

SCOPING OPINION

PROPOSED NORTH BLYTH BIOMASS POWER STATION, NORTHUMBERLAND

August 2010



independent impartial inclusive

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Executive Summary

This is the Infrastructure Planning Commission's (the Commission's) Scoping Opinion (the opinion) in respect of the content of the environmental statement for a proposed Biomass Power Station at Port of Blyth in North Blyth, Northumberland by RES UK & Ireland Ltd (RES). RES intends to develop and construct a 100 MWe Biomass Power plant capable of handling between 500,000 and 900,000 tonnes of biomass fuel per year. It is anticipated that 80% of the fuel will be delivered to the site via ship and offloaded at the existing wharf.

This report sets out the Commission's opinion on the basis of the information provided in RES's report entitled 'North Blyth Biomass Project Environmental Scoping Report' (JUNE 2010). The opinion is based upon the proposals as currently described by the applicant.

The Commission has consulted on the scoping report and the responses received have been taken into account in adopting this opinion. The Commission is satisfied that the topics identified in the scoping report encompass those matters identified in Schedule 4, Part 1, paragraph 19 of the Infrastructure Planning (Environmental Impact Assessment) Regulations 2009.

The Commission draws attention both to the general points and those made in respect of each of the specialist topics in this opinion. The main potential issues for consideration include:

- Terrestrial and Aquatic Ecology. All surveys should be thorough, up to date and take account of any inter-relationships with other environmental aspects. The applicant may also wish to consider the potential significant environmental effect on inter-tidal ecology.
- Emissions to air and water. The ES should consider the effects on local designated sites and residential developments. Emissions from construction activities should be scoped in due to the presence of a known landfill within the site boundary.
- Transport impacts, both during construction and operation. Impacts from all modes of transport should be considered (road, rail and ship).
- Contaminated land. A full risk assessment should be carried out to ensure material, groundwater and waste removed from site is handled accordingly.

- Noise and Vibration impacts. The Scope and methodology of assessment for noise and vibration should be agreed with the appropriate statutory authorities.
- Visual impacts. The extent of visual impact (TZVI) and suggested view points should be agreed with the relevant statutory authority.
- Waste. The ES should classify and quantify any waste produced during construction, operation and decommissioning, describe the extent of any storage arrangements, and determine the route for final disposal.
- Fuel Supply. The applicant should include a full description and classification of the fuel type proposed and quantify emissions to air using the worst case.

1.0 INTRODUCTION

Background

- 1.1 On 30 June 2010, the Commission received a scoping report submitted by RES (the applicant) under Regulation 8 of the Infrastructure Planning (Environmental Impact Assessment) Regulations 2009 (SI 2263) (the EIA Regs) in order to request a scoping opinion for the proposed North Blyth Biomass Power Station, Northumberland. This scoping opinion is made in response to this request and should be read in conjunction with the scoping report.
- 1.2 The EIA Regs enable an applicant, before making an application for an order granting development consent, to ask the Commission to state in writing its formal opinion (a 'scoping opinion') on the information to be provided in an environmental statement (ES).
- 1.3 The proposals fall within Schedule 2 development under the EIA Regulations as being an energy industry project. An EIA is not mandatory for Schedule 2 development but depends upon the sensitivity of the receiving environment, the likelihood of significant environmental effects and the scale of the proposals.
- 1.4 In submitting the information included with their request for a scoping opinion, RES have notified the Commission under Regulation 6(1)(b) of the EIA Regulations that it proposes to provide an ES in respect of the proposed Biomass Power Station at Port of Blyth in North Blyth, Northumberland. The proposed development is determined to be EIA development in accordance with Regulation 4.
- 1.5 Before adopting a scoping opinion the Commission (or the relevant authority) must take into account:
 - 'the specific characteristics of the particular development;
 - the specific characteristics of the development of the type concerned;
 - the environmental features likely to be affected by the development'.

(EIA Regs 8 (9))
- 1.6 This opinion sets out what information the Commission considers should be included in the ES for the proposed North Blyth Biomass Power Station. The opinion has taken account of:
 - i the EIA Regs;
 - ii the nature and scale of the proposed development;
 - iii the nature of the receiving environment; and

- iv current best practice in the preparation of environmental statements.
- 1.7 The Commission has also taken account of the responses received from the statutory consultees. It has carefully considered the matters addressed by the applicant and has used professional judgement and experience in order to come to this opinion. The Commission will take account of relevant legislation and guidelines when considering the ES. The Commission will not be precluded from requiring additional information in connection with the ES submitted with that application when considering any application for a development consent order.
- 1.8 This opinion should not be construed as implying that the Commission agrees with the information or comments provided by the applicant in their request for an opinion from the Commission. In particular comments from the Commission in this opinion are without prejudice to any decision taken by the Commission on submission of the application that any development identified by the applicant is necessarily to be treated as part of a nationally significant infrastructure project or associated development, or development that does not require development consent.
- 1.9 Regulation 8(3) of the EIA Regs states that a request for a scoping opinion must include:
- i. a plan sufficient to identify the land;
 - ii. a brief description of the nature and purpose of the development and of its possible effects on the environment;
 - iii. such other information or representations as the person making the request may wish to provide or make.
- 1.10 The Commission considers that this has been provided in RES's scoping report.

Commission's Consultation

- 1.11 The Commission has a duty under Regulation 8(6) of the EIA Regs to consult widely before adopting a scoping opinion. A full list of the consultation bodies is given at Appendix 1. The list of respondents, with copies of those comments is given at Appendix 2, to which reference should be made.
- 1.12 The ES submitted by RES must also demonstrate consideration of points raised by the statutory consultees. It is recommended that a table is provided in the ES summarising the scoping responses from the statutory consultees and how they are considered in the ES.

- 1.13 Any subsequent consultation responses, received after the statutory deadline for receipt of comments, will be forwarded to the applicant and should be given due consideration by the applicant in carrying out the EIA.

Structure of the Document

- 1.14 This document is structured as follows:

Section 2 The Proposed Development;

Section 3 EIA Approach and Topics;

Section 4 Other Information;

Appendix 1 Consultation Bodies;

Appendix 2 Respondents to Consultation and Copies of Replies;

Appendix 3 Presentation of the Environmental Statement.

2.0 THE PROPOSED DEVELOPMENT

Applicant's Information

The following sub-section entitled '*Applicant's Information*' summarises the information provided in the scoping report. The Commission does not verify the accuracy of the information provided in the scoping report.

The Existing Site

- 2.1 The proposed development site lies approximately 2.5 km from the mouth of the river Blyth. The site is located on the spit of land between the River Blyth Estuary and the North Sea within the southern half of the Port of Blyth's Battleship Wharf and comprises approximately 5 hectares. The site is bound by the Port of Blyth rail link and North Blyth Road on the eastern and southern sides. The proposed development site is currently dominated by bulk warehouses, storage areas, hardstanding and made ground part of which is used for coal storage and handling.
- 2.2 The site is on previously developed land and there are no on-site cultural heritage features. The nearest feature of interest is a Grade II listed building to the west of the proposed development site. The site's previous use includes a railway marshalling yard with an associated engine shed and as a registered landfill for the disposal of excavated natural materials, hardcore and rubble. The site was remediated in 1993 by Northumberland County Council. During the remediation asbestos waste was encapsulated in an engineered repository within the embankment of the C403 road on the eastern boundary of the site. The ground levels on site vary by approximately 3.5m from the water's edge to the eastern site boundary. There are no surface water bodies on-site. Shallow groundwater is perched within made ground beneath the site. This is likely to be influenced by the tidal range and in hydraulic continuity with the estuary.
- 2.3 Road access to the site is via the A189 strategic road 3km to the west of the site then via the C415 and C403. Access to the proposal would be from the existing roundabout on the C403. There is an industrial railway line through Cambois that runs to the east of the site along the North Blyth peninsula. A spur from this line serves the existing coal handling facility via a level crossing on the C403 adjacent to the site.

The Surrounding Area

- 2.4 The site lies to the north of Blyth town centre and other nearby towns include Bedlington 4.5 km to the west, Ashington 6.5km to the north, Morpeth 11km to the north west and Newcastle upon Tyne 15km to the

south west. The site is part of the existing Port of Blyth, which comprises port operations on both the north and south sides of the River Blyth Estuary, from the Bates Wharf site to the west, Battleship Wharf to the north east and South Harbour to the south. The mouth of the River Blyth Estuary is located south of the proposed site.

