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Examination Principle Issues	• **Full lifecycle Greenhouse Gas (GHG) emissions** • **Cumulative assessment of GHG emissions** • **Scope of Development and Environmental Impact Assessment**

DEADLINE D13 SUBMISSION

I am an independent scientist and environmental consultant, working at the intersection of science, policy, and law, particularly relating to ecology and climate change. I work at a consultancy called Climate Emergency Policy and Planning (CEPP).

In so far as the facts in this statement are within my knowledge, they are true. In so far as the facts in this statement are not within my direct knowledge, they are true to the best of my knowledge and belief.

Contents

1 INTRODUCTION

1.1 Deadline 13 (D13)

1 This is my submission for Deadline 13.

2 ENVIRONMENTAL IMPACT ASSESSMENT: FULL LIFE-CYCLE CLIMATE CHANGE IMPACTS

2 In responding to CEPP's REP2-061 (my written representation), the Applicant wrote [REP3-012]:

> *"GHG emissions presented in the Chapter 21:* ***Climate Change [APP-103] of the ES considered the direct impact of GHG from the combustion of natural gas in the generating station.*** *Upstream emissions associated with the supply of the gas were not included in the ES assessment in line with then current IEMA Guidance as these emissions are outside the scope and control of the Proposed Development, recognising that under the revised IEMA Guidance (IEMA Guide Assessing Greenhouse Gas Emissions and Evaluating Their Significance, 2nd Edition, February 2022), it would now be considered good practice to include consideration of these emissions.*
>
> *In their published data set 'GHG conversion factors for company reporting', BEIS/Defra provide GHG emissions factors for both direct emissions from the combustion of fuels but also indirect emissions from Well-To-Tank (WTT) i.e. indirect emissions associated with extraction, refining and transportation of the raw fuel sources to an organisation's site (or asset), prior to combustion. This also takes into account leakage in the supply chain. It is possible to use the emissions factors presented by BEIS/Defra to calculate WTT emissions, including leakage, associated with the supply of natural gas to the proposed generating station using the updated IEMA methodology. Based on the latest set of BEIS/Defra factors this would increase GHG emissions reported in the GHG assessment presented in Chapter 21: Climate Change [APP-103] but this would not change the significance of effects in the assessment included in Chapter 21.*
>
> ***An updated assessment of GHG emissions applying the updated IEMA Guidance (February 2022) and including the BEIS/Defra emissions factors will be submitted at Deadline 5 (2nd August 2022 to confirm this position).***" (emphasis added)

3 To my knowledge, no updated assessment of GHG emissions was submitted at Deadline D5, or at any other deadline up to and including Deadline D12. I have searched thoroughly for such an update through the examination library and have not been able to find it.

4 The Environmental Statement ("ES") therefore remains contrary to the Infrastructure Planning (Environmental Impact Assessment) Regulations 2017, Schedule 4, para 5:

"*5. A description of the likely significant effects of the development on the environment resulting from, inter alia—*

(a)the construction and existence of the development, including, where relevant, demolition works;
(b)the use of natural resources, in particular land, soil, water and biodiversity, considering as far as possible the sustainable availability of these resources;
(c)the emission of pollutants, noise, vibration, light, heat and radiation, the creation of nuisances, and the disposal and recovery of waste;
(d)the risks to human health, cultural heritage or the environment (for example due to accidents or disasters);
*(e)**the cumulation of effects with other existing and/or approved projects, taking into account any existing environmental problems relating to areas of particular environmental importance likely to be affected or the use of natural resources;***
*(f)**the impact of the project on climate (for example the nature and magnitude of greenhouse gas emissions)** and the vulnerability of the project to climate change;*
(g)the technologies and the substances used.

*The description of **the likely significant effects on the factors specified in regulation 5(2) should cover the direct effects and any indirect, secondary, cumulative, transboundary, short-term, medium-term and long-term, permanent and temporary, positive and negative effects of the development**. This description should take into account the environmental protection objectives established at Union or Member State level which are relevant to the project, including in particular those established under Council Directive 92/43/EEC(1) and Directive 2009/147/EC(2)."* (emphasis added)

5 The Applicant is clear in REP3-012 that only the direct impacts of GHGs (ie from the Combined Cycle Gas Turbine (CCGT) combustion process) had been provided in the ES. Indirect, secondary, cumulative, transboundary, short-term, medium-term and long-term, permanent and temporary, positive and negative effects had not been considered. In particular, "*Upstream emissions associated with the supply of the gas were not included in the ES assessment*".

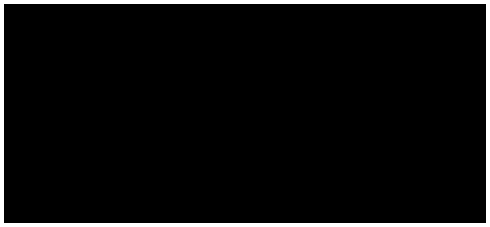
This refers to not quantifying, describing and assessing deadly methane emissions which the UN Climate conference COP26 in Glasgow, including the UK presidency, pledged to rapidly reduce (Global Methane Pledge).

6 It is not a matter of second-guessing what the significance might be, if an assessment compliant with the 2017 regulations were to be carried out, as the Applicant attempts to do in REP3-012, and then deciding that providing such an assessment is not necessary, as appears to be the case as the GHG assessment has not been updated. The law is that the ES must contain a description of the likely significant effects of the development including all those listed in Schedule 4.

7 As this has not been done, the ES, and the GHG description and assessment within it is unlawful.

8 The Secretary of State is required to reach a reasoned conclusion on the significant effects of the proposed development on the environment under Regulation 21 of the 2017 Regulations and s/he is unable to do so given that the ES is, inadequate and, unlawful with respect to the GHG description and assessment within it.

3 SIGNED



Dr Andrew Boswell,
Climate Emergency Policy and Planning, November 7th, 2022