

Application by Sembcorp Utilities (UK) Limited for an Order Granting Development Consent for the Proposed Tees CCPP Project

The Examining Authority's Written Questions and Requests for Information (ExA WQs)

Issued on Wednesday 18 April 2018

The following table sets out the Examining Authority's (ExA's) Written Questions in relation to the proposed Tees CCPP Project. Responses are required by **Deadline 2 in the Examination Timetable, Wednesday 16 May 2018**. Please note that if this deadline is missed the ExA is not obliged to take account of your response.

Questions are set out using an issues-based framework derived from the Initial Assessment of Principal Issues provided as Annex B to the Rule 6 letter of **Friday 9 March 2018**. Questions have been added to the framework of issues set out there as they have arisen from representations and to address the assessment of the application against relevant policies.

Column 2 of the table indicates which Interested Parties (IPs) and Other Persons each question is directed to. The ExA would be grateful if all persons named could answer all questions directed to them, providing a substantive response, or indicating that the question is not relevant to them for a reason. If the answer to a question is set out in, for example, a statement of common ground (SOCG) then a cross reference to where the issue is addressed is acceptable.

This does not prevent an answer being provided to a question by a person to whom it is not directed, should the question be relevant to their interests.

Each question has a unique reference number which starts with 1 (indicating that it is from ExA WQ1) and then has an issue number and a question number. For example, the first question on Air Quality and Emissions is identified as ExA WQ1.1.1. When you are answering a question, please start your answer by quoting the unique reference number. If you are responding to a small number of questions, answers in a letter will suffice.

In some areas there may be a degree of overlap between the answers to questions and it is acceptable to provide a single answer which responds to multiple questions or answer questions individually and provide cross references between multiple answers where appropriate. If you do so, please use all number references and ensure all elements are addressed. It was noted at the Preliminary Meeting that there may also be some overlap with the Agenda items set out in Annex G of the Rule



The Planning Inspectorate

6 letter dated 9 March 2018. Where there is such overlap, the ExA does not require separate answers, but requests that the respondent ensures that ALL issues identified in the Written Questions and in Annex G are covered in the written submissions due by Deadline 2. Responses should also address implications of the proposed change to the development which the Applicant outlined at the Issue Specific Hearing on 10 April 2018 (i.e an increase in the height of the turbine hall).

If you are answering a larger number of questions, it will assist the ExA if you use a table based on this one to set out your responses. An editable version of this table in Microsoft Word is available on request from the case team: please contact TeesCCPP@pins.gsi.gov.uk.

Responses are due by **Wednesday 16 May 2018**

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Ref No.	Respondent:	Question:
1	Air Quality and Emissions	
Q1.1.4	Applicant Environment Agency	<p>Paragraph 7.30 of the ES [APP-049] states that 'At the Permitting stage consideration will need to be given to whether the Project will need to comply with BAT AELs'. [Best Available Technology Associated Emission Levels]</p> <p>As the permitting process is separate from the DCO process, could the design proposed in the DCO application require any other technologies or emission control measures (ie that are not assessed in the ES/ Habitats Regulations Assessment (HRA) report) in order to achieve BAT?</p> <p>The Environmental Permit application has not yet been submitted or duly made and we have yet to begin the process of determination.</p> <p>During the permitting process, should the environmental impact of the proposed plant be determined to be significant, we can set stricter emission limit values than those in legislation to provide protection for the environment and human health. A tighter emission limit value may require the applicant to add relevant abatement equipment to the process.</p>
Q1.1.5	Applicant EA	<p>In Table 7.1 of the ES [APP-049] the Environment Agency (EA) commented that an Environmental Permit will be required. The Applicant's response was that the EA had indicated that it was not unlikely that the EA would issue a permit.</p> <p>Can the Applicant please provide evidence to confirm that the EA has no major permitting concerns and the necessary Environmental Permit is therefore capable of being granted?</p> <p>The Environmental Permit application has not yet been submitted or duly made and we have yet to begin the process of determination however during pre-Environmental Permit application discussions with the Applicant we stated that it is unlikely that the Environment Agency would refuse an</p>