- 2.5 Further west of the site is the location of the former Blyth Power Station, which has been decommissioned and removed from the site. Adjacent to this site is the existing NEDL substation which is located within a large storage shed structure. To the east of the site is an area of sand dunes and beach, comprising part of the Northumberland coastline, and beyond the North Sea. Just offshore to the north east is exposed rocks called the Rockers. Further offshore to the east are two offshore wind turbines. The area to the southwest of the site and across the River Blyth Estuary, the former Bates Colliery, has been partly redeveloped by the Coal Authority as a water treatment facility for minewater extracted from the former Bates No. 3 shaft. A series of ponds and wetlands treat minewater, pumped from the former Bates Colliery. This minewater treatment scheme treats and removes metal pollution (mainly iron ochre) before discharging into the River Blyth Estuary.
- 2.6 Further south of the site, a port facility is operated as Alcan's Bulk Terminal for import of raw materials for the Alcan smelter located further north up the Northumberland coast. There are dwellings located close to the southeast boundary of the site. Residential properties are also located approximately 500m to the northwest of the site at Cambois. On the south side of the River Blyth Estuary the nearest residential properties of Blyth are approximately 280m from the boundary of the proposed site.
- 2.7 The Northumbria Coast Ramsar Wetland and Special Protection Area (SPA) is the closest internationally designated site to the proposal and located approximately 150m east of the proposed development site. The Northumberland Shore Site of Special Scientific Interest (SSSI) is the closest nationally designated site to the proposal. The SSSI partly overlaps with the Northumbria Coast Ramsar/SPA but also includes the mudflats in the River Blyth Estuary approximately 100m west, and intertidal sand areas on the coast, approximately 100m to the east.

Description of the Development

- 2.8 The proposed power station will burn biomass fuel. It is anticipated that on average 80% of the fuel will be delivered to the site via ship. The plant will require between 500,000 and 900,000 tonnes of biomass fuel per year depending on the moisture content and calorific value of the fuel.

- 2.9 New offloading facilities including cranes, hoppers and conveyor systems will be created at the existing wharf to handle the fuel deliveries; the fuel will then be transferred to a purpose built fuel storage facility, via an enclosed conveyor belt system. Approximately 25 days worth of fuel will be stored on site in fuel storage sheds. The scoping report states (paragraph 3.3.3) fuel storage sheds will be up to 25m in height but the exact number of fuel storage sheds required has not been defined at this stage.
- 2.10 The existing Battleship Wharf quay will not require to be significantly modified to receive the size of ships proposed for the project. It will be necessary for the Port of Blyth to undertake some limited dredging works adjacent to the quay, but this will be undertaken in accordance with the Port's existing powers and licence arrangements.
- 2.11 The combustion technology for the site has not been finalised. There will be either one 100 MW or two 50 MW boilers that will supply steam to a single steam turbine generating unit. The scoping report states (paragraph 6.5.2) that the boiler house will be up to 65m high. The flue gasses will exit the boiler and pass through a high efficiency dust collection and acid abatement system. The flue gases will then be discharged to the atmosphere via a chimney stack, currently estimated to be of the order of 80 to 100m in height. The actual stack height has not been determined at present.
- 2.12 There is a requirement for a cooling system to regulate the temperature of the boilers. At present three options are being considered; these being air cooled condensers, hybrid cooling and once through cooling. The air cooled condensers work on the basis of evaporative cooling using mechanical draught cooling structures. It requires no water intake and results in no visible plume, yet is the least efficient of the three technologies, The hybrid cooling system requires low plume cooling structures, and significantly lower volumes of cooling water than a once through system. It would require an intake and outfall pipe which would be provided from and to the Port of Blyth harbour, and the discharge would typically be around 4°C warmer than the ambient water temperature. Once through cooling is the most energy efficient of the options. It will require the abstraction of water from the harbour and the discharge of water to the North Sea with the cooling water discharge being up to 10°C warmer than ambient water temperature.
- 2.13 The electricity generated will be exported from the power station via two new underground 66kV cables connecting to the existing NEDL substation to the north west of the site. The precise route of the connection will be agreed with NEDL as part of the grid connection discussions which are ongoing.

Access

- 2.14 The majority of biomass delivery vehicles would be expected to travel to the site from the A189 strategic road around 3km to west of the site. Vehicles would leave the A189 at the grade separated junction with the C415 West Sleekburn road. Vehicles would then travel via the C415 to Cambois before turning south on the C403 North Blyth road. Access to the site would be from the existing roundabout on the C403 immediately north of North Blyth.

Employment

- 2.15 At the peak of construction there is expected to be approximately 300 people engaged in on site construction activities.
- 2.16 An operational workforce of approximately 40 to 50 is anticipated; many of these would be shift workers as the proposal is for the facility to operate 24hrs continuously. A further 40 staff are likely to be employed in port related posts or other services e.g. unloading fuel from ships.

Construction

- 2.17 Construction is expected to take 30 months; the scoping report does not set out when construction is expected to begin.
- 2.18 Piling will be required and will be limited where appropriate, low noise methods such as auger piling may be used, dependant on the established sensitivity of the development site and its surrounding area.

Waste

- 2.19 Road deliveries and ash removal would take place from Monday to Friday and for scoping purposes the applicant has assumed a 12 hour (0700 - 1900) operational window. Fuel would be delivered in articulated vehicles that would carry 28.5 tonnes of biomass. Limestone and ash vehicles are likely to be smaller carrying around 23.5 tonnes.

Commission's Comment

- 2.20 The applicant should ensure that the description of the development that is being applied for is accurate, as this will form the basis for the environmental assessment. The dimensions and siting of the proposed development should be clearly described in the ES, with appropriate justification. It will also be important to consider choice of materials, colour and the form of the buildings and structures. Lighting proposals should also be described.

- 2.21 In line with best practice and case law, the proposed development will need to be defined in sufficient detail in the ES to enable a robust assessment of the adverse and positive impacts to be undertaken.
- 2.22 Whilst the Commission acknowledges that it may be necessary for design parameters to be sufficient to allow for minor variations in the scheme design, such parameters should not be so great that any variations would effectively constitute a material departure from the scheme design assessed in the EIA or result in a different assessment outcome. The ES should be able to confirm that any changes to the development within the proposed parameters would not result in significant effects not previously identified. The EIA should be carried out on the basis of the most likely design(s) and should identify the worst case in terms of environmental impacts.
- 2.23 The Commission notes that the process of EIA is iterative and therefore the proposals may change and evolve. There may be changes to the scheme design in response to consultation. Such changes should be addressed in the ES. Once submitted, the application should not change in any substantive manner.
- 2.24 It should be noted that if the development changes substantially during the EIA process the applicant may wish to consider the need to request a new scoping opinion.
- 2.25 Any infrastructure required off-site should be considered as part of an integrated approach to environmental assessment.
- 2.26 The Commission recommends the ES should include a clear description of all the aspects of the development, including timescales, at the construction, operation and decommissioning stages, including:
- Land use requirements;
 - Site preparation;
 - Operational requirements including the main characteristics of the production process and the nature and quantity of materials used, as well as waste arisings;
 - Emissions (water, air and soil pollution, noise, vibration, light, heat, radiation etc).
- 2.27 In terms of decommissioning, the Commission acknowledges that the further into the future any assessment is made, the less reliance may be placed on the outcome. However, the purpose of such a long term assessment is to enable the decommissioning of the works to be taken into account in the design and use of materials such that structures can be taken down with the minimum of disruption, materials can be re-

used and the site can be restored or put to a suitable new use. The Commission encourages consideration of such matters in the ES.

- 2.28 The Commission considers that the ES should contain information on the main alternatives studied.

3.0 EIA APPROACH AND TOPIC AREAS

General Comments on the Scoping Report

- 3.1 The scoping report (section 7: Outline of Environmental Statement Structure) sets out the proposed five volume format of the Environmental Statement: Volume 1: Non-technical Summary; Volume 2: Environmental Statement Main Text; Volume 3: Environmental Statement Figures; Volume 4 Environmental Statement Appendices and Volume 5 Transport Assessment. The Commission notes that the ES should be a stand alone document and should include all appendices as well as any photographs or photomontages. On the basis that such information will be made available and included in the ES, the Commission is satisfied with the approach proposed for the format.
- 3.2 The description of Volume 2 of the ES in the scoping report includes a preliminary format for the introductory chapters. The Commission recommends that the 'Project Description' should include a description of the proposed construction programme and approach to transporting abnormal loads onto the site.
- 3.3 The Commission recommends that the physical scope of the study areas should be identified under all the environmental topics and should be sufficiently robust in order to undertake the assessment. The extent of the study areas should be on the basis of recognised professional guidance, whenever such guidance is available. The study areas should also be agreed with the relevant consultees and, where this is not possible, this should be stated clearly in the ES and a reasoned justification given.
- 3.4 The Commission recommends that the baseline data is comprehensive, relevant and up-to-date. Surveys needed to inform the EIA are not always fully defined or provided within the scoping report and will need to be addressed. The timing and scope of all surveys should be agreed with the relevant statutory bodies.
- 3.5 The Commission considers that each assessment should consider all phases of use – construction, operation and decommissioning. The methodology should use up to date regulations and guidance to undertake the assessment and the methodology should be agreed with the relevant consultees. Where this is not possible, a reasoned justification should be given within the ES.
- 3.6 The Commission recognises that the way in which each element of the environment may be affected by the proposals can be approached in a

number of ways but considers that it would be helpful, in terms of ease of understanding and in terms of clarity of presentation, to consider the impact assessment in a similar manner for each of the specialist topics. The Commission recommends that a common format should be applied where possible but considers that the scope – the breadth of topic, the physical and temporal should be described and justified.

