

ExQ2	Question to:	Question:	INEOS Nitriles Response
GENERAL AND CROSS-TOPIC QUESTIONS			
GEN.2.13	Applicants INEOS Nitriles Ltd Other IPs	<p>In various sections of the ES, it is stated that decommissioning relates to above ground infrastructure only. Nevertheless, in response to ExQ1 CA.1.11 INEOS Nitriles Ltd commented that decommissioning was considered to be inadequately dealt with in the scheme requirements with no objective trigger included. INEOS would like an independently enforceable obligation for the removal of redundant infrastructure including financial guarantees to be in place to ensure that this can be achieved without recourse to the existing landowners. Responding, the Applicants stated (section 9.2 of [REP3-011]) that R32 had been updated to provide for a decommissioning plan which secures the decommissioning of the Proposed Development, backed up by clear and stringent enforcement powers. Paragraph 9.2.3 references the need for a decommissioning fund being identified.</p> <ul style="list-style-type: none"> i) The Applicants are asked to explain why the Proposed Development does not address the decommissioning of below ground structures. Is it appropriate that below ground structures are left in-situ? Further detail about the decommissioning fund should also be provided. ii) INEOS Nitriles is asked to comment on the Applicants' response [REP3-011] including the proposed amendments to R32 and the comments at paragraph 9.2.3. iii) Other IPs are also invited to comment on the provisions to address decommissioning. 	<p>ii) INEOS Nitriles reiterates that the requirement to decommission below ground infrastructure should be included within the DCO. As noted in previous representations made by INEOS Nitriles, the area through which the below ground infrastructure is proposed to run is already a congested area. The failure to remove the proposed below ground infrastructure would place further constraints on the capacity of this area to house future infrastructure. .</p> <p>Regarding the decommissioning fund, INEOS Nitriles agrees with the ExA that further detail is required, including details of the legally binding mechanism securing this fund. INEOS Nitriles' preference is that the statutory undertaker be bound through the DCO.</p> <p>iii) No further comments.</p>