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		Environmental Permit, based on the information viewed at that time (1 March 2017) and subject to our detailed assessment of the final permit application.
Q1.1.6	Applicant EA	<p>As set out in Table 7.1 of the ES [APP-049] the EA commented that the Predicted Environmental Concentration/Critical Load (PEC/CL) is greater than 100% at 7 habitat locations. This is because the data is dominated by high background levels which the applicant noted is not due to project contributions which are an output of the dispersion modelling. Nevertheless, as acknowledged in paragraph 7.85 of the ES the issue for ecosystems is the possibility that the deposition rate of acid or nutrient nitrogen may be in excess of the amount that the ecosystem can tolerate ie the critical load.</p> <p>Please clarify.</p> <p>The PEC/CL ratio is calculated for screening purposes. If the PEC is greater than 70% of the long-term environmental standard, the applicant has to provide detailed air modelling. This has already been provided in the DCO application.</p> <p>Our GOV.UK guidance (Air emissions risk assessment for your Environmental Permit) states that an applicant will need to do a cost benefit analysis if any of the following apply: a PC (process contribution) could cause a PEC to exceed an environmental standard (unless the PC is very small compared to other contributors) and the PEC is already exceeding an environmental standard.</p> <p>The need for a cost benefit analysis will be assessed during the determination of the Environmental Permit. The Environmental Permit application has not yet been received or duly made and we have yet to begin the process of determination. We remain unable to answer detailed questions from the ExA that could pre-determine the outcome of the Environmental Permit application.</p>
2	Biodiversity, Ecology and Natural Environment	
Q1.2.6	Applicant	Can the Applicant, EA and NE comment on the reliance placed on the EA's

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	Natural England Environment Agency	<p>significance criteria as set out in Table 7.11 of the ES [APP-049] and Table H2.2 of the HRA report [APP-076] in concluding no likely significant effects (LSE) of the project alone and in-combination for the purposes of HRA. In particular, why the relevant thresholds are applicable for HRA (e.g. increases in process contributions to critical loads of less than 1% being considered 'insignificant').</p> <p>The 1% threshold is a screening level below which the environmental impact would be so low as to be insignificant. Above the 1% threshold, further modelling and assessments are required.</p> <p>The impacts of the proposed activities on the internationally designated sites or SSSIs or non-statutory sites or any other protected habitats in the vicinity of the application site will be considered through a separate HRA as part of the determination of the Environmental Permit application.</p>
Q1.2.8	Applicant Natural England Environment Agency	<p>Can the Applicant, EA and NE explain if and why the thresholds applied in the Applicant's assessment for determining the absence of LSE (or otherwise) are appropriate for European sites where there are already exceedances above the critical loads or levels for given pollutants (as acknowledged in paragraph H1.57 and set out in Appendix A of the HRA report [APP-076]. The ExA notes that Table H2.1 of the HRA report includes links to Site Improvement Plans for the Teesmouth and Cleveland Coast SPA and the North York Moors SPA and SAC, which refer to atmospheric nitrogen deposition as issues which are currently impacting or threatening the sites. The explanation provided should take into account the impact of the Proposed Development alone and in-combination with other plans and projects.</p> <p>At the DCO stage, we will not comment on whether the thresholds used by the applicant are suitable or not. This matter should be considered by NE.</p> <p>Through Environmental Permitting process we will consider whether the proposed level of pollution from this site going to be acceptable in relation to SAC / SPA and other protected habitats within the vicinity. We remain unable to answer detailed questions from the ExA that could pre-determine the</p>

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		outcome of the Environmental Permit application.
Q1.2.12	Natural England Environment Agency Redcar and Cleveland Borough Council	<p>Please confirm whether all relevant plans/projects which may result in in-combination effects together with the Proposed Development have been identified and considered in the Applicant's HRA report [APP-076].</p> <p>We are unaware of any additional relevant projects or plans which could be added to those in Table 7.17 of the May 2018 Air quality report (Volume 1, Chapter 7, doc ref 6.2.7, PINS Ref: EN010082) which lists the Proposed Schemes with the Potential for Cumulative Impacts.</p> <p>I can confirm that the relevant sites listed in the Air Quality report have subsequently been used in the in-combination effects assessment, within the HRA.</p>
5	Environmental Impact Assessment	
Q1.5.4	Applicant Redcar and Cleveland Borough Council Natural England Environment Agency	<p>Table 3.6 of the ES [APP-045] identifies other developments which have been considered cumulatively with the proposed development for the cumulative effects assessment (CEA).</p> <ul style="list-style-type: none"> • Confirm whether the scope of the CEA was agreed with relevant consultees. • Are Redcar and Cleveland Borough Council (RCBC) Natural England (NE) and the Environment Agency (EA) content that all relevant developments have been considered in the cumulative assessment? • With reference to paragraph 11.54 of the ES [APP-053] which records that developments within a 5km study area were considered for the cumulative assessment for the landscape and visual assessment, can the applicant confirm that no other plans/projects have been proposed since the Scoping Report was produced in February 2017 which could have cumulative landscape and visual effects upon the Proposed Development? <p>The Environment Agency cannot comment on the cumulative landscape and visual impacts presented</p>