- 3.7 The Commission recommends that combined impacts should be considered and not just cumulative impacts (see Appendix 3 of this opinion).
- 3.8 The inter-relationship between specialist topics should not be overlooked, indeed this is a requirement of the Regulations. The ES should not be a series of separate reports collated into one document, but rather a comprehensive assessment drawing together the environmental impacts of the proposed development as a whole.
- 3.9 The Commission recommends that other major development in the area should be taken into account for the purposes of assessing cumulative effects through consultation with the local planning authorities on the basis of major developments that are :
- built and operational;
 - under construction;
 - permitted application(s), but not yet implemented;
 - submitted application(s) not yet determined, and
 - identified in the relevant Development Plan (and emerging Development Plans - with appropriate weight being given as they move closer to adoption) recognising that much information on any relevant proposals will be limited.
- 3.10 Reference should be made to Appendix 3 regarding the presentation of the environmental statement.

Topic Areas

General Comments

- 3.11 The EIA Regulations Schedule 4, Parts 1 and 2, set out the information for inclusion in an ES.
- 3.12 Schedule 4 Part 1 of the EIA Regulations sets out the aspects of the environment likely to be significantly affected by the development which should include '*in particular, population, fauna, flora, soil, water, air, climatic factors, material assets, including the architectural and archaeological heritage, landscape and the inter-relationship between the above factors*' (paragraph 19).

3.13 Traffic and transport is not specified as a topic for assessment under Schedule 4; although in line with good practice the Commission considers it is an important consideration *per se*, as well as being the source of further impacts in terms of air quality and noise and vibration.

3.14 Part 2 sets out the minimum requirements and is included below for reference:

Schedule 4 Part 2

- a description of the development comprising information on the site, design and size of the development;
- a description of the measures envisaged in order to avoid, reduce and, if possible, remedy significant adverse effects;
- the data required to identify and assess the main effects which the development is likely to have on the environment;
- an outline of the main alternatives studied by the applicant and an indication of the main reasons for the applicant's choice, taking into account the environmental effects;
- a non-technical summary of the information provided [*under the four paragraphs above*].

3.15 The scoping report has considered the environment under the following topics:

- Terrestrial Ecology;
- Ornithology;
- Aquatic Ecology;
- Landscape and Visual;
- Air Quality;
- Transport, Traffic and Access;
- Water and Soils;
- Flood Risk;
- Noise and Vibration;
- Cultural Heritage;
- Socio-Economic.

3.16 At paragraph 6.13.1 the scoping report states that the proposed scope of the EIA includes the following topics:

- Air Quality;
- Landscape and Visual;
- Noise;
- Terrestrial Ecology;
- Construction Traffic;
- Aquatic Ecology; and
- Flood Risk.

- 3.17 Matters are not scoped out unless specifically addressed and justified by the applicant and confirmed as being scoped out by the Commission.
- 3.18 The Commission is satisfied that the scope proposed for the EIA in the scoping report at paragraph 6.13.1 broadly encompasses all those matters identified in Schedule 4, Part 1, paragraph 19 of the EIA Regs. The Commission does not consider that there is a sufficient explanation within the scoping report to agree with the proposal to 'scope out' the topics identified in the table 6.5 of the scoping report. Further information on the topics to be considered within the ES is provided in the paragraphs below.
- 3.19 Bearing in mind the proximity of the site to residential properties along with the proposals for piling, the Commission does not agree that no assessment is necessary regarding the potential impact of vibration and considers that this should be included within the noise topic chapter. The assessment should consider the interrelationship of vibration impacts arising as a result of the development together with other impacts such as traffic and ecology. Neither does the Commission agree to scoping out of air quality during construction. Due to the presence of a known landfill within the boundary of the proposed site the applicant should consider the potential impact on air quality when encountering contaminated soil, especially during dry periods of construction activities.
- 3.20 The Commission recommends that an assessment of the environmental effects associated with the generation and elimination of waste be added as a topic to the ES in accordance with Schedule 4, Part 1, paragraph 20 of the EIA Regs. This assessment should clarify the environmental effects of all wastes to be processed and removed from the site and identify impacts associated with relevant traffic movements and routes.
- 3.21 The ES will need to identify and describe in detail the control processes and mitigation procedures for storing and transporting residual waste off site, and indeed if any pre-treatment is expected prior to being exported off site. All waste types should be quantified and classified.
- 3.22 The Commission considers that given the potential effects upon Water Quality this should be dealt with as a separate chapter within the ES. The ES should consider the effects of port dredging on aquatic ecology i.e. mobilisation of sediment effecting water quality.
- 3.23 The Commission would expect the ES to include a consideration of the potential effects on inter-tidal ecology.

- 3.24 Each of the specialist topics are considered in turn below. It should be noted that the general points made above and elsewhere in this opinion are not repeated under each of the specialist topics. However the applicant should ensure that such issues are addressed fully before the ES is submitted to the Commission. Consideration should also be given to the scoping responses, copies of which are provided in Appendix 2.

Terrestrial Ecology (section 6.2 of the scoping report)

- 3.25 The Commission recommends that surveys should be thorough, up to date and take account of other development proposed in the vicinity.
- 3.26 The Commission recommends that the proposals should address fully the needs of protecting and enhancing biodiversity. The assessment should cover habitats, species and processes within the site and its surroundings. The Commission draws attention in particular, but not exclusively, to the effects on migrating river and sea lamprey; eels, shad and salmon; and the effects on birds. The Commission recommends that the impacts on protected fish species is fully assessed and appropriate mitigation provided.
- 3.27 The scoping report states that previous developments have conducted Grayling surveys. It proposed that an additional survey will only be needed if the existing data is found to be incomplete or out of date. The Commission would expect the survey data to take into account the entire proposal including the cable connection. Guidance on this matter should be sought from the appropriate statutory authority.
- 3.28 The scoping report states at paragraph 6.2.17 that a specific survey for reptiles will not be carried out. If the presence of certain species is likely the ES will need to provide sound reasoning for not carrying out detailed species specific surveys.
- 3.29 The ES should address the risk of introducing invasive species from materials delivered to site during construction and operation. This includes the potential for introducing species from the ship structure, and ballast waters but also in the fuel itself.
- 3.30 The assessment should take account of noise and vibration and air quality (dust) impacts and cross reference should be made to these specialist reports. In particular the affects upon the adjacent dune mudflat and sandflat habitats.
- 3.31 The construction, operational and decommissioning phases of the works should be addressed. The Commission recommends the need to consider cumulative and combined impacts and advises this is particularly relevant in terms of assessing the impacts on ecology.

Ornithology (section 6.3)

- 3.32 The Commission recommends that surveys should be thorough, up to date and take account of other development proposed in the vicinity. At present the baseline has been informed by only one year of site specific bird survey information.
- 3.33 The potential impacts on designated sites particularly those with international and national status should be addressed as well as county, local and less than local level habitats. The Commission notes the possible need for an Appropriate Assessment in view of the development site's location in relation to the Northumberland Coast SPA, the Northumbria Coast Ramsar Wetland and the potential impacts on the species for which these sites are designated (see section 4 of this opinion).
- 3.34 The scoping report states at paragraph 6.3.18 that the bird breeding season is April – July. The ES should ensure that all references to relevant legislation and requirements are accurate and up to date.

Aquatic Ecology (section 6.4)

- 3.35 The proposed development should consider the inter-tidal and sub-tidal habitat and the impacts of the dredging required and sediment type and quality.
- 3.36 Marine impacts must be addressed in the EIA and include all potential impacts of construction, operation and decommissioning including any support works such as dredging or maintenance activities for the proposal.
- 3.37 If water cooled method is the final proposed option the impacts to fish and on benthic ecology will need to be assessed within the ES. Potential changes to the physical, chemical, biological parameters and heavy metal loads in the aquatic environment should also be fully assessed.

Landscape and Visual (section 6.5)

- 3.38 The Theoretical Zone of Visual Influence (TZVI) is assumed to be a maximum of 15km from the proposal. Figure 4 of the scoping report does not seem to support this analysis. Guidance suggests that the TZVI for structures between 51 and 70m could be further than the 15km proposed. The extent of the visual impact assessment should be agreed with the relevant local authorities.
- 3.39 The proposals will be for large structures. The Commission requests that careful consideration should be given to the form, design, siting

and use of materials and colours in terms of minimising the adverse visual impact of these structures. Views from across the estuary should be included as well as night time views.

- 3.40 The visual impact assessment should consider the impacts of any lighting that is proposed and its proposed hours of use.
- 3.41 The visual impact of the stack and associated plumes will need to be considered. The TZVI should seek to ensure that all potential sensitive receptors are considered and viewpoints are agreed with the relevant local authorities.

