

# KEADBY 3 CARBON CAPTURE POWER STATION

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A collaboration between **SSE Thermal** and **Equinor**

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**The Keadby 3 (Carbon Capture Equipped Gas Fired Generating Station) Order**

**Land at and in the vicinity of the Keadby Power Station site, Trentside, Keadby, North Lincolnshire**

**Applicant Response to Environment Agency Deadline 3 Submission**

**The Planning Act 2008**

**The Infrastructure Planning (Environmental Impact Assessment) Regulations 2017**

**Applicant: Keadby Generation Limited**

**Date: March 2022**

## DOCUMENT HISTORY

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## GLOSSARY

<b>Abbreviation</b>	<b>Description</b>
BoR	Book of Reference
DCO	Development Consent Order
ES	Environmental Statement
SoCG	Statement of Common Ground

## CONTENTS

1.0	Applicant Response to Environment Agency Deadline 3 Submission .....	1
1.1	Summary of Deadline 3 Representations from the Environment Agency [REP3-025] dated 15 February 2022 .....	1
1.2	The Applicant's Response to Deadline 3 Representations from the Environment Agency .....	1

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## 1.0 APPLICANT RESPONSE TO ENVIRONMENT AGENCY DEADLINE 3 SUBMISSION

### 1.1 Summary of Deadline 3 Submission from the Environment Agency [REP3-025] dated 15 February 2022

- 1.1.1 The Environment Agency commented on the Applicant's Responses to ExQ1 on 15 February 2022 (Deadline 3) [REP3-025]. In relation to the Applicant's answer to Q1.1.4, that relates to the Environmental Permit which some of the mitigation discussed within the Environmental Statement (ES) relies upon, the Environment Agency wants to make clear that they will not issue a 'Permit-in Principle' and will only issue a permit, separate from the Development Consent Order (DCO) Application, for a specific design.
- 1.1.2 In response to Q1.6.5 which enquires about the Statutory Undertakers mentioned in the Book of Reference (BoR), the Environment Agency notes that the Applicant does not list them as a statutory undertaker despite s.127(8)(a) of the Planning Act 2008 and Section 165 of the Water Resources Act 1991 setting out the Environment Agency's power to carry out flood defence and drainage works.
- 1.1.3 The Environment Agency comment on discussions with the Applicant regarding land interests. They suggest some of the information in the "*Update on the progress that has been made with Affected Persons in respect of Compulsory Acquisition and Temporary Possession*" [REP2-010] document by the Applicant does not align with the Environment Agency's current position submitted in Appendix B of their Written Representation [REP2-022]. However, because the Environment Agency is engaging with the Applicant on this matter, they no longer consider it necessary to make any oral representations at the Compulsory Acquisition Hearing to be held on 16 March 2022.
- 1.1.4 No further response to the Applicant's responses to ExQ1 has been made from the Environment Agency to date. However, the Applicant is currently engaging with the Environment Agency to reach an agreement on the information included in the "*Update on the progress that has been made with Affected Persons in respect of Compulsory Acquisition and Temporary Possession*".

### 1.2 The Applicant's Response to Deadline 3 Representations from the Environment Agency

- 1.2.1 The Applicant notes the Environment Agency's comments on their response to Q1.1.4 regarding how they will not issue a 'Permit-in Principle'. As agreed, the reference to a 'Permit-in Principle' has been removed from the wording of the Statement of Common Ground (SoCG) between the Applicant and the Environment Agency, as set out in the updated draft SoCG submitted at Deadline 3 [REP3-011].

- 1.2.2 The environmental permit application that is currently being determined by the Environment Agency remains applicable and will continue to be determined to the same timeline. No changes to that application are currently required.
- 1.2.3 The Applicant notes the Environment Agency's comments on their response to Q1.6.5. Negotiations are ongoing between the Applicant and the Environment Agency in regard to the Environment Agency's land interests, as set out in the SoCG between the two parties (submitted at Deadline 3 [REP3-011]), as well as in the *"Update on the progress that has been made with Affected Persons in respect of Compulsory Acquisition and Temporary Possession"* [REP2-010]).