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		<p>in this application as these matters are outside our planning remit, however we can confirm that the list of all relevant projects for the CEA were discussed and agreed with the Environment Agency at the pre-Environmental Permit application stage and that the relevant projects have been considered within the CEA.</p>
<p>Q1.5.12</p>	<p>Applicant Redcar and Cleveland Borough Council Environment Agency</p>	<p>In paragraph L5 of Annex L [APP-081] reference is made to the detailed CEMP being agreed with Redcar and Cleveland Borough Council and the Environment Agency whilst paragraph L6 refers to the final scope also being determined by other relevant regulatory authorities. Which other authorities should be involved?</p> <p>We advise that Natural England should be involved to provide advice on habitat improvement and avoiding flora and fauna disturbances during the construction process.</p>
<p>7 Infrastructure</p>		
<p>Q1.7.5</p>	<p>Applicant Environment Agency</p>	<p>Paragraph 4.21 of the Carbon Capture Readiness (CCR) Statement [APP-039] indicates that an 8 hectare site for CCR would be required based on International Energy Agency estimates. Paragraph 4.22 goes on to estimate that based on other studies the requirement may only be 4.6 hectares. The area available for CCR at the application site is 5.4 hectares.</p> <p>Does the fact that the total area of 5.4 hectares is split between two areas create any difficulties?</p> <p>The applicant has not provided a plan showing the proposed locations of the key CCP features therefore we are unable to provide an opinion on this matter. As outlined below, we have concerns about the size of the area for CCR.</p> <p>What further reassurance can be provided that this area would be adequate for CCR?</p> <p>The Environment Agency cannot comment on the proposed CCR footprint of 5.4 ha without additional</p>

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		<p>evidence that the CCP will fit into the space allocated. The information required in Annex C of the DECC CCR (2009) guidance is therefore required. Please refer to the Carbon Capture and Storage Section in our written representations letter.</p> <p>The DECC Carbon Capture Readiness 2009 guidance states: <i>Applicants should submit the required assessments demonstrating CCR as part of their initial Section 36 consent application with its supporting documentation. The assessments should not be considered supplementary information which can be submitted at a later stage. Together with the rest of the Section 36 application material, these assessments will be public documents. This guidance also explains the level of information which applicants can reasonably be asked to submit in the demonstration of CCR when applying for Section 36 consent.</i></p> <p>The information required by Annex C, DECC CCR (2009) should be submitted at the DCO application stage to feed into decisions about plot size, location and orientation.</p> <p>An approach taken at another plant involved engaging the services of Florin and Fennel, to review their technical CCR proposals and to write a report confirming whether they considered the space available and the design was feasible. The EA accepted this report as part of the DCO consultation process. This approach should be considered by the applicant.</p>
Q1.7.18	Applicant Environment Agency	<p>Paragraph 4.6.6 of EN-1 sets out the need for proposals for thermal power stations to include CHP or contain evidence that the possibilities for CHP have been fully explored. This should include an audit trail of dialogue between the applicant and prospective customers. Paragraph 12 of the Guidance on Background Information to Accompany Notifications under Section 14 (1) of the Energy Act 1976 and Applications Under Section 36 of the Electricity Act 1989 (the 2006 DECC Guidance) state that if a proposal is for generation without CHP the application should provide a description of future heat requirements in the area.</p> <p>Paragraph 3.4 of the CHP Assessment [APP-038] indicates that the development of the Tees CCPP with CHP capabilities would enable the applicant to attract new energy intensive manufacturing</p>