Air Quality (section 6.6)

- 3.42 The port of Blyth is in close proximity to a designated Air Quality Management Area (AQMA) in Blyth town centre. It is also understood that PM₁₀ and NO₂ levels in the vicinity of Cowpen Road (A4193) may also be elevated. The Commission considers that adverse change to air quality should be assessed in relation to compliance with European air quality limit values and AQMAs.
- 3.43 The proposal within the scoping report at paragraph 6.6.5 is to develop the baseline assessment using existing data sets. The suitability of this approach should be agreed with the relevant statutory authority.
- 3.44 The assessment should take account of all emissions from the proposed development itself as well as the traffic impacts and the interrelationship with the ecological impacts, both terrestrial and marine, should also be considered.
- 3.45 The proposed site lies within a sensitive area that includes national and European-designated wildlife sites. The impacts on the Blyth Estuary should be carefully assessed. There is the need to consider potential related effects due to an increase in airborne pollution especially during construction.
- 3.46 The implications of stack height and dispersion of the discharge needs to be clearly explained.
- 3.47 The Commission recommends that dispersion modelling considers a range of possibilities and seeks to ensure that the worst case is assessed, for example the worst case may occur as a short term impact or result from change in fuel type.
- 3.48 Air quality and dust levels should be considered not only on site but also off site, including along access roads and local footpaths.
- 3.49 Consideration should be given to appropriate mitigation measures and to monitoring dust complaints.

- 3.50 The ES will need to describe the final abatement technologies chosen to mitigate against the potential environmental effects and provide the justification for the Applicant's choices.
- 3.51 Storage of abatement materials must adhere to relevant HSE Regulations.

Transport, Traffic and Access (section 6.7)

- 3.52 The scoping report states that 80% of the biomass fuel required by the operation will be delivered by sea. The report does not explain how many ships will be required to meet this target and does not set out the current baseline conditions with regard to shipping and navigation.
- 3.53 The scoping Report states that "the site benefits from a rail link which can be used to deliver some fuel" (page 7) however its section on transport (page 37) restricts arrangements for any non shipping deliveries to consideration of road rather than rail impact. The Commission recommends that realistic options for use of rail, if any, and their impacts are considered.
- 3.54 The assessment methodology proposed does not take into account impacts associated with an increase in shipping. In particular the assessment will need to consider the environmental impacts this may have on any of the existing port operations.
- 3.55 The ES will need to describe in detail the baseline condition of the local transport infrastructure and any improvement works necessary to provide safe and secure access to the facility.
- 3.56 The scoping report states that the remaining 20% of fuel will be delivered to site via rail, road or a mixture of both. The report does not provide any further breakdown as to the likely percentage handling for each. The baseline for the ES should set out the current level of rail activity associated with the existing on site operations and assess the impact of increased rail activities on the rail spur within the site boundary. Any modifications required to the existing infrastructure should be described and suitably assessed.
- 3.57 The ES will need to demonstrate sufficient investigations have identified the direct and indirect environmental impacts associated with the rail freight. Indirect impacts may include the inter-modal increase in traffic at the off-site rail freight terminals.
- 3.58 The effect of increased freight traffic along the rail line on nearby residents and commercial/industrial businesses should be considered, along with the effects on existing rail passenger services. Issues to

consider include safety and the confirmation of suitable rail haulage certificates for hazardous and non-hazardous waste material.

- 3.59 The Commission considers it essential to also take account of materials to be removed from the site and to identify where any traffic movements would be routed.

Water and Soils (section 6.8)

- 3.60 The Water and Soils chapter within the ES should include the impacts upon the estuary and the sea. This should include the effects upon hydrodynamics, erosion and scour, sediment disturbance as a result of port dredging, suspended sediments in relation to the designated sites and the interest features.
- 3.61 The ES should include an assessment of contaminated land issues including sources and pathways of contaminants to designated sites. Detailed site investigations should be agreed with the relevant statutory bodies and a suitable remediation strategy proposed.
- 3.62 The assessment should include consideration and modelling for thermal plumes and changes to water quality if either 'once through' or 'hybrid solutions' are adopted. Modelling should assess the impacts upon protected species, designated sites and their interest features. The effects of any proposed harbour dredging activities on water quality should be considered, whether a direct or indirect impact of the scheme.
- 3.63 The Commission notes that the proposals are located within a known coalfield area. The applicant should consult with relevant statutory bodies to ensure that any environmental impacts arising as a result are adequately addressed within the EIA.

Flood Risk (section 6.9)

- 3.64 The Flood Risk Assessment should be prepared in accordance with the requirements of PPS25 and in consultation with the EA.

Noise and Vibration (section 6.10)

- 3.65 The noise and vibration assessment should consider the impacts during construction, operation and decommissioning.
- 3.66 The Commission recommends that the methodology and choice of noise receptors should be agreed with the relevant Environmental Health Department of the Council and with the EA.

- 3.67 Noise and vibration impacts on people should be specifically addressed, and particularly any potential noise disturbance at night and other unsocial hours such as weekends and public holidays.
- 3.68 Information should be provided on the types of vehicles and also on the type of plant to be used during the construction phase. All operational, noise sources should be identified along with appropriate measures to mitigate noise nuisance.
- 3.69 The assessment should take account of the traffic impacts and consider noise and vibration impacts along access routes, especially during the construction phase. The interrelationship of noise and vibration impacts with the ecological impacts, both terrestrial and marine, should also be considered.
- 3.70 Noise and vibration levels along the foreshore potentially affecting birds and fish should be also be addressed.

Cultural Heritage (section 6.11)

- 3.71 The setting of cultural heritage resources could be affected; this includes historic buildings, historic landscapes and archaeological sites and the Commission considers that these should be addressed in the ES. In particular the assessment should consider the visual impact on the listed coal staithes to the west of the site. Cross reference should be made to the Landscape and Visual section of the ES.

Socio - Economic (section 6.12)

- 3.72 Primary and secondary impacts should be considered. For example, the effect on local services should be considered, including the demand for additional services such as health services and schools.
- 3.73 Impacts on the local community should be considered. This should include the impact on the housing market, the impact on the tourist market and the impact on local culture and community facilities used for recreation, as well as the impact of an additional workforce.
- 3.74 The Commission recommends that the assessment should consider the types of jobs generated and this should be considered in the context of the available workforce in the area, this applies equally to the construction and operational phases.
- 3.75 The Commission recommends that the assessment criteria should be locationally specific and consider the potential significance of the impacts of the proposal within the local and regional context.

- 3.76 Appropriate mitigation measures should be identified, including an explanation of the alternatives considered and a justification for the preferred option.

4.0 OTHER INFORMATION

Appropriate Assessment

4.1 The Applicant's attention is drawn to the (Applications: Prescribed Forms and Procedure) Regulations 2009 (APFP) and the need to include information identifying European sites to which the Habitats Regulations applies or any Ramsar site which may be affected by a proposal. The information to be submitted should be sufficient for the Commission to make an appropriate assessment of the implications for the site if required by regulation 48(1).

4.2 The report to be submitted under Reg 5(2)(g) of the APFP with the application must deal with two issues. The first is to enable a formal assessment of whether there is likely significant effect and the second, should it be required, is to enable the carrying out of an appropriate assessment. The Scoping Report states that some of this information will be provided to the IPC "soon after" the submission of the Scoping Report sufficient to enable the IPC to "make an informed decision on the need for an Appropriate Assessment." The applicant's attention is drawn to the fact that it is for the applicant to prepare the necessary information to accompany its DCO application. In particular IPC Guidance Note 2, at Paragraph 29 states:

"29 The IPC, or the Secretary of State in appropriate cases, must consider whether a project is likely to have a significant effect on designated European sites and if that is the case, it will require sufficient information within the application to enable the IPC or Secretary of State to carry out an appropriate assessment under the Habitats Regulations¹. The report to be submitted under Reg 5(2)(g) of the APFP with the application must deal with two issues. The first is to enable a formal assessment of whether there is a likely significant effect and the second, should it be required, is to enable the carrying out of an appropriate assessment. Determinations on both matters will be undertaken during the examination process."

4.3 When considering aspects of the environment likely to be affected by the development; including flora, fauna, soil, water, air and the inter relationship between these, consideration should be given to the designated sites in the vicinity of the proposed development, including the Northumberland Coast Special Protection Area (SPA) and the Northumbria Coast Ramsar Wetland.

4.4 Further information with regard to the Habitats Assessment process is located within the pre-application IPC Guidance Note 2 available via the Commission's website.

Health Impact Assessment

- 4.5 The Commission agrees with the Health Protection Agency that the proposal could have potential health impacts. The Commission considers that the EIA should assess the potential health impacts arising as a result of the proposals. In particular the impact on health of construction, emissions to air, emissions to water and emissions to ground including contaminated land should be considered. The ES should provide an analysis of these impacts.
- 4.6 The Commission considers that it would be a matter for the applicant to decide whether or not to submit a stand-alone Health Impact Assessment (HIA) and that an applicant should have particular regard to the responses received from the relevant consultees regarding health. The methodology for the HIA, if prepared, should be agreed with the relevant statutory consultees and take into account mitigation measures for acute risks.

