

The Planning Inspectorate  
[via Planning Inspectorate website]

**Our ref:** NA/2024/116840/03-L01  
**Your ref:** EN070009  
**Date:** 20 November 2024

Dear Sir/Madam

**H2TEESSIDE PROJECT – ENVIRONMENT AGENCY COMMENTS ON DEADLINE  
3 SUBMISSIONS  
LAND EITHER SIDE OF THE RIVER TEES WITHIN THE BOROUGH OF  
REDCAR AND CLEVELAND AND STOCKTON-ON-TEES ON TEESSIDE AND  
THE BOROUGH OF HARTLEPOOL IN COUNTY DURHAM**

Please find enclosed the Environment Agency's (EA) comments on the Applicants Deadline 3 submissions, which were uploaded to the planning inspectorate website on 21 October 2024.

Please do not hesitate to contact me if you have any questions regarding this letter.

Yours faithfully,

**Cameron Chandler**  
**Planning Advisor**

**REP3-006 8.17 Applicant's Responses to Deadline 2 submissions**

<b>REF.NO.</b>	<b>EA Comments</b>
<b>EA1: FRA</b>	<p>We are satisfied with the Applicants response regarding this point. Once greater knowledge of finalised locations and risks are provided, we will review and comment on them as part of DCO Requirements 11 and 15.</p> <p>We would expect an updated FRA to be submitted as part of the discharge of Requirement 11. This will enable the EA to appropriately assess the flood risk mitigation. The wording of Requirement 11 should be updated to reflect this.</p> <p>The applicant may also want to consider as mitigation, elevating the foundations of the compounds above the design flood level. This can be done by using stilts, piers, or raised platforms.</p>
<b>EA2: Pipeline Design and Construction</b>	<p>The Applicant has determined that most above-ground pipeline corridors are pre-existing and would not be able to be raised but will be assessed for flood resistant design. We accept this approach.</p> <p>Confidence in flood safety would need to be ensured and formalised under Requirements 11 and 15. Newly installed pipework should remain safe throughout its lifetime and not increase flood risk elsewhere.</p> <p>We advise the Applicant to include within the FRA the details that have been provided within their recent response to our comments. We advise the applicant to consider the heights of new and existing pipelines within areas of flood zone 3 against the design flood event and provide details on how they will ensure ongoing flood resilience and flood safety.</p>
<b>EA3: Temporary Construction and Enabling works (flood risk)</b>	<p>The FRA should be routinely updated when details regarding mitigation are known. Whilst mitigation for temporary works may come as part of the finalised Construction Environment Management Plan (CEMP), the final FRA should also include site specific flood risk mitigations and measurements for the temporary compounds in mAOD, relating foundation levels to site specific design flood levels.</p>
<b>EA4: Figure 9B-9: Salinity Data and Tees Bay</b>	<p>We are satisfied with the completed figure which shows that the ambient water salinity is within the expected range.</p>
<b>EA8: Benzo (g,h, i) – perylene, pages 56-57</b>	<p>We require justification about why location D was chosen to represent the ambient concentration, as location B has the highest maximum concentration.</p> <p>We also require an explanation as to why the concentration of benzo(g,h,i)-perylene is expected to increase within the two deepest water layers if the plume is buoyant.</p>

**EA23:  
Disapplication  
of Flood Risk  
Activity  
Permit (FRAP)**

The EA are still considering the matter of Protective Provisions and the disapplication of the FRAP.