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		<p>customers to the Wilton site. Paragraph 5.2 then concludes that there are currently no immediate opportunities for the supply of heat.</p> <p>In the light of the guidance in paragraph 4.6.8 of EN-1:</p> <ul style="list-style-type: none"> • Demonstrate whether or not it is economically feasible to exploit existing regional heat markets. If it was concluded that it was not feasible to exploit existing markets was a high level economic appraisal undertaken?; • Provide an audit trail which demonstrates the dialogue which has taken place with prospective customers and a description of future heat requirements in the area; and • Explain the provisions in the proposed scheme for exploiting any potential heat demand in the future. <p>The Tees Valley City Deal, proposed by Tees Valley Unlimited, describes the South Tees District Heating scheme as taking industrial heat from Wilton International to supply homes, local authority buildings and a large hospital, and is currently completing the final stages of scheme feasibility. The applicant has expressed an interest in supporting the scheme. An active, central involvement in this scheme would satisfy our requirement for the applicant to consider the potential economic opportunities to supply heat to a wide search radius, as part of the Environmental Permit.</p> <p>The Environment Agency will assess the economic feasibility of the CHP proposal during the determination of the Environmental Permit.</p>
Q1.7.21	Environment Agency	<p>The Environment Agency requires applications for Environmental Permits for new installations to demonstrate the use of Best Available Techniques (BAT) for various criteria including energy efficiency. The applicant states [APP-038] that:</p> <ul style="list-style-type: none"> • First BAT Test: There are currently no immediate opportunities for the supply of heat but the growth of business will require new steam raising capacity; • Second BAT Test: The new Power Plant will be CHP Ready; and • Third BAT Test: The applicant will carry out periodic reviews of opportunities for the supply of

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		<p>heat.</p> <p>Does the Environment Agency consider that the three BAT Tests have been adequately addressed? If not, what additional information needs to be provided?</p> <p>The applicant has stated that the proposed plant will be CHP Ready and have given a commitment to conduct regular reviews for CHP opportunities. The limited CHP Assessment shows that opportunities for the supply of heat are primarily dependent on the medium to long term plan to attract new energy intensive customers to the Wilton International site, and engagement with the South Tees District Heating project, currently at the feasibility study stage.</p> <p>We would encourage the applicant to actively support/ help drive the South Tees District Heating Scheme, ensuring the scheme includes their nearest neighbours at Lazenby village and Normanby, which encompass residential areas and nursing homes. The Tees Valley City Deal, proposed by Tees Valley Unlimited, describes the South Tees District Heating scheme as taking industrial heat from Wilton International to supply homes, local authority buildings and a large hospital, and is currently completing the final stages of scheme feasibility. An active, central involvement in this scheme would satisfy our requirement for the applicant to consider the potential economic opportunities to supply heat to a wide search radius, as part of the Environmental Permit.</p>
8	Landscape and Visual	
Q1.8.1	Applicant Environment Agency	<p>Paragraph 4.7 of the Design and Access Statement [APP-037] states that the location and height of the CCGT stacks have been fixed whilst paragraph 4.8 states that the maximum height of the co-located stacks is 75m above existing ground level. Table 11.1 of the Environmental Statement (ES) [APP-053] indicates that during the detailed design and environmental permitting processes there may be scope to reduce stack heights below 75m only if this is approved by the Environment Agency (EA). Req. 4 of the dDCO [APP-005] also specifies a <u>maximum</u> height for the stacks to be 75m.</p>

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		<p>Explain how these statements reconcile with paragraph E1.9 of Annex E1 [APP-069] which states that 'the stack height of 75m is the <u>lowest</u> stack height at which impacts on sensitive human receptors are deemed to be acceptable and not significant on ecological receptors' and that the applicant will carry out a further stack height assessment among other assessments as part of the environmental permit process with the implication being that the height could change?</p> <p>Provide an update as to the potential to reduce the stack heights.</p> <p>Without predetermining the application for an Environmental Permit and based on the information within this DCO application, we can agree with the statement that the ES indicates 'the stack height of 75m is the <u>lowest</u> stack height at which impacts on sensitive human receptors are deemed to be acceptable and not significant on ecological receptors'.</p> <p>The stack height could be reduced further, however, this may require the installation and operation of additional abatement equipment to enable the applicant to achieve the Air Emissions Limits (AELs) the Environment Agency will place on these emissions.</p> <p>It is our understanding that the DCO process sets a maximum range for the stack height based on environmental and visual impacts, with a reduced stack height being possible within that range, provided there is sufficient protection of the environment.</p> <p>Whilst the location of the power station units is shown on the layout plans in Figures 5.3 and 5.4 of the ES [APP-047] and on the Works Plan [APP-013] it is not clear where in this envelope the stacks would be located. Why have the locations of the stacks not been fixed within the dDCO, for example by grid reference?</p> <p>Changing the location of the stacks from those given in the air quality model may alter the outcome of the model and therefore the assessment of the environmental impact. The Environment Agency agrees that the location of the stacks should be set, preferably at the grid references used within the</p>