Other Regulatory Regimes

- 4.7 The Commission recommends that the applicant should state clearly what regulatory areas are addressed in the ES. The applicant should ensure that all relevant authorisations, licences, permits and consents that are necessary to enable operations to proceed are described in the ES. Also it should be clear that any likely significant effects of the proposed development which may be regulated by other statutory regimes have been properly taken into account in the environmental impact assessment (EIA).
- 4.8 It will not necessarily follow that the granting of consent under one regime will ensure consent under another regime. For those consents not capable of being included in an application for consent under the Planning Act 2008, the applicant should note that a level of assurance or comfort from the relevant regulatory authorities that the design or plan is acceptable and likely to be approved by them will be required by the Commission before a recommendation or decision on any application is made. This is in accordance with draft policy guidance in Overarching National Policy Statement (NPS) for Energy (EN-1) (see paragraph 3.2 of this opinion regarding the status of National Policy Statements). Applicants are encouraged to make early contact with other regulators. Information from applicants about progress in obtaining other permits, licences or other consents and confirmation that there is no obvious reason why they will not subsequently be granted will be helpful in supporting an application for development consent to the Commission.

Climate Change National Policy Statements and EIA Regs

Overarching National Policy Statement for Energy (NPS EN-1)

- 4.9 The draft Overarching National Policy Statement (NPS) for Energy (EN-1) and Renewable Energy Infrastructure (EN-3) policy sets out the Government's policy for delivery of major energy infrastructure and provides a framework for decisions to be taken by the Commission.
- 4.10 The Commission is bound to have regard to the NPSs, which establish the policy framework within which it operates. The NPSs remain in draft and have been subject to scrutiny and debate and further consultation. The weight to be placed upon the NPSs before they are designated will depend upon the stage reached in the process towards designation and will be a matter to be addressed by the Commission when the application is considered.
- 4.11 The draft Overarching National Policy Statement for Energy (EN-1) states at paragraph 2.1.1:
'It is important to note that the planning system is not the vehicle for delivering all aspects of Government energy and climate change policy; there are many aspects that will not be relevant to IPC decisions or decisions by local authorities.'
- 4.12 It continues at paragraph 2.1.5:
'Given that the Government policies that underlie the NPSs have been set in accordance with the Transitional Plan and carbon budgets, the IPC does not need to assess individual applications in terms of carbon emissions against the budgets'.
- 4.13 Paragraph 17(c) of Schedule 4 of the EIA Regulations includes a number of factors some of which might be anticipated to have an impact upon climate change (*'expected residues and emissions (water, air and soil pollution, noise, vibration, light, heat, radiation, etc) resulting from the operation of the proposed development'*¹).
- 4.14 Paragraph 19 of Schedule 4 of the EIA Regulations requires the Environmental Statement to include "A description of the aspects of the environment likely to be significantly affected by the development, including in particular, population, fauna, flora, soil, water, air, climatic factors, material assets, including the architectural and archaeological heritage, landscape and the inter-relationship between the above factors."
- 4.15 Part 2 of the schedule requires the applicant to provide information that could relate to the consideration of climate change: *'The data required*

¹ Para 17(c) Sch 4

to identify and assess the main effects which the development is likely to have on the environment'².

- 4.16 The Commission requires the applicant to address the effects of climate change on the proposals (adaptation) and how the proposals have provided the means to reduce its impact on climate change (mitigation), for example through amelioration of greenhouse gas emissions.
- 4.17 The Commission considers that the ES will need to set out the parameters for climate change assessment and address the cumulative effect on local and regional environmental control standards (i.e. Local Authorities Air Quality Management Areas). This information should be dealt with in the ES under a number of specialist topics and taking into account specific references in the relevant draft NPSs. The applicant may care to consider whether it would be helpful if this information was also collated into one section in order to better understand how the cumulative impacts have been addressed.
- 4.18 The ES should set out clearly the way in which climate change and the potential significant effects relating to the development have been addressed.

Applicant's Consultation

- 4.19 It is recommended that the applicant provides preliminary environmental information³ to the local authority when presenting it with the draft Statement of Community Consultation (SoCC) for comment under s47 of the Planning Act 2008.
- 4.20 Consultation with the local community should be carried out in accordance with the SoCC which will state how the applicant intends to consult on the preliminary environmental information. Where consultation responses have resulted in important changes affecting the EIA, such comments could usefully be reported and considered. This reporting could also assist the applicant in the preparation of its consultation report required to be submitted with the application for development consent.

² Para 26 Sch 4

³ For an explanation see under 'Interpretation' in the Infrastructure Planning (Environmental Impact Assessment) Regulations 2009 SI2263

APPENDIX 1

LIST OF CONSULTATION BODIES FORMALLY CONSULTED DURING THE SCOPING EXERCISE

APPENDIX 1

LIST OF CONSULTATION BODIES FORMALLY CONSULTED DURING THE SCOPING EXERCISE

CONSULTEE	ORGANISATION
SCHEDULE 1 LIST OF CONSULTEES	
The Relevant Responsible Regional Authority ¹	North East Planning Body
The Health and Safety Executive	Health and Safety Executive
The Relevant Strategic Health Authority	North East Strategic Health Authority
Natural England	Natural England Headquarters Natural England (National Contact) Natural England (North East)
The Historic Buildings and Monuments Commission for England	English Heritage English Heritage (North East Office)
The Relevant Fire and Rescue Authority	Northumberland Fire & Rescue Service
The Relevant Police Authority	Northumbria Police
The Relevant Parish Council(s) or Relevant Community Council	Ashington Town Council Blyth Town Council East Bedlington North Bedlington Newbiggin-by-the-Sea Parish Council West Bedlington Town Council
The Environment Agency	The Environment Agency The Environment Agency Yorkshire & NE
The Commission for Architecture and The Built Environment	CABE Design Review
The Relevant Regional Development Agency	One North East
The Equality and Human Rights	Equality and Human Rights

Commission	Commission
The Commission for Sustainable Development	Sustainable Development Commission
The Homes and Communities Agency	HCA HCA North East
The Joint Nature Conservation Committee	Joint Nature Conservation Committee
The Commission for Rural Communities	The Commission for Rural Communities
The Maritime and Coastguard Agency	The Maritime and Coastguard Agency (National Contact) The Maritime and Coastguard Agency (North East Regional Contact)
The Marine and Fisheries Agencies ²	The Marine Management Organisation (National Contact-Licensing Support Team) The Marine Management Organisation (North East Regional Contact)
The Civil Aviation Authority	The Civil Aviation Authority
The Highways Agency	The Highways Agency
Integrated Transport Authorities (ITAs) and Passenger Transport Executives (PTEs)	Nexus Rail Headquarters
The Relevant Highways Authority	Northumberland Council Highways
The Rail Passengers Council	Rail Passenger Council
The Disabled Persons Transport Advisory Committee	DPTAC
The Coal Authority	The Coal Authority
The Office Of Rail Regulation	Office of Rail Regulation
Approved Operator	Network Rail Infrastructure Ltd
Approved Operator	Network Rail (CTRL) Ltd
The Gas and Electricity Markets Authority	OFGEM
The Water Services Regulation Authority	OFWAT

The Relevant Waste Regulation Authority	Northumberland Council Waste Management
The British Waterways Board	The British Waterways Board The British Waterways Board (Yorkshire and Humber Regional Contact)
Trinity House	Trinity House
The Health Protection Agency	The Health Protection Agency
The Relevant Local Resilience forum	Northumbria Local Resilience Forum
The Crown Estate Commissioners	The Crown Estate Commissioners
The Forestry Commission	The Forestry Commission (North East Regional Contact)
RELEVANT STATUTORY UNDERTAKERS	
Health Bodies under s.16 of the Acquisition of Land Act 1981	North Tyneside General Hospital Northumbria Healthcare NHS Foundation Trust North East Ambulance Service NHS Trust NHS North of Tyneside PCT
Railways	BRB Residuary Limited
Dock	Blyth Harbour Commission
Licence Holder (Chapter 1 Of Part 1 Of Transport Act 2000)	NATS En Route plc
Universal Service Provider	Royal Mail Group
Water and Sewage Undertakers	Northumbrian Water

Public Gas Transporter	<p>British Gas Pipelines Limited Energetics Electricity Limited Energetics Gas Limited ES Pipelines Ltd ESP Connections Ltd ESP Networks Ltd ESP Pipelines Ltd Fulcrum Pipelines Limited Fulcrum GTC Pipelines Limited Energy House Independent Pipelines Limited Intoto Utilities Limited National Grid Gas Plc (NTS) National Grid Gas Plc (RDN) Northern Gas Networks Limited Quadrant Pipelines Limited Scotland Gas Networks Plc Southern Gas Networks Plc SP Gas Limited SSE Pipelines Ltd The Gas Transportation Company Limited Energy House Wales and West Utilities Limited Utility Grid Installations Limited</p>
Electricity Distributors With CPO Powers	<p>ECG (Distribution) Limited EDF Energy (IDNO) Limited Energetics Electricity Limited ESP Electricity Limited Independent Power Networks Limited Northern Electric Distribution Limited The Electricity Network Company Limited</p>
Electricity Transmitters With CPO Powers	<p>National Grid (National Contact) National Grid (Land and Development Stakeholder and Policy Manager)</p>
LOCAL AUTHORITY (S.43)	

	Eden DC Newcastle City Council Carlisle DC North Tyneside Council Northumberland Council Scottish Borders County Durham Cumbria CC Gateshead Northumberland National Park Authority
Consultation With Applicant	RES Northern Europe

¹ The Infrastructure Planning (Applications: Prescribed Forms and Procedures) Regulations was amended by The Local Democracy, Economic Development and Construction Act 2009 (Consequential Amendments) (England) Order 2010. Regional planning bodies were replaced by responsible regional authorities as consultees in schedule 1. Responsible regional authorities are defined as follows:

(1) References in this Part to “responsible regional authorities”, in relation to a region, are to the following (acting jointly)—

- (a) the regional development agency for the region, and
- (b) the Leaders’ Board for the region.

