

Viking CCS Pipeline

9.38 Applicants

Response to Issue 4:

(Construction Programme)

in the Examinining

Authorities Rule 17 Letter

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Applicant: Chrysaor Production (U.K.) Limited,
a Harbour Energy Company
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Planning Act 2008 (as amended)
The Infrastructure Planning (Applications: Prescribed Forms
and Procedure) Regulations 2009 - Regulation 5(2)(q)
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1 Introduction

1.1 Purpose of this Document

- 1.1.1 This document has been prepared for the Viking CCS Pipeline (the 'Proposed Development') on behalf of Chrysaor Production (UK) Limited ('the Applicant'), in relation to an application ('the Application') for a Development Consent Order (DCO) that has been submitted under Section 37 of the Planning Act 2008 (PA 2008) to the Secretary of State (SoS) for Energy Security and Net Zero.
- 1.1.2 This document provides the Applicant's responses to Issue 4 of the examining authorities rule 17 letter dated 24 May 2024.

1.2 The DCO Proposed Development

- 1.2.1 The Proposed Development comprises a new onshore pipeline which will transport CO₂ from the Immingham industrial area to the Theddlethorpe area on the Lincolnshire coast, supporting industrial and energy decarbonisation, and contributing to the UK target of Net-Zero by 2050. The details of the Proposed Development can be found within the submitted DCO documentation. In addition to the pipeline, the Proposed Development includes a number of above ground infrastructure, including the Immingham Facility, Theddlethorpe Facility and three Block Valve Stations.
- 1.2.2 A full, detailed description of the Proposed Development is outlined in Environmental Statement (ES) Volume II Chapter 3: Description of the Proposed Development [**APP-045**].

2 The Applicant's response to issue 4 in the Rule 17 letter dated 24 May 2024

2.1.1 This section provides the Applicant's response to issue 4 in the Examining Authorities Rule 17 letter dated 24 May 2024.

Table 2-1: Applicant's response to issue 4 in the Examining Authorities Rule 17 letter dated 24 May 2024

Ref	Matter Raised in the Rule 17 letter dated 24 th May 2024	Applicant's Response
Issue 4	<p>The Applicant has stated that the construction programme now assumes a starting date in September 2025. The ExA notes that the Applicant intends to submit the Environmental Impact Assessment for the offshore consents "later in 2024" [REP1-017].</p> <ul style="list-style-type: none"> What are the anticipated timeframes for obtaining the offshore consents (i.e. what processes and procedures have to be undertaken and what are the minimum / maximum timeframes for obtaining consent)? 	<p>Applicants response: The Applicant has set out within Appendix B of the Consents and Agreements Position Statement (Revision A) [REP1-017] a number of other consents and licences that would be required for the offshore elements of the Viking CCS Project.</p> <p>The regimes for granting the necessary consents to construct the offshore elements of a carbon capture and storage project are somewhat different from the DCO or planning regimes. In particular, there is a distinction between the body that review and approves the Environmental Impact Assessment and the body that grants the carbon dioxide storage permit.</p> <p>The principle consent required is the grant of a carbon dioxide storage permit by the North Sea Transition Authority ("NSTA") under the Energy Act 2008. The NSTA cannot grant a storage permit to authorise the use of a place as a storage site until the Offshore Petroleum Regulator for Environment and Decommissioning ("OPRED"), acting on behalf of the Secretary of State, has reviewed an Environmental Statement¹ and agreed that a consent can be granted.</p> <p>Under the Offshore Oil and Gas Exploration, Production, Unloading and Storage (Environmental Impact Assessment) Regulations 2020 ("2020 EIA Regulations"), the Environmental Statement will be subject to a period of public consultation, during which time any person may submit representations in relation to the proposed project to the Secretary of State. In this respect, it is similar to the development consent regime under the Planning Act 2008 and to planning applications under the Town and Country Planning Act 1990. However, the approval of the Environmental Statement under the 2020 EIA Regulations differs considerably from the DCO process in its consideration and approval stage, and does not have an equivalent to an Examination.</p> <p>This can therefore facilitate an approval of an Environmental Statement in a quicker timescale that would be anticipated under the DCO regime. Whilst there is no statutory timescale for approval by OPRED, however guidance issued by OPRED suggests that it is "good practice to allow a six month period for completion of the review, although in practice it is usually possible to complete the review process within a three to four month period".² The guidance goes on to state that it is important that the Environmental Statement is not submitted too early, as design changes could lead to a further Environmental Statement being required.</p> <p>The Applicant is currently preparing the Environmental Statement for submission to OPRED. The Applicant had been targeting a submission date of October 2024, however it is considered likely that this will now be submitted in Q1 of 2025. If this was submitted towards the end of Q1 2025 then, based on the stated good practice of OPRED, the Applicant would anticipate consent being granted by September 2025.</p> <p>At the same time, the Applicant is also preparing the other documents that make up a Storage Permit Application, which includes:</p> <ol style="list-style-type: none"> Carbon Storage Project Overview Storage Site and Complex Characterisation Carbon Storage Development Plan Containment Risk Assessment Monitoring Plan Corrective Measures Plan Provisional Post-Closure Plan Proposal for Financial Security

¹ In terms of the Offshore Oil and Gas Exploration, Production, Unloading and Storage (Environmental Impact Assessment) Regulations 2020

² BEIS OPRED, *The Offshore Oil and Gas Exploration, Production, Unloading and Storage (Environmental Impact Assessment) Regulations 2020 – A Guide* (July 2021, rev 03)

Ref	Matter Raised in the Rule 17 letter dated 24 th May 2024	Applicant's Response
		<p>The NSTA can review a draft Storage Permit Application prior to its submission may expedite the approval process once the application is formally submitted</p> <p>The Applicant intends to submit the Storage Permit Application to the NSTA to allow it to be granted once the Environmental Statement is approved by OPRED. The Applicant would therefore anticipate this consent being in place by September 2025.</p> <p>Once these consents are in place, together with obtaining development consent for the onshore pipeline, this would allow the Applicant to progress towards taking a final investment decision ("FID").</p> <p>As noted in Appendix B of the Consents and Agreements Position Statement (Revision A) [REP1-017], there are other consents and agreements that would need to be obtained for the offshore elements of the Viking CCS Project, including obtaining a lease, pipeline works authorisation and possibly a marine licence. These would be obtained prior to construction commencing and are not considered a barrier to consent, given that the Environmental Statement for the offshore elements of the project will already have been approved by OPRED.</p>
	<ul style="list-style-type: none"> Assuming the offshore consenting regime is equivalent or similar to the DCO consent regime in terms of stages and/or timeframes, is it realistic and feasible to predict a start date in September 2025? 	<p>Applicants response: As noted above, the consenting regime is not considered equivalent to the DCO consent regime in terms of its stages and/or timeframes. The Applicant considers that it is realistic that the necessary offshore consents would be in place by 2025, which would allow the Viking CCS Project to progress towards FID. Other factors may also influence this, such as delays in the Government sequencing emitters to the Viking CCS Project.</p> <p>Therefore, whilst it is considered feasible that the key consents would be in place prior by September 2025, this would not necessarily mean that construction started immediately, and it could be delayed beyond that.</p>