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		<p>air impact assessment source data.</p> <p>Building and stack layout information, used in the Air Impact Assessment model, is provided in Figure 7.2 of the Air Quality report (Volume 1, Chapter 7 dated May 2018 document ref 6.2.7, PINS Ref: EN010082).</p> <p>The Environmental Impact Assessment will be reviewed during the determination of the Environmental Permit and if agreed, the plant will be built in accordance with that application, thereby fixing the stack locations.</p> <p>What assumptions have been made in the relevant ES assessments on the location of the stacks, noting that their location is not defined within the Works Plans for dDCO? This should include confirmation of what stack locations have been assumed as part of the air quality modelling (and HRA Report) in respect of a 'worst case' scenario.</p> <p>Table 7.5 of the ES [APP-049] indicates that the diameter of the stacks would be 8m. How would the final diameter of the stacks be determined? Would this be through the environmental permitting process?. Please explain why the diameter of the stacks has not been specified in the dDCO.</p> <p>The stack diameter is specified in Table 7.5 of the Air Quality report (Volume 1, Chapter 7 dated May 2018 document ref 6.2.7, PINS Ref: EN010082) which also states that 'no sensitivity testing for stack diameter was undertaken on the basis that the diameter is optimised to avoid back pressure issues.'</p> <p>The stack diameter will be stated in the application for an Environmental Permit as part of the Air Modelling Source Data which will be assessed during the Environmental Permitting Process. The stack diameter will be assessed during the determination of the environmental permit in so far as it is one of several figures used as input data in the Air Emissions Impact Model.</p> <p>The previous power station located on this site had 8m diameter stacks and it was extremely difficult</p>

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		<p>to locate a representative sample point to monitor emissions before they exit the stack. The horizontal exit from the heat recovery steam generator (HRSG) may be 8m in diameter, however, the Environment Agency questions the discharge from the 8m horizontal HRSG exit into a smaller diameter vertical stack which then discharges the emissions to atmosphere. The reduction in stack diameter may aid environmental monitoring and increase the exit velocity of emissions from the stack, which would improve dispersion. The backpressure issue is relevant.</p>
9		
Noise and Vibration		
<p>Q1.9.6</p>	<p>Applicant Environment Agency Redcar and Cleveland Borough Council</p>	<p>It is proposed to retain and where necessary reinstate an acoustic wall on the southern boundary of the application site [APP-014].</p> <p>Why was the efficacy of the wall not verified at pre-application stage?</p> <p>To date we have received no consultation from the applicant with regard to the acoustic wall and cannot comment on its efficacy.</p> <p>As part of the application for an Environmental Permit, the applicant will be expected to demonstrate that people and the environment will be protected from any significant noise impacts associated with the operation of the proposed activities.</p>
<p>Q1.9.7</p>	<p>Applicant Environment Agency Redcar and Cleveland Borough Council</p>	<p>Draft DCO Req. 20 (2)(e) requires details of any works and maintenance to the wall to be submitted to and approved by the relevant planning authority in consultation with the EA prior to commissioning whilst Req. 20 (6) states that commissioning cannot take place until any necessary works have been carried out.</p> <p>What certainty can the Applicant provide that the existing noise barrier will prove as effective in mitigating construction noise as assumed in the noise model?</p>

Ref No.	Respondent:	Question:
		<p>We confirm that any noise emissions that occur during the operation of the plant will be assessed during the determination of the Environmental Permit application and this should include the efficacy of the acoustic wall as part of the noise modelling report.</p> <p>The Environmental Permit application has not yet been submitted or duly made and we have yet to begin the process of determination.</p>
12	Water Environment	
Q1.12.1	Environment Agency Redcar and Cleveland Borough Council	<p>Can the Environment Agency (EA) and the Lead Local Flood Authority confirm whether or not they are content with the scope, assessment, methodology and conclusions of the Flood Risk Assessment [APP-064]? If not, please provide details of the specific areas of concern and confirm how these should be addressed by the applicant.</p> <p>The site is wholly located in flood zone 1 (1 in 1000 annual probability of river or sea flooding) and is outside of the bylaw distance of the bank of a main river. Lead Local Flood Authorities ("LLFA")'s are responsible for managing local sources of flooding from surface water, groundwater and small ("ordinary") watercourses.</p> <p>We, therefore, have no comment on the adequacy of the Flood Risk Assessment in so far as it relates to the DCO as this is a matter is being considered by the LLFA.</p>
Q1.12.2	Environment Agency	<p>Can the EA confirm whether or not it agrees that the Water Framework Directive (WFD) information provided in the application appropriately demonstrates the Proposed Development's compliance with the requirements of the WFD?</p> <p>Based on the information submitted, the applicant has not fully demonstrated compliance with the requirements of the WFD.</p> <p>As part of the WFD assessment, the applicant will need to demonstrate:</p>