(2) But if during any period after the coming into force of this section there is no Leaders’ Board for a region, the references in this Part to “responsible regional authorities” are in relation to that period and region to be read as references to the regional development agency for the region. (s.72 of The Local Democracy, Economic Development and Construction Act 2009).

Please see table for Regional Development Agencies consulted.

² The Marine and Coastal Access Act 2009 s.23(2) amends the Planning Act 2008 s.42.

APPENDIX 2

LIST OF BODIES WHO REPLIED BY 28 JULY 2010 AND COPIES OF REPLIES

APPENDIX 2

LIST OF BODIES WHO REPLIED BY 28 JULY 2010

Carlisle City Council
Health and Safety Executive
Civil Aviation Authority
Disabled Persons Transport Advisory Council
Cumbria County Council
ESP Pipelines Limited
Joint Nature Conservation Committee
North Tyneside Council
Scottish and Southern Energy
The Crown Estate
The Coal Authority
NHS North East
Fulcrum Pipelines Limited
Northumbria Police Authority
Highways Agency
Northumberland National Park
The Commission for Architecture and the Built Environment
The Health Protection Agency
Natural England
Northumberland Fire and Rescue Service
Homes and Communities Agency
Newbiggin Town Council
One North East
Office of Rail Regulation
Environment Agency

From: Pauline Goodridge [PaulineG@carlisle.gov.uk]

Sent: 01 July 2010 16:39

To: IPC Scoping Opinion

Subject: Letter Ref. 100630_EN010016_161333 - Scoping Opinion - Proposed Biomass Power Station, Blyth, Northumberland

Dear David Cliff,

Thank you for your letter of 30 June 2010. I have no comments.

Yours faithfully,

Pauline Goodridge

Principal Planning Policy Officer

(Wednesday – Friday)

Carlisle City Council

Planning Services

Civic Centre

Carlisle

Carlisle City Council's priorities are the local environment and the local economy

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From: Ian.Sharrock@hse.gsi.gov.uk on behalf of NSIP.Applications@hse.gsi.gov.uk
Sent: 01 July 2010 10:53
To: IPC Scoping Opinion
Subject: RE: EIA Scoping Request Proposed Biomass Power Station Blyth
[Good morning David](#)

[Received, I shall send the consultation request to the appropriate contributors in HSE for comments.](#)

[Regards](#)

[Ian](#)

Ian Sharrock
Risk Communications Policy Unit
Chief Scientific Advisor's Group
Health & Safety Executive, 4.3 Redgrave Court,
Merton Road, Bootle L20 7HS
ian.sharrock@hse.gsi.gov.uk

From: David Price [mailto:David.Price@infrastructure.gsi.gov.uk] **On Behalf Of** IPC Scoping Opinion
Sent: 30 June 2010 16:33
To: NSIP Applications
Subject: EIA Scoping Request Proposed Biomass Power Station Blyth

Dear Sir/Madam,

Please find attached the EIA scoping request for the proposed Biomass Power Station at Port of Blyth.

Regards
<<100630_EN010016_161333_Letter_to_stat_consultees[1].doc>>
Dave

David Price
EIA and Land Rights Advisor
Infrastructure Planning Commission (IPC)
Temple Quay House
Temple Quay
Bristol
BS1 6PN

Direct Line: 0303 444 5055
Helpline: 0303 444 5000

Email: David.Price@infrastructure.gsi.gov.uk

Website: www.independent.gov.uk/infrastructure

The IPC gives advice about applying for an order granting development consent or making representations about an application (or a proposed application). The IPC takes care to ensure that the advice we provide is accurate. This communication does not however constitute legal advice upon which you can rely and you should note that IPC lawyers are not covered by the compulsory professional indemnity insurance scheme. You should obtain your own legal advice and professional advice as required.

We are required by law to publish on our website a record of the advice we provide and to record on our website the name of the person or organisation who asked for the advice. We will however protect the privacy of any other personal information which you choose to share with us and we will not hold the information any longer than is necessary.

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www.hse.gov.uk

Or contact the HSE Infoline on 0845 345 0055 or email hse.infoline@natbrit.com

Correspondents should note that all communications to Department for Communities and Local Government may be automatically logged, monitored and/or recorded for lawful purposes.

Chief Scientific Adviser's Group
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Merseyside
L20 7HS

Your ref:
100630_EN10016_161333

HSE: email:
NSIP.applications@hse.gsi.gov.uk

Mr David Cliff
EIA & Land Rights Advisor
Infrastructure Planning Commission (IPC)
Temple Quay House
Temple Quay
Bristol
BS1 6PN

27th July 2010

Dear Mr Cliff

**PROPOSED BIOMASS POWER STATION AT PORT OF BLYTH,
NORTHUMBERLAND ('the project')
RES UK & IRELAND LTD ('the applicant')
INFRASTRUCTURE PLANNING (ENVIRONMENTAL IMPACT
ASSESSMENT)
REGULATIONS 2009 SI 2263 ('the EIA Regulations')**

Thank you for your letter of 30th June 2010 regarding the information to be provided in an environmental statement relating to the above project.

There is little for HSE to comment on at this stage however, there are some observations that it would seem sensible to pass on to RES UK & IRELAND LTD.

Major Hazards sites and explosives site within the vicinity of the proposed development

A check has been made on the locations of licensed explosives sites in relation to the proposed biomass power station at the port of Blyth. On the basis of the information provided, there are no HSE-licensed explosives sites that might impact on this development.

We have taken the opportunity to check our consultation distances for major hazard installations and pipelines. The proposed site does not appear to be within the Consultation Distance of a major hazard pipeline. However the

proposed site does appear to be within the HSE's Consultation Distance for a major hazard site; Blyth Harbour Commission, Battleship Wharf, North Blyth, Beddington.

HSE is a statutory consultee for certain developments within the vicinity of major hazard sites and pipelines and the promoter will need to consult HSE via an electronic standing advice tool called PADHI (Planning Advice for Developments near Hazardous Installations). PADHI is available via the Local Planning Authority and provides HSE's advice aimed at mitigating the effects of a major accident on the population around a major hazard site. Further information is available at: <http://www.hse.gov.uk/landuseplanning/padhi.htm>

There is insufficient information in the Environmental Scoping Report to determine HSE's land use planning advice (via PADHI) on the proposed biomass power station, so the applicant should consult the planning authority, Northumberland Council.

Hazardous Substance Consent

Any site needing to store or use hazardous substances at or above specific quantities must obtain consent from the Hazardous Substances Authority (HSA) in accordance with the Planning (Hazardous Substances) (Amendment) (England) Regulations 2009. In this case the Hazardous Substances Authority (HSA) is Northumberland Council. The list of named substances and the controlled quantities can be found in Schedule 1 of the Regulations.

Again there is insufficient detail in the Environmental Scoping Report for HSE to advise whether Hazardous Substances Consent (HSC) would be required for this site. Therefore the promoter should check if any of the named substances in Part A of the Schedule are present at or above the specified controlled quantities. If so the promoter will need to apply for a HSC. In many cases the substances present may not be included in Part A; but they may fall within one or more of the categories of substances & preparations specified in Part B of the Regulations. If that is the case and they are present at or above the controlled quantity, then again the promoter would need to obtain HSC.

HSC might also be required for the presence of hazardous substances even though the amount present is below their controlled quantity. This may happen because substances within the same generic category, which have similar hazard characteristics, would be added together to determine whether consent is required for some or all of them.

Electrical Safety

As well as satisfying general UK health and safety legislation (i.e. Health and Safety at Work etc Act 1974 and supporting regulations), the proposed design and future operation must comply with the Electrical Safety, Quality and Continuity Regulations 2002, as amended. Generators, distributors, their contractors and others have defined duties in order to protect members of the public from the dangers posed by the electrical equipment used. HSE enforces the safety aspects of these regulations. If you have any doubts about

the particular application of these regulations in terms of either the operation or construction of substations, overhead lines or underground cables, please contact Mr J C Steed, Principal Specialist Inspector (Electrical Networks), either at john.steed@hse.gsi.gov.uk or Rose Court GSW, 2 Southwark Bridge Road, London SE1 9HS.

Construction, transport and general health and safety information

The environmental statement should show how workplace transport accidents will be minimised as they are one of the most common causes of fatalities in industry. At the design stage of any new facility proper consideration should be given to designing out foreseeable risks, so far as is reasonably practicable (*Regulation 11, Construction (Design and Management) Regulations 2007*). Such risks will include those arising from the movement of vehicles and plant onto and around the site, inside buildings including materials reception (tipping) halls, sorting and storage areas.

