

ISH6_NETZERO_SESSION2_19102022

00:11

So time is now four o'clock time to resume this hearing

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service.

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Moving on to the supplementary question about EIA. So the XA asked for some additional information regarding the associated auto transport and storage infrastructure that PDS 017. We have the applicants response at rep 9019.

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The response we've got is quite brief. And it refers to accidents, but not to any other individual effects.

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So we had a couple of questions for the applicants.

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The first of which is do we have an up to date list of all the environmental effects from the NDP and endurance store development? And part of that is please could you give us a verbal summary of the effects likely to arise?

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Asked now, to introduce a new speaker. So Ross Nixon, who you got sat on the end of the table there. He's the regulatory compliance environmental manager of BP, and he's going to assist you with these matters.

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Yes, well, I'm Ross like, so low bar for the applicant. And so the, the offshore environmental statement, I've got a list here of what the alias covers are, that might be useful for you, if I just I'll just go through that.

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It's so it's obviously still in in draft fees, we've been through a scoping process with with operate the offshore environmental regulator, and we've agreed the the areas that need to be included in the fully s when it's ultimately submitted to them.

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And, but, you know, it's a fairly fairly

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near final kind of stage now. Um, so let me go through the areas that it covers, hopefully that will be useful to you to just highlight some of the areas of potential environmental impact that we've considered. Um, so the first the first section is about

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a disturbance impacts so direct and indirect disturbance impacts on the seabed, and the potential for effects on marine benthos fish and shellfish and birds and nearshore marine archaeology and coastal processes.

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The second section is by underwater sound, potential effects on marine mammals and fish.

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There's then a section of bait, this planned discharges to see associated with the offshore development. And that covers potential impacts on marine benthos plankton.

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And that section also includes consideration of formation water displacement at the at the outcrop. So that will be associated with the injection of co2. There'll be some

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some brain that's contained in the outcrop currently that will be displaced at the outcrop.

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And that again, considers the potential impacts of that on the on the marine environment on things that live on the seabed or in the water column.

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Next section covers physical presence of both the infrastructure when it's constructed, and then vessels during construction and operation and potential effects of that on other uses the sea shipping fisheries,

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potential effects on birds and marine mammals as well.

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And then hydrocarbon releases from the vessels

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undertaken the construction work is included potential effect on birds primarily. And then the two sections. There's two sections there which we referenced in our response,

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which which are included in the opportunity Yes, but But weren't covered in the earlier environmental statement statement of combined effects which was referenced as zero 32 or potential for co2 releases and brain releases associated with the the both the offshore transport of co2 and the injection into the store.

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And the potential for those to have environmental effects in the vicinity of of any have any unplanned release.

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And then finally, it covers atmospheric emissions from primarily from the construction

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And, and also ongoing operation of the offshore aspects of the offshore and ADP development. Facts about air quality.

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So, yeah, I mean, I think in summary, I guess I appreciate our response to your question was fairly short. Really, it was just because everything that was identified by in the in the earlier document is pretty much the same things that are covered in the offshore es already, as it stands, with the exception those two points about potential for co2 release and, and brain leakage from, you know, as part of the development of the store.

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That's really helpful. Thank you. So you can confirm that. The XA has had a full list of all of the potential significant effects now that have been identified as part of that EIA.

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I can absolutely confirm that. Yes. That's very helpful. Thank you. And the last two that you identified in your update with the co2 releases and the brine releases, you're also content that there wouldn't be any combined or in combination effects with a net zero T side DCO that's being investigated, examined here today.

06:21

That's, that's right. Yes. So the the any any potential brain releases would be at the store itself? So yeah, a long distance from the DCO co2 releases.

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The there is a potential for a co2 release from the pipeline No, in the vicinity of the of the shoreline. But because there would be limited to no co2 storage on the site as part of the proposed development, there's no potential for combined effects.

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Was that sorry, I maybe should just add on that, um, you know, obviously, the potential for co2 releases, you know, is a significant risk that we would take very seriously and will be very heavily mitigated by the engineer and measures that we put in place for the offshore development, obviously.

