

Application by Gate Burton Energy Park Limited for Gate Burton Energy Park

The Examining Authority's further written questions and requests for information (ExQ1)

Issued on 12 July 2023 - Responses due by Deadline 2: Tuesday 8 August 2023.

Please find below answers to the Examining Authority's written questions from the Environment Agency (EA) [ref no.20037265].

Ref No.	Question	EA response
1	General matters, principle and nature of the development	
Q1.1.21	<p>Management Plans</p> <p>The Applicant has submitted the following outline management plans:</p> <ul style="list-style-type: none"> i) Outline Battery Safety Management Plan [APP-222] ii) Framework Construction Environmental Management Plan (fCEMP) [APP-224] iii) Framework Operational Environmental Management Plan (fOEMP) [APP-225] iv) Framework Decommissioning Environmental Management Plan [APP-226] v) Outline Landscape and Ecology Management Plan (OLEMP)[APP-231] vi) Outline Skills, Supply Chain and Employment Plan [APP-228] vii) Outline Construction Traffic Management Plan [APP-212] viii) Outline Soil Management Plan [APP-233] ix) Outline Public Rights of Way Management Plan [APP-229] x) Archaeology Mitigation Strategy Part 1 [APP-227] 	<p>The Environment Agency do not require any amendments to the documents listed here, however, we have made some brief comments on the Outline Battery Safety Management Plan [APP-222] under Q1.10.5.</p>

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	<p>Comment as appropriate to your interests on any of these outline plans. This should include any potential amendment that may, in your view, be required in order to secure appropriate environmental outcomes and mitigation of effects.</p>	
2	Air Quality and Emissions	
Q1.2.4	<p>fCEMP Mitigation measures Are the relevant Local Authorities and Statutory Bodies content that the mitigation measures identified in the fCEMP are sufficient to address any potential air quality effect and are sufficiently secured through the DCO? And are sufficient to address any dust effects on Ancient Woodland?</p>	<p>The Environment Agency does not hold a view on this issue as it falls outside of its remit.</p>
6	Draft Development Consent Order	
Q1.6.12	<p>dDCO – Article 6 – Application and modification of statutory provisions and Schedule 3 The EA are considering the disapplication of local legislation listed in Schedule 3 of the DCO. If they have any concerns about this, they will endeavour to include comments in its W R. Can the EA confirm its position with regard to the local legislation in schedule 3. Can the Applicant liaise with the EA and provide further clarification or justification for the necessity to disapply each specific piece of</p>	<p>The Environment Agency have considered the disapplication of local legislation listed in Schedule 3 of the dDCO and can confirm we have no comments to make on any of these.</p>

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	legislation and the consequences of its disapplication for the affected parties.	
Q1.6.32	<p>dDCO – Schedule 2 Requirements Can you explain why it is necessary for Requirement 6 to require specific consultation with identified specific authorities within the requirement. I am aware of a similar provision in Little Crow Solar Park DCO but that was on the basis of 'in the event that the submitted Battery Safety Management Plan proposed changes to the outline BSMP' thereby justifying the inclusion. Whilst the BESS has specific safety issues should the relevant parties therefore be approving authorities rather than consultees?</p>	<p>The Environment Agency has a remit in respect of providing advice on some aspects of the Battery Safety Management Plan and so requests its inclusion as a consultee to Requirement 6. However, as its remit does not cover every aspect of the plan, it would not wish to be an approving authority.</p>
Q1.6.43	<p>dDCO – Schedule 15 The EA have reviewed the proposed Protective Provisions (Schedule 15, Part 8) for the protection of the EA. The EA do not accept the current wording and comment that they will work with the Applicant to agree the wording. Can the Applicant and EA provide any necessary update during the course of the Examination on the progress towards agreement with the EA in terms of Protective Provisions.</p>	<p>The Environment Agency are working with the applicant to agree the final points on the Protective Provisions. The document is currently with our legal team who are seeking some technical advice on flood risk ahead of agreeing the finished wording.</p>

Ref No.	Question	EA response
6	Major accidents and Disasters	
Q1.10.5	<p>Battery Energy Storage System (BESS) Are the Health and Safety Executive, Lincolnshire Fire and Rescue, Nottinghamshire Fire and Rescue Service and the Environment Agency satisfied with the approach and conclusions of the Outline battery Safety Management Plan [APP-222] and the 'Unplanned Atmospheric Emissions from Battery Energy Storage Systems (BESS)' [APP-172].</p>	<p>The Environment Agency are satisfied with the approach taken and can make the following informative comments:</p> <p>The applicant is correct (Appendix 15-C, 2.1.2) that we do not have a standardised set of emission factors for lithium-ion batteries and are therefore unable to calculate expected emission rates.</p> <p>Our Major Air Quality Incidents team anticipates that the worst-case scenario could be for an incident to occur when there was a Northerly or North-Easterly wind which could cause the plume to affect residential areas and sensitive infrastructure to the South or South/West of the proposed site.</p> <p>The weather conditions at the time of the incident would also determine the effect and behavior of the plume and should be considered when assessing the risk. The Met Office can provide this information through their chemical meteorology (CHEMET) reports.</p>