It is vital that the design and layout of the proposed biomass power station (site and buildings) ensures so far as is reasonably practicable, safe pedestrian/traffic segregation and safe traffic movement of vehicles and plant. In particular, the design should be reviewed to ensure proper consideration has been given to:

- optimising use of one-way traffic systems across the site
- eliminating or, where this is not reasonably practicable, reducing reversing (i.e. the number of reversing manoeuvres required, the time spent reversing, the distance reversed) via layout of traffic routes and accompanying working systems across the facility, but especially in the materials reception (tipping) halls
- effectively excluding non-essential pedestrians from high risk areas (such as materials reception bays, loading areas and sorting/inspection operations) where vehicles operate, and provide safe, segregated protected zones/refuges for essential staff that can resist vehicle impact. In particular, consideration should be given to tipping of random loads that are to be inspected in a segregated area with features that allow for safe visual inspection
- providing suitably marked, dedicated pedestrian walkways and crossing points, both inside and outside buildings
- avoiding mixing different types of traffic e.g. delivery vehicles, shovel loaders, forklifts and private vehicles.

Further general guidance on reducing the risks associated with workplace transport can be found at www.hse.gov.uk/workplacetransport and in *Workplace transport safety: an employers' guide* and *Waste management: workplace transport site safety information sheet*.

Wood pellets can give rise to wood dust which is flammable and explosive so any enclosed conveyers should have suitable explosion relief incorporated at appropriate intervals. This would also apply to any enclosed storage. Any electrical equipment should be suitably protected (*Dangerous Substances and Explosive Atmospheres Regulations 2002*).

This development will attract the Construction (Design and Management) Regulations 2007. As the project will last more than 30 days notification on form F10 is required. This should be sent by the CDM coordinator as soon as practicable after they have been appointed by the client, to: F10 Scanning Centre, HSE c/o Central Dispatch, Redgrave Court, Merton Road, Bootle, Merseyside L20 7HS.

I hope this information is useful. HSE looks forward to receiving the formal s42 consultation from the promoter in due course when the plans are sufficiently developed.

Please note any further communication on this project can be sent direct to the HSE designated e-mail account for NSIP applications the details of which can be found at the top of this letter

Yours sincerely

Stephen Kinghorn-Perry
Head of Risk Communications Policy Unit

IPC

28 JUL 2010

REF: _____

Chief Scientific Adviser's Group
Building 3.3
Redgrave Court
Merton Road
Bootle
Merseyside
L20 7HS

Your ref:
100630_EN10016_161333

HSE: email:
NSIP_applications@hse.gsi.gov.uk

Mr David Cliff
EIA & Land Rights Advisor
Infrastructure Planning Commission (IPC)
Temple Quay House
Temple Quay
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BS1 6PN

27th July 2010

Dear Mr Cliff

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NORTHUMBERLAND ('the project')
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There is little for HSE to comment on at this stage however, there are some observations that it would seem sensible to pass on to RES UK & IRELAND LTD.

Major Hazards sites and explosives site within the vicinity of the proposed development

A check has been made on the locations of licensed explosives sites in relation to the proposed biomass power station at the port of Blyth. On the basis of the information provided, there are no HSE-licensed explosives sites that might impact on this development.

We have taken the opportunity to check our consultation distances for major hazard installations and pipelines. The proposed site does not appear to be within the Consultation Distance of a major hazard pipeline. However the

proposed site does appear to be within the HSE's Consultation Distance for a major hazard site; Blyth Harbour Commission, Battleship Wharf, North Blyth, Beddington.

HSE is a statutory consultee for certain developments within the vicinity of major hazard sites and pipelines and the promoter will need to consult HSE via an electronic standing advice tool called PADHI (Planning Advice for Developments near Hazardous Installations). PADHI is available via the Local Planning Authority and provides HSE's advice aimed at mitigating the effects of a major accident on the population around a major hazard site. Further information is available at: <http://www.hse.gov.uk/landuseplanning/padhi.htm>

There is insufficient information in the Environmental Scoping Report to determine HSE's land use planning advice (via PADHI) on the proposed biomass power station, so the applicant should consult the planning authority, Northumberland Council.

Hazardous Substance Consent

Any site needing to store or use hazardous substances at or above specific quantities must obtain consent from the Hazardous Substances Authority (HSA) in accordance with the Planning (Hazardous Substances) (Amendment) (England) Regulations 2009. In this case the Hazardous Substances Authority (HSA) is Northumberland Council. The list of named substances and the controlled quantities can be found in Schedule 1 of the Regulations.

Again there is insufficient detail in the Environmental Scoping Report for HSE to advise whether Hazardous Substances Consent (HSC) would be required for this site. Therefore the promoter should check if any of the named substances in Part A of the Schedule are present at or above the specified controlled quantities. If so the promoter will need to apply for a HSC. In many cases the substances present may not be included in Part A; but they may fall within one or more of the categories of substances & preparations specified in Part B of the Regulations. If that is the case and they are present at or above the controlled quantity, then again the promoter would need to obtain HSC.

HSC might also be required for the presence of hazardous substances even though the amount present is below their controlled quantity. This may happen because substances within the same generic category, which have similar hazard characteristics, would be added together to determine whether consent is required for some or all of them.

Electrical Safety

As well as satisfying general UK health and safety legislation (i.e. Health and Safety at Work etc Act 1974 and supporting regulations), the proposed design and future operation must comply with the Electrical Safety, Quality and Continuity Regulations 2002, as amended. Generators, distributors, their contractors and others have defined duties in order to protect members of the public from the dangers posed by the electrical equipment used. HSE enforces the safety aspects of these regulations. If you have any doubts about

the particular application of these regulations in terms of either the operation or construction of substations, overhead lines or underground cables, please contact Mr J C Steed, Principal Specialist Inspector (Electrical Networks), either at john.steed@hse.gsi.gov.uk or Rose Court GSW, 2 Southwark Bridge Road, London SE1 9HS.

Construction, transport and general health and safety information

The environmental statement should show how workplace transport accidents will be minimised as they are one of the most common causes of fatalities in industry. At the design stage of any new facility proper consideration should be given to designing out foreseeable risks, so far as is reasonably practicable (*Regulation 11, Construction (Design and Management) Regulations 2007*). Such risks will include those arising from the movement of vehicles and plant onto and around the site, inside buildings including materials reception (tipping) halls, sorting and storage areas.

It is vital that the design and layout of the proposed biomass power station (site and buildings) ensures so far as is reasonably practicable, safe pedestrian/traffic segregation and safe traffic movement of vehicles and plant. In particular, the design should be reviewed to ensure proper consideration has been given to:

- optimising use of one-way traffic systems across the site
- eliminating or, where this is not reasonably practicable, reducing reversing (i.e. the number of reversing manoeuvres required, the time spent reversing, the distance reversed) via layout of traffic routes and accompanying working systems across the facility, but especially in the materials reception (tipping) halls
- effectively excluding non-essential pedestrians from high risk areas (such as materials reception bays, loading areas and sorting/inspection operations) where vehicles operate, and provide safe, segregated protected zones/refuges for essential staff that can resist vehicle impact. In particular, consideration should be given to tipping of random loads that are to be inspected in a segregated area with features that allow for safe visual inspection
- providing suitably marked, dedicated pedestrian walkways and crossing points, both inside and outside buildings
- avoiding mixing different types of traffic e.g. delivery vehicles, shovel loaders, forklifts and private vehicles.

Further general guidance on reducing the risks associated with workplace transport can be found at www.hse.gov.uk/workplacetransport and in *Workplace transport safety: an employers' guide* and *Waste management: workplace transport site safety information sheet*.

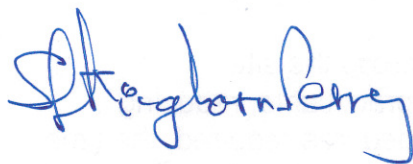
Wood pellets can give rise to wood dust which is flammable and explosive so any enclosed conveyers should have suitable explosion relief incorporated at appropriate intervals. This would also apply to any enclosed storage. Any electrical equipment should be suitably protected (*Dangerous Substances and Explosive Atmospheres Regulations 2002*).

This development will attract the Construction (Design and Management) Regulations 2007. As the project will last more than 30 days notification on form F10 is required. This should be sent by the CDM coordinator as soon as practicable after they have been appointed by the client, to: F10 Scanning Centre, HSE c/o Central Dispatch, Redgrave Court, Merton Road, Bootle, Merseyside L20 7HS.

I hope this information is useful. HSE looks forward to receiving the formal s42 consultation from the promoter in due course when the plans are sufficiently developed.

Please note any further communication on this project can be sent direct to the HSE designated e-mail account for NSIP applications the details of which can be found at the top of this letter

Yours sincerely

A handwritten signature in blue ink, appearing to read 'Stephen Kinghorn-Perry', written in a cursive style.