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		<ul style="list-style-type: none"> • whether the proposed development will lead to a deterioration in status of any WFD waterbody • whether the proposed development will compromise the achievement of Good Status in any WFD waterbody • whether the proposed development will contribute towards a cumulative deterioration of WFD status or prevent cumulative enhancement of WFD status in any waterbody • whether the proposed development will support the delivery of measures identified in the Northumbrian River Basin Management Plan that are required to achieve waterbody objectives? <p>The WFD waterbodies in question are</p> <ul style="list-style-type: none"> • Tees estuary (S Bank) (GB103025072320) • TEES estuary (GB510302509900) <p>The WFD process involves the following stages:</p> <ul style="list-style-type: none"> • Stage 1: Pre-screening; • Stage 2: Screening; Look at each WFD quality element within each potentially impacted waterbody – <i>potential impact on status – is further assessment required?</i> • Stage 3: Further assessment; followed by, if required; • Stage 4: Identification and evaluation of measures; and • Stage 5 Article 4.7 considerations <p>The above should be considered for both potential WFD impacts during construction and following completion of construction once the development proposal is operational.</p> <p>Do any other matters relevant to WFD need to be taken into account?</p> <p>The Tees Estuary Partnership is working to develop a Tees Estuary Strategic habitat enhancement framework that aims to deliver WFD mitigation measure objectives. We would welcome any contributions by the applicant to assist with the work of the Tees Estuary Partnership.</p>

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Q1.12.7	Applicant Environment Agency	<p>In paragraph C1.59 of Annex C [APP-064] it is asserted that climate change is not considered likely to increase flood risks within the vicinity of the project site.</p> <p>Please comment further on this statement.</p> <p>The site is wholly located in flood zone 1 (1 in 1000 annual probability of river or sea flooding) and is outside of the bylaw distance of the bank of a main river. LLFA's are responsible for managing local sources of flooding from surface water, groundwater and small ("ordinary") watercourses.</p> <p>We, therefore, have no comment on paragraph C1.59 of Annex C [APP-064] in so far as it relates to the DCO as this matter should be considered by the Applicant and the LLFA.</p>
Q1.12.8	Applicant Environment Agency Redcar and Cleveland Borough Council	<p>What relevance, if any, does the Redcar and Cleveland Strategic Flood Risk Assessment have for the Project site?</p> <p>We have no comment on the Redcar and Cleveland Strategic Flood Risk Assessment in so far as it relates to the DCO as this matter is being considered by the Lead Local Flood Authority.</p>
13	Other Matters	
Q1.13.2	Applicant Environment Agency	<p>In the light of the advice within EN-1 that where possible, applicants are encouraged to submit applications for Environmental Permits at the same time as applying for a DCO could the applicant explain their position with regard to Environmental Permits.</p> <p>Paragraph 7.4 of the Planning Statement states that the applicant has received a positive indication from the Environment Agency (EA) that an Environmental Permit for the proposed power plant will be granted. Please provide a copy of the letter dated 1 March 2017.</p>

Ref No.	Respondent:	Question:
		<p>Would the EA wish to comment further on whether the necessary Environmental Permit is capable of being granted?</p> <p>The letter dated 1 March 2017 is an EA response to a pre Environmental Permit application enquiry and was issued prior to any formal consultation on the Tees CCPP project. Based on the information we had received by the 1st March 2017 (the draft stage) we considered it unlikely that such an application for an environmental permit would be refused, subject to our detailed assessment of the final permit application.</p> <p>The Environmental Permit application has not yet been submitted or duly made and we have yet to begin the process of determination. We remain unable to comment on whether the Environmental Permit is capable of being granted as this could pre-determine the outcome of the Environmental Permit application. The outcome of the Environmental Permit application will depend on the details submitted at the application stage.</p>