

The Planning Inspectorate
Temple Quay House Temple Quay
Bristol
Avon
BS1 6PN

Our ref: NA/2022/115883/07-L01
Your ref: NET ZERO TEESSIDE
PROJECT CONS

Date: 07 October 2022

Dear Sir/Madam

**EN010103: THE NET ZERO TEESSIDE NATIONALLY SIGNIFICANT
INFRASTRUCTURE PROJECT. DEADLINE 8 SUBMISSIONS. LAND IN THE
VICINITY OF THE SSI STEEL WORKS SITE, REDCAR, TEESSIDE, TS10 5QW**

Please find enclosed our representations for Deadline 9 for this Development
Consent Order (DCO) on behalf of the Environment Agency.

Please do not hesitate to contact me if you have any questions regarding this
letter.

Yours faithfully

Lucy Mo
Planning Technical Specialist - Sustainable Places

Direct dial [REDACTED]

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Environment Agency Written Representations

Deadline 8 Submission - 9.35 – Applicants’ Comments on Deadline 7 Submissions [REP8-049]

Section 2.2.2 Requirement 13

We welcome the changes made to Requirement 13 (Contaminated Land and Groundwater). However, the proposed changes do not fully address our comments. Therefore, the current wording of Requirement 13 is not acceptable. However, at our meeting of 5 October 2022 with the Applicant the content of Requirement 13 was discussed with a view to making changes which would address our concerns.

Section 2.2.6

The Applicant has stated that there is no intention to reuse slag materials outside of the remedial works by Teesworks and therefore the additional testing outlined in paragraph 2.1.2 in ISH 4 Action 9 Contaminated Land Timeline (REP6-124) is no longer required to support the Proposed Development. This was discussed at our meeting of 5 October 2022 with the Applicant. We highlighted that under the planning regime baseline conditions of the site should be identified and that this testing would inform the piling risk assessment.

Deadline 8 Submission - 6.3.43 - ES Vol II Figure 10-17 Bedrock Aquifer [REP8-027]

One of the designations for the aquifer is missing.

Requests for Further Information

2. Question to the EA, the Applicants and ClientEarth regarding the scope of the environmental permit(s) with particular regard to securing carbon capture.

Question	EA response
i) - Clarify whether the BAT rate of 95% carbon capture applies to emissions from the CCGT or to the carbon capture plant only? - If the BAT carbon capture rate is only applicable to the carbon capture plant, please explain how emissions from the CCGT, when run in unabated mode, would be regulated? Annex C C2	The BAT carbon capture rate applies to the CCGT (when the CCGT is not exempt from operating in carbon capture mode) and carbon capture plant are a whole. When the CCGT is exempt from operation in carbon capture mode, it will be regulated under the permit as per the requirements of Environmental Permitting Regulations and Chapter III of the Industrial Emissions Directive.
ii) The Applicants have stated that carbon capture will be measured by	This is likely to be annually.



<p>weight (w/w) of carbon dioxide emitted from the CCGT [APP-086]. The Applicants and the EA are requested to explain:</p> <ul style="list-style-type: none"> - Over what time period is this calculated? 	
<p>iii) ClientEarth notes that the permit would only require the carbon capture plant to have the capability of achieving 95% but would not necessarily require it to deliver this [REP6-129]. The EA and the Applicants are asked whether this interpretation is correct? If so, please confirm how an actual capture rate of 95% is secured in the permit</p>	<p>It is likely that the Environment Agency will specify 95% carbon capture as a minimum over a year, with the exception of periods of time when the CCGT is exempt from operating in carbon capture mode.</p>
<p>iv) The EA states that the UK Emissions Trading Scheme Monitoring, Reporting & Verification would be used to verify performance [REP5-032]. The EA and Applicants are asked to explain:</p> <ul style="list-style-type: none"> - How this scheme ensures that a minimum level of carbon capture is secured? - How this scheme interacts with the permit? 	<p>The Environmental Permit will ensure that minimum level of carbon capture is secured.</p> <p>The methodologies and reporting requirements under the UK Emissions Trading Scheme Monitoring, Reporting & Verification will be used to demonstrate performance.</p>
<p>v) ClientEarth's proposed requirement states that 'at least 90% of the total carbon emissions generated by the power plant must be captured at all times during the power plant's commercial operation' [RR-004]. The Applicants suggest that the plant may need to run in unabated mode for testing and maintenance [REP2-016].</p> <ul style="list-style-type: none"> - Could the EA explain under what circumstances the permit would allow the CCGT to run in unabated mode? 	<p>Examples may include if the transport and storage network is not available; if required to provide additional generation in times of stress; and any other site specific situations that may be conditioned in the permit (not yet determined) .</p>