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Thanks for that clarification.

07:32

Was there anything else anybody wanted to draw to our attention in relation to the offshore EIA?

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Never. If you don't have any further questions, that's all we will propose and sell it. Yeah, that's that's been really helpful. Thank you.

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I'll now pass you back to Mr. Leeson.

07:57

Thank you. So now on to Item five standards, common grounds relevant to environmental matters. We've touched on this issue. Issue. Stems common grounds already, today and yesterday, but

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just to confirm where you are in respect of

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statements of common ground particularly with the key agencies. So the environmental agency Natural England and

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the marine management organisation be quite helpful just to have an update on where things go from here, how close you are to agreeing matters and any significance outstanding matters. Indeed, so So if I just run through those which seemed to us to be relevant under this heading, which will include the ones you've just listed, so Historic England, we have signed and finalised statement of common ground that's rep 4045. National Highways are also signed and finalised, that's rep four, zero 21.

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Then the MMO. The most recent version that you have is the deadline eight version which is rep 8039. The matters that were left at that stage to resolve with the MMO relate to the wording of the de marine licences and schedules 1011.

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We've had comments on some of the wording majority of which have been incorporated already.

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We have sent a copy of an updated statement of common ground seeking to address all matters.

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That was sent to the MMO on the 12th of October, and we've also suggested a meeting with them to try and finalise anything which is outstanding. We're not aware of any significant residual areas of

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disagreement, and were therefore anticipating the doormat as will be capable of being agreed and the final statement of common ground.

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So that's the position so far as the MMO is concerned. Moving on to Natural England. Again, the most recent version is the deadline eight version that's rep 8044.

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Through the ongoing discussions with them, as we've been discussing, in this hearing,

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we've confirmed with them that subject to inclusion of the proposed draft requirement in relation to nutrient neutrality. That matter is now agreed, also that no adverse effect on the integrity of the tea's mouth and Cleveland Coast SBA, we are in the process of updating the statement of common ground with a view to toes out those matters, and also to dealing with the issue of monitoring of nutrients in the tees bay in the way that I described

11:09

earlier. So we're hoping that the deadline 12 states common ground, we'll close out all of those matters, and hopefully then there won't be anything significant outstanding with Natural England. Now, before I describe the position with the Environment Agency, there's a timetabling point this path worth just touching on first, you'll recall the discussion we had a few moments ago in connection with the EAS

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resourcing issue.

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And that that means that a meeting has had to be arranged with them on the fourth of November in relation to the WASD matters, but obviously comes between deadlines 12 and 13. So what we were going to suggest if you're content with it, is rather than putting in a version at deadline 12, which will be complete in terms of what is agreed that exceptionally for the environmental agency deadline 13 would be more appropriate and it will produce something hopefully well, which will then be in final form, because it will enable the outcome of that meeting to be reflected. So the only outstanding matter

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which was left beyond the version submitted at deadline eight which is rep 8042 is in relation to W FD compliance, which is the point we were discussing earlier.

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And as Dr. Lowe has explained, we're doing what we can to try and work around the difficulties that they have next week. In order to ensure that when you get the finalised statement of common ground, it is as comprehensive as possible on that matter.

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The final statement common ground which seemed to us to naturally fall under this heading was with NWSL.

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Where I think the most recent version is actually deadline five, which was rep five zero 19. There is a substantially

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updated version, which is going to be sent to NWSL. This week, as matters have moved on significantly since deadline five. We anticipate as

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this bottom adopter, what motion say was explaining earlier, that that should capture the in principle acceptability and deliverability of what is proposed so far as MW ELLs role in all of this, and will explain the nature of the subsequent detailed phase in terms of reaching commercial agreements and the detailed design associated with putting all of that into effect in due course, so that when it comes to you at deadline, 12 will hopefully be substantially moved forward from the draft version, you have a deadline? Fine. Thank you very much. That's helpful. So with the exception of the environmental agency, which should be deadline 13. All those are the ones you're hoping to finalise deadline 12 That that is that is what is planned and as was described earlier, obviously then to achieve that in advance of deadline 12 We'll be sending drafts to those those parties. How will that apply to all the other statements, common grounds for other parties? Yeah, I just checked. I don't believe I'm aware of any others that are slipping to deadline 13 But I'll just check

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out so that's the case for everyone.

