. In particular, a map showing the water bodies in relation to the proposed development is required, the water body baseline data should be considered in the approach and any potential impacts against the WFD quality elements considered in full.</p>

Request number	Request to	Request	NRW Response
		<p>account? D. Is mitigation sufficiently secured in the DCO?</p>	
1.17.4.	NRW	<p>Water environment: groundwater NRW's relevant representations [RR-028] state that it is generally satisfied with the approach in the ES to assessing effects on groundwater and contaminated land but it has 'some minor concerns' about the approaches used to assess potential source-pathway- receptor linkages which it would like the Applicant to resolve during the examination.</p> <p>A. Can NRW explain these concerns more fully? B. Can NRW and the Applicant explain what progress has been made in resolving these concerns?</p>	<p>We have raised the matter with the developer by email on the 10/08/2016. NRW's concerns here were regarding estimated risks -Appendix 13 sets out the tables showing how risk is estimated for the various potential source-pathway-receptor linkages. For the various sources within the Order Limits the probability of "Leaching of contaminants to groundwater in underlying aquifers" is classified as being of a "Low likelihood". It could be argued that in places that were subject to previous potentially contaminative uses, this probability could be elevated to "likely".</p> <p>As such, the developer will need to give this appropriate consideration.</p>
1.17.6.	WCBC, NRW and DC/WW	<p>Water environment: flood risk and drainage: construction phase WCBC is the lead flood authority. Relatively little detail is provided in the ES or the draft CEMP [APP-152] on the content of the construction drainage strategy. The delivery of the CEMP is secured under Requirement 4 of the draft DCO which states that no construction can begin before the CEMP has been approved by the local authority, must be substantially in accordance with the draft CEMP provided in Appendix 19.1 of the ES and must include a construction drainage strategy. Further to the issue raised in question 1.17.5 above and taking information provided by the Applicant at Deadline 2 into account together with information about the construction</p>	NRW response not required for Deadline 1

Request number	Request to	Request	NRW Response
		<p>drainage strategy in the ES at appendix 14.3 [APP-148] (where a proposal for a permeable laydown area is set out in paragraph 5.19), WCBC are requested to address the following question at Deadline 3:</p> <p>A. Is the proposed construction drainage strategy appropriate?</p> <p>B. Are WCBC and NRW satisfied with the current level of information about the content of the construction drainage strategy?</p> <p>C. Is more detail needed in an updated outline CEMP?</p> <p>D. Does DCO requirement 4 provide sufficient security that appropriate surface water drainage arrangements will be made?</p> <p>E. Is any change required to DCO requirement 4?</p>	
1.17.7.	WCBC, NRW and Dwr Cymru/ Welsh Water (DC/WW)	<p>Water environment: flood risk and drainage: operational phase WCBC is the lead flood authority.</p> <p>The surface water drainage strategy during operation is Work No. 3 in the draft DCO [APP-033]. The draft DCO also includes requirement 12 which states that Work No. 1 must not commence until the details of the foul and surface water drainage strategies have been approved by Wrexham CBC. These details must be 'substantially in accordance with the illustrative foul and surface water drainage plan' [APP-015]. Other measures to avoid contaminants affecting the water environment (such as bunding of fuel tanks) would be delivered through the design of the project and through the controls imposed through the Environmental Permit (EP) (ES Chapter 19 [APP-067]). This means that the application proposal appears to rely on mitigation which is not secured in the DCO and will be delivered pursuant to the EP process under the oversight of NRW.</p>	NRW response not required for Deadline 1

Request number	Request to	Request	NRW Response
		<p>Further to the issue raised in question 1.17.5 above and taking information provided by the Applicant at Deadline 2 into account together with information about the operational drainage strategy in the ES referred to above and at appendix 14.3 [APP-148], WCBC are requested to address the following questions at Deadline 3:</p> <ul style="list-style-type: none"> A. Is the proposed operational drainage strategy appropriate? B. Is WCBC content with the division of matters and responsibilities between its own role and that of NRW pursuant to the EP? C. Are there any matters relevant to the surface water drainage strategy that require input from DC/WW and if so, is that body content with the arrangements and distribution of responsibility on this topic as currently proposed? 	
1.17.12	NRW, DC/WW and WCBC	<p>Water environment: CIA Are bodies concerned with water environment effects (flooding, surface and foul drainage, water abstraction and supply) content that the cumulative impact assessment (CIA) in the ES takes sufficient account of additional development and other major projects?</p>	We are satisfied that the cumulative impacts of the project covered by the DCO are assessed sufficiently