

IMMINGHAM EASTERN RO-RO TERMINAL



Applicant's Response to IOT's Deadline 6 Submissions
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1 **Executive Summary**

1.1 This document provides the Applicant's response to the information submitted by IOT at Deadline 6. All of these submissions in turn draw upon information submitted by IOT prior to this deadline. The IOT submissions responded to in this document are:

- (a) Deadline 6 Submission – Comments on Deadline 5 Submissions **[REP6-045]**;
and
- (b) Deadline 6 Submission – Appendix to Deadline 6 Submission **[REP6-046]**
Comments on Deadline 3 Submissions.

2 **Introduction**

2.1 This document provides the Applicant's response to the information submitted by IOT at Deadline 6. All of these submissions in turn draw upon information submitted by IOT prior to this deadline. The IOT submissions responded to in this document are:

- (a) Deadline 6 Submission – Comments on Deadline 5 Submissions **[REP6-045]**;
and
- (b) Deadline 6 Submission – Appendix to Deadline 6 Submission **[REP6-046]**
Comments on Deadline 3 Submissions.

- 3 Response to IOT Operators' Deadline 6 Submission – Comments on Deadline 5 Submissions [REP6-045]**
- 3.1 Consultation Response to the Applicant's Change Notification**
- 3.1.1 The Applicant has already provided responses addressing the points raised by the IOT Operators in paragraphs 2 to 6 of **[REP6-045]** in the Applicant's Reply to IOT Operators' Letters in **[REP6-046]** in response to ISH5 Action Point 10 (document reference 10.2.62) and are not rehearsed again.
- 3.2 ISH3 Action Point 17 and Rule 17 Request for notes of simulations**
- 3.2.1 In Paragraph 8, IOT note that the additional simulations held on 7 and 8 November 2023 used the Stena T-Class, as opposed to the IERRT design vessel which has a larger displacement. This point discussed at ISH5 and a clear response was provided by Mr Mike Parr of HR Wallingford at Point 21 in the Applicant's summary of Oral Hearings (document reference 10.2.62). As has been explained to the stakeholders, both before and during the simulations, the "design vessel" does not yet exist. It is solely intended to provide spatial parameters – in effect a vessel envelope - of the type of vessel that could use the infrastructure in the future (subject to future assessment and approval by the HMH as part of their normal procedures for introducing new vessels) whilst at the same time establishing the resilience of the proposed marine infrastructure – again subject to further testing as may be required at the appropriate time. The use of the Stena T-Class was entirely appropriate to address concerns as it is the actual vessel that will be operated from the facility upon commencement of operation. The key consideration in reviewing the work completed on 7 and 8 November should be whether the process could reasonably be applied to establish that vessels yet to be determined could be safely operated at IERRT
- 3.2.2 IOT note the submission of their summary comments for simulations conducted on 7 and 8 November 2023. The run plan and overall determination of the success of the runs aligns with the Applicant's record which is provided in REP6-035. The Applicant, however, notes the following comments with regard to the summary provided by IOT.
- 3.2.3 First, responses to points 8a, 11 and 12, with regard to the design vessel have already been provided - see Applicant's Summary of Oral Representations at ISH5 (document reference 10.2.62).
- 3.2.4 In Point 8b, IOT reference the familiarity of the Stena Masters with IERRT infrastructure. On the contrary, the Applicant does not see this as a concern as familiarisation and experience will be essential prior to obtaining PEC status at IERRT.
- 3.2.5 In Point 8c, IOT reference the sterile conditions of the simulator. Simulations are common practice for determining the feasibility and safe navigation to and from new infrastructure and therefore are deemed to be appropriate for the purposes intended by these simulations. Clearly there is no other practical way to demonstrate navigation at the IERRT prior to construction – as the IOT