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and those which are other than Environment Agency, they'll all be going in at deadline 12. And clearly, drafts go into the parties in advance of deadline 12 In order to facilitate that, and then the statements of commonality, will that be deadline? 12 as well? Are you? Yes, the statement of commonality, which will pull all of those together will come in a deadline to harvest. Well, thank you. That's very helpful. Thank you.

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So nothing further on statements of common ground. But there's one final point I wanted to raise, hold on to the next item. And that concerns

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the EAS itself and whether or not you could consider producing a consolidated version at deadline 13th deadline 12, which takes account of all the different agenda that have been produced a previous versions. I mean, the real benefit for this. So in the other examining authorities have done this, it helps the reporting, when you're just quoting one document. Now consumed more you said this morning, that might be difficult if you're still changing things with a final change request that deadline 12. So I'll leave it to you to think about that if it's possible. But certainly from our point of view, given that there have been attended to various chapters,

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it would be easier in reporting if we had a consolidated version. And so I fully understand the practical issue, I'll take instructions on that I suspect that producing a single consolidated version of the environmental statement might not be possible in time, I don't say anything categorical is I haven't taken the structure on it. But what might be might be possible, again, subject to instructions, is to produce a simple guide that explains how all of these things fit together, which bearing in mind, the practical tasks that you and your colleagues and are facing, will hopefully assist in that I'd just check if there's anything else that I should say at this stage.

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All the indications I'm getting that my earliest scepticism about producing a consolidated Yes, my deadline 12 is well founded. Nevertheless, I hope that the the

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suggestion that I've made about producing something short of that, but that is effectively a navigation document, to make it clear how all of those various things fit together and should be read that should be capable of being dealt with by deadline. 12. That's helpful. Thank you. I'll leave it to you to consider the appropriate way forward. But clearly, you've heard what we would find useful. And we understand also the constraints, your end. So thank you, sir. Thank you.

18:25

So now we'll move on to item six, which is review of issues, actions arising citizens.

18:36

Okay, I've got I've got down a number of action points.

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Please correct me if I'm wrong with my terminology, but I think you'll get you'll get the gist of some of the the first one is to provide a note of the proposed new requirement relating to a scheme to achieve nutrient nitriles say

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that's within the written summary of oral submissions. So we'd expect that anyway, deadline 11.

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And then following on from that provide the wording new requirements in the deadline 12 version of the development consent order.

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And that follows that that would be in the statement of common ground with Natural England as well, deadline 12.

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And the monitoring at seal sands to provide details of the forthcoming private agreement with Natural England, just a broad overview of that

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to provide an overview of the effluence safeguarding scheme

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and to consider a for how improvement in the status of the T's estuary and it's

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Future baseline would affect modelling.

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And to provide an overview of the existing nitrogen levels on the site to confirm there won't be any significant levels of nitrogen in the surface water runoff.

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And then finally to consider producing a final consolidated version of the AES or a guide to the AES

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and we will publish these on the website shortly as well.

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Okay.

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Thank you, Madam reflects our list as well. Do you understand?

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Sir, any other matters

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are not an indication my side does anything else. Thank you very much.

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We've still got South t's on the call. I don't know if there's anything you wish to raise before we leave.

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Okay, thank you, Mr. Gleason.

21:25

Thank you, so I'll need to close the hearing. So thank you very much for attending today and for your participation. We shall of course consider all the comments which will inform the examining authorities recommendation reports to the Secretary of State.

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As this is the final hearing of this examination, can we also express on behalf of the examining authority and the case team are gratitude to all participants for the good natured and constructive way in which the examination and particularly the hearings, excuse me, had been conducted.

22:02

This has been the real benefit to the examining authority.

22:07

So the time now is 21 minutes past four, and this issue specific hearing is the proposed Net Zero to side projects is now closed. Thanks very much.