

H2Teesside Project

Planning Inspectorate Reference: EN070009

Land within the boroughs of Redcar and Cleveland and Stockton-on-Tees, Teesside and within the borough of Hartlepool, County Durham

The H2 Teesside Order

Document Reference: 8.25.11 Response to ExQ2.15 Surface Water, Flood Risk and Water Resources

Planning Act 2008



Applicant: H2 Teesside Ltd

Date: December 2024

DOCUMENT HISTORY

| | | | |
|-----------------------|---------|-------------|----------|
| DOCUMENT REF | 8.25.11 | | |
| REVISION | 0 | | |
| AUTHOR | DWD | | |
| SIGNED | NC | DATE | 18.12.24 |
| APPROVED BY | DWD | | |
| SIGNED | MS | DATE | 18.12.24 |
| DOCUMENT OWNER | DWD | | |

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1.0 INTRODUCTION

1.1 Overview

1.1.1 This document has been prepared on behalf of H2 Teesside Limited (the 'Applicant'). It relates to an application (the 'Application') for a Development Consent Order (a 'DCO'), that was submitted to the Secretary of State for Energy Security and Net Zero ('DESNZ') on 25 March 2024, under Section 37 of 'The Planning Act 2008' (the 'PA 2008') in respect of the H2Teesside Project (the 'Proposed Development').

1.1.2 The Application has been accepted for examination. The Examination commenced on 29 August 2024.

1.2 The Purpose and Structure of this document

1.2.1 The purpose of this document is to set out the Applicant's responses to the Examining Authority's ExQ2.15 on Surface Water, Flood Risk and Water Resources, which were issued on 28 November 2024 [PD-015]. This document contains a table which includes the reference number for each relevant question, the ExA's comments and questions and the Applicant's responses to each of those questions.

Table 1-1: Applicant’s Responses to ExQ2.15 Surface Water, Flood Risk and Water Resources

| EXQ2 | QUESTION TO: | QUESTION: | RESPONSE |
|---------|--------------|--|---|
| Q2.15.1 | Applicant | In their response to ExQ1 Q1.15.1, NWL confirmed that no agreement had been reached regarding water supply to the Proposed Development during operation. Please provide and update on this and explain if and how this is expected to be resolved by the close of the Examination. | The Applicant can confirm that no offtake agreement has been concluded with NWL for water supply. From a timing perspective, it is standard practice that such utility contracts are put in place closer to Final Investment Decision and the Applicant remains on track to deliver against these standard timelines. Discussions regarding the wholesaler’s available capacity are underway and NWL’s commercial team have raised no red flags when the Applicant presented expected demand profiles. Discussions remain positive and the commercial teams within both NWL and H2Teesside maintain a good dialogue. |
| Q2.15.2 | Applicant | The EA notes in its DL3 submission [REP3-010] that Work No. 6A.1 (Hydrogen Distribution Network - Overground and Underground Pipelines) remains unclear, as it refers to overground or underground pipelines. The EA seeks clarification as to which will be used in these areas, as different flood risks will be associated with the different pipelines. The ExA would ask the Applicant to resolve the matter with the EA and clarify to the ExA where within Work No. 6A.1 the different pipelines will be above and/ or below ground. | The Applicant responded to the EAs submission at Deadline 4 [see REP4-013], reference EA1. In short, the Pipelines Statement [CR1-021] identifies which sections of the Hydrogen Distribution Network are overground and run along existing pipeline corridors and which sections are buried. |
| Q2.15.3 | Applicant | The EA in its DL3 submission [REP3-010] notes the submitted Works Plans continue to identify areas of temporary storage that will be in flood zones. It points out such temporary storage will require a permit/ disapplication and additional mitigation to ensure there is no increase in risk. Please direct the ExA to where, within the submitted Application documentation, this has been addressed and what additional mitigation measures are being proposed to ensure there is no such increase in risk. In the event the Applicant is unable to direct the ExA to the location of such evidence in the Application documents, please: confirm you are aware that a permit/ disapplication will be required in relation to the proposed temporary storage in the flood plain; provide evidence that you are seeking to resolve the position with the EA; and confirm what additional mitigation is being proposed to ensure there is no increase in risk. | <p>The Applicant responded to the EAs submission at Deadline 4 [see REP4-013], reference EA1.</p> <p>In respect of temporary storage in flood zones, this is noted and the Applicant has already accounted for this through Article 9 of Part 2 of the draft DCO [REP4-004] and Requirements 11 and 15 in Schedule 2, i.e. the need for detailed measures to be approved at the detailed design stage, with approvals via a combination of the Requirements and Protective Provisions.</p> <p>In addition, the EA provided a submission at Deadline 4 [see REP4-025]. Within this response, the EA state they are satisfied with the Applicant’s previous response, and once greater knowledge of finalised locations and risks are known and provided, the EA will review and comment on them through Requirements 11 and 15 of the draft DCO [REP4-004]. The Applicant has further submitted a response to the EAs submission at Deadline 5, and updated the FRA to reflect its responses to the EA in Examination, as requested by the EA.</p> <p>The Applicant has also submitted an updated SoCG with the EA at Deadline 5, which presents the current position of both parties with regards to this matter.</p> |
| Q2.15.4 | Applicant | <p>The ExA notes the Applicant’s response to Q1.15.1 in [REP2-033] that engagement with NWL to date has indicated that sufficient raw water supply would be available; however, NWL [REP2-092] has advised that supply is unclear in the absence of agreement. The Applicant is requested to:</p> <p>i) Set out the process for ensuring the Proposed Development will have the required water supply.</p> | <p>i. The Applicant has provided it’s expected demand profiles to NWL. NWL has not flagged any concerns about the required volumes.</p> <p>ii. The normal timeframe for such an agreement to be in place would be closer to Final Investment Decision and the Applicant remains on track to deliver against these standard timelines. As such the Applicant does not expect to have reached a formal Agreement with NWL prior to close of Examination, however,</p> |

| EXQ2 | QUESTION TO: | QUESTION: | RESPONSE |
|------|--------------|---|--|
| | | <p>ii) Confirm the timescales being worked to for agreement in this matter and if this is proposed to be achieved prior to close of Examination.</p> <p>iii) Submit any evidence it holds to support the assertion that sufficient supply would be available.</p> | <p>the Applicant does not consider the absence of an agreement for water supply to be any indication that the required volumes are not available.</p> <p>iii. In light of the answers to (i) and (ii), the Applicant maintains that sufficient supply is available. The Applicant will seek confirmation of this from NWL and aim to submit this into the Examination.</p> |