- Operators' marine consultants are fully aware. That said, the applicant would like to reinforce the consistent message from the Stena PEC holders who state that their current operations at Killinghome are very similar in nature.
- 3.2.6 Regarding Point 10, flow modelling due to pontoon arrangement – this comment is noted and the Applicant's response can be found in ISH5 Action Point 16 (document reference 10.2.62).
- 3.2.7 At point 13, IOT raise comments regarding wind sheltering and its application in 3 out of 16 runs. The Applicant notes the constructive discussion with stakeholders regarding wind sheltering. Following this conversation, it was agreed to include wind sheltering for the worst conditions simulated and for the simulations where it would have a potential impact. This consisted of three of the remaining runs which were then simulated as agreed and were successful. It should be noted that sheltering was applied in the worst conditions simulated and all runs were successful.
- 3.2.8 Further to point 14 and with regards to gusting, the Applicant notes the alleged limitations of the simulator, however, following a constructive discussion regarding gusting an increase in the variance to +/- 5knots was accommodated to enhance the gusting effect simulated as detailed in the run plan summary.
- 3.2.9 Regarding point 16, the 'critical area' is not defined and in any case is not the entirety of the run which took 30-50 minutes. Runs were agreed to be terminated once the vessel was safely in the mooring area and under full control, all members of the simulation team including APT representatives agreed on these assessments. The speed at which vessels manoeuvre on the Humber has always been influenced and affected by the strong currents. APT are not identifying anything new here, pilots and PECS manage similar conditions routinely on the Humber.
- 3.2.10 In Paragraph 11, IOT note that no simulations were conducted for the Change Request. That is untrue as the IPOT Operators are fully aware. Simulations were held on 15 November 2023 to support the change request and representatives of IOT were invited to attend - submitted as part of the Change Application Request [AS-071].
- 3.3 **Statement of Common Ground and Part 3 – Comments on Applicant's Deadline 5 Submission – 10.2.9 SoCG Tracker [REP5-022]**
- 3.3.1 As recorded in Table 2.1 to the draft SoCG between the Applicant and IOT Operators [REP6-013], and as reported during ISH5 and the Applicant's Summary of Oral Representations made at ISH5 (document reference 10.2.62), the Applicant has engaged continuously with IOT Operators in both open and without prejudice discussions in an attempt to resolve IOT Operators' outstanding concerns. These discussions have substantially influenced the Applicant's Change Request [AS-072], and the Applicant is disappointed to note that IOT Operators do not expect that their position as recorded in their Principal Areas of Disagreement document [PDA-003] will meaningfully change.

- 3.3.2 The Applicant will continue to attempt to engage positively with the IOT Operators in relation to its SoCG and Protective Provisions for the remainder of the Examination.
- 3.4 **Part 1 – Comments on Applicant’s Draft Development Consent Order (Tracked) – Ver.04 [REP5-005]**
- 3.4.1 Following discussions at ISH5 and ISH6 the ExA has issued its proposed schedule of changes to the DCO which includes amendments to Requirement 18 and a new Requirement 18A. The Applicant is reviewing the proposed changes and will provide an updated dDCO at deadline 8 which will reflect these changes as necessary.
- 3.4.2 In respect of the comment on Protective Provisions see section 3.6 below.
- 3.5 **Part 4 – Comment’s on Applicant’s Deadline 5 Submission – 10.2.11 PPs Tracker [REP5-024]**
- 3.6 A substantive response to the IOT Operators’ latest draft Protective Provisions is provided in Appendix 1 to the Response to the Schedule of Changes to the DCO (document reference 10.2.71).
- 3.7 **Part 2 - Comments on Maritime and Coastguard Agency Deadline 5 Submission – 7.1 [REP5-008] and Part 6 - Comments on Harbour Master Humber’s Deadline 5 Submission Response to IOT Operators [REP5-037]**
- 3.8 The Applicant notes and agrees with the comments provided by the Maritime and Coastguard Agency and the Humber Harbour Master summarised at Part 3 and 6 respectively and do not have any further comments.
- 3.9 **Part 5 – Comment’s on Applicant’s Deadline Submission – 10.2.49 Response to IOT Operators [REP5-033]**
- 3.10 The IOT Operators were consulted as part of the consultation exercise carried out on the Proposed Changes and were, therefore, provided with sufficient time within which to consider and respond to the Proposed Changes – the details of which were set out in the Proposed Changes Notification Report [AS-028], as provided to them.
- 3.11 The Proposed Changes have now been accepted into Examination by the ExA. The Applicant’s application to the ExA requesting the Proposed Changes had considered and taken into account all relevant responses received from consultees in respect of the Proposed Changes.

Glossary

Abbreviation/ Acronym	Definition
ABP	Associated British Ports
APT	Associated Petroleum Terminals (Immingham) Limited
DCO	Development Consent Order
Hazid Workshop	Hazard Identification Workshop
HazLog	Hazard Log
HES	Humber Estuary Services
HOTT	Humber Oil Terminals Trustees Limited
IERRT	Immingham Eastern Ro-Ro Terminal
IOT	Immingham Oil Terminal
IOT Operators	APT and HOTT
Nav Sims	Navigational Simulations
NRA	Navigational Risk Assessment
PMSC	Port Marine Safety Code
Ro-Ro	Roll-on/roll-off
UK	United Kingdom