Stephen Kinghorn-Perry
Head of Risk Communications Policy Unit

Directorate of Airspace Policy

David Price (via e-mail)
EIA and Land Rights Advisor
Infrastructure Planning Commission (IPC)

2 July 2010

Ref ERM/DAP/Planning/BlythBiomassPowerStation

Dear Mr Price

Proposed Biomass Power Station at Port of Blyth, Northumberland – Scoping Comment

Thank you for your recent correspondence concerning the proposed Biomass Power Station at Port of Blyth, Northumberland. The IPC sought scoping comment aimed at assisting in the development of an Environmental Statement (ES) aimed at supporting a formal application. I hope the following is useful.

I gather that the maximum height of any development associated with the proposed development would be a single chimney-stack and that whilst the height of the chimney has yet to be determined it is anticipated that that it would be between 80 and 100m high. That being the case¹, I can advise that the various proposed structures would not formally constitute an aviation en-route obstruction. I have therefore few associated observations other than to highlight the eventual need for the relevant planning authorities to check any aerodrome safeguarding requirement to identify any aerodrome specific safeguarding issues. To that end, I note the relatively close proximity of Newcastle Airport and Blyth Heliport. Accordingly I believe that the ES will need to acknowledge and, where applicable, address the potential issues associated with local aerodrome / heliport operations.

Additionally:

- Lighting. Given that the chimney-stack will be one of the tallest structures in the immediate vicinity, I believe that it would be prudent to consider the need to equip the structure with aviation warning lighting. For background:
 - In the UK, the need for aviation obstruction lighting on 'tall' structures depends in the first instance upon any particular structure's location in relationship to an aerodrome. If the structure constitutes an 'aerodrome obstruction' it is the aerodrome operator that with review the lighting requirement. For civil aerodromes, they will, in general terms, follow the requirements of CAP 168 - Licensing of Aerodromes.
 - Away from aerodromes Article 219 of the UK Air Navigation Order applies. This Article requires that for en-route obstructions (ie away from

¹ It is also anticipated that, as appears typical of similar projects, any other associated new structure would not exceed a height of approximately 65m.

aerodromes) lighting only becomes legally mandated for structures of a height of 150m or more. However, structures of lesser high might need aviation obstruction lighting if, by virtue of their location and nature, they are considered a significant navigational hazard.

- In the case in question, even if there proves to be no aerodrome related lighting requirement, I believe the 'by virtue of their location and nature' argument could, dependant upon the input of local aviation stakeholders, hold true and therefore lighting may be required.
- Due to the unique nature of associated operations in respect of operating altitudes and potentially unusual landing sites, it is important to establish the viewpoint of local emergency services air support units in respect of the power station and associated new structures.
- It is anticipated that the facility would not involve the flaring and venting of gas, either routinely or as an emergency procedure such as to cause a danger to overlying aircraft. If that is not the case parties are invited to use myself as an appropriate point of contact for any further related discussion.

I believe the ES should acknowledge and, where applicable, address the issues highlighted above.

Whilst none of the above negates any aforementioned future need to consult in line with Government requirements associated with the safeguarding of aerodromes and other technical sites, I hope this information matches your requirements. Please do not hesitate to get in touch as and when you require any further comment or needs clarification of any point.

Yours sincerely

{original signed}

Mark Smailes
Off Route Airspace 5



David Cliff
ipcscopingopinion@infrastructure.gsi.gov.uk

Deborah Walker
Disabled Persons Transport Advisory
Committee Secretariat
2/23 Great Minster House
76 Marsham Street
London
SW1P 4DR
Telephone: 020 7944 8011
Fax: 020 7944 6998
E-mail: dptac@dft.gov.uk
Website: www.independent.gov.uk/dptac

Dear Mr Cliff

Proposed Biomass Power Station at Port of Bylth, Northumberland

In reference to your letter dated 30 June 2010 DPTAC would advise that you should consult with local disability groups or access groups in the area who are more likely to be affected by your proposals and who could offer more relevant comments on issues such as this.

DPTAC is a statutory advisory body to Ministers on transport matters as they relate to the interests of disabled people. It was established under the Transport Act 1985 to advise the Government on the transport needs of disabled people. DPTAC has identified four overarching principles on which to base its advice to Government, other organisations and disabled people, which are that:

- accessibility for disabled people is a condition of any investment;
- accessibility for disabled people must be a mainstream activity;
- users should be involved in determining accessibility;
- achieving accessibility for disabled people is the responsibility of the provider.

These principles are the basis of DPTAC's response to most consultations. For further information please visit our website and www.dptac.gov.uk/door-to-door/index.htm

Yours faithfully

Deborah Walker
Secretariat

5 July 2010
Our reference: gi/P0306

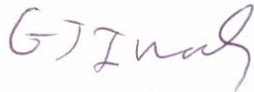
David Cliff
Case Leader
Infrastructure Planning Commission
Temple Quay House
Temple Quay
Bristol
BS1 6PN

Dear Mr Cliff

PROPOSED BIOMASS POWER STATION AT PORT OF BLYTH, NORTHUMBERLAND

Thank you for your letter dated 30 June 2010, it is acknowledged that Cumbria County Council has been consulted appropriately as an adjoining county authority. However, due to the location of the proposed development Cumbria County Council does not wish to comment in this instance on the scope of the EIA.

Yours sincerely



Graeme Innes
Planning Officer

Subject: FW: Proposed Biomass Power Station 100630_EN060016_161333

From: Alan Slee [mailto:alans@espipelines.com]

Sent: Monday, July 05, 2010 12:48 PM

To: IPC Enquiries

Subject: Proposed Biomass Power Station 100630_EN060016_161333

Dear David,

Environmental Impact Assessment

**Proposed Biomass Power Station at Port of Blyth, Northumberland (NE24 3PB)
100630_EN060016_161333**

Further to your communication to E S Pipelines Ltd, ESP Networks Ltd, ESP Electricity Ltd and ESP Connections Ltd dated 04 June 2010 I can confirm that our businesses have no comments to make at this stage.

Regards,

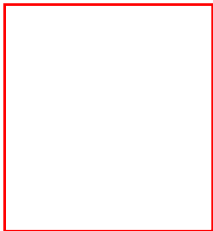
Alan Slee

Operations Manager

DD 01372 227567

Mobile 07766 802070

Fax 01372 386203



Hazeldean,
Station Road,
Leatherhead
KT22 7AA

(01372 227560 2 01372 377996

[MAP](#)

<http://www.espipelines.com>

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Correspondents should note that all communications to Department for Communities and Local Government may be automatically logged, monitored and/or recorded for lawful purposes.

Subject: FW: Proposed Biomass Power Station 100630_EN060016_161333

From: Alan Slee [mailto:alans@espipelines.com]

Sent: Monday, July 05, 2010 2:03 PM

To: IPC Enquiries

Subject: FW: Proposed Biomass Power Station 100630_EN060016_161333

Please ignore previous email – date amended in text.

Regards,

Alan Slee
Operations Manager

DD 01372 227567
Mobile 07766 802070
Fax 01372 386203

From: Alan Slee

Sent: 05 July 2010 12:48

To: 'ipcenquiries@infrastructure.gsi.gov.uk'

Subject: Proposed Biomass Power Station 100630_EN060016_161333

Dear David,

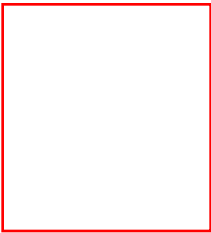
Environmental Impact Assessment
Proposed Biomass Power Station at Port of Blyth, Northumberland (NE24 3PB)
100630_EN060016_161333

Further to your communication to E S Pipelines Ltd, ESP Networks Ltd, ESP Electricity Ltd and ESP Connections Ltd dated **30 June 2010** I can confirm that our businesses have no comments to make at this stage.

Regards,

Alan Slee
Operations Manager

DD 01372 227567
Mobile 07766 802070
Fax 01372 386203



Hazeldean,
Station Road,
Leatherhead
KT22 7AA

(01372 227560 2 01372 377996

[MAP](#)

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Correspondents should note that all communications to Department for Communities and Local Government may be automatically logged, monitored and/or recorded for lawful purposes.

From: Wendy Dalton [Wendy.Dalton@jncc.gov.uk]
Sent: 05 July 2010 12:31
To: IPC Scoping Opinion
Subject: Port of Blyth Biomass Power Station Consultation
Dear Mr Cliff

Your reference: 100630_EN010016_161333

Thank you for your letter dated 30th June 2010.

JNCC co-ordinates nature conservation advice at a UK level and advises UK Government on scientific and policy matters relating to nature conservation internationally. Within each UK country the separate statutory bodies are responsible for nature and landscape conservation these being: Natural England (NE), Countryside Council for Wales (CCW), Scottish Natural Heritage (SNH) and the Council for Nature Conservation and the Countryside Northern Ireland (CNCCNI).

JNCC has responsibility for the provision of nature conservation advice in the offshore area. 'Offshore' is defined as beyond 12 nautical miles (nm) from the coastline to the extent of the United Kingdom Continental Shelf (UKCS). Within territorial limits (<12 nm) nature conservation advice is the responsibility of the relevant country agencies.

This development proposal is not located within the offshore area, does not have any potential offshore nature conservation issues and is not concerned with nature conservation at a UK level, therefore JNCC does not have any comments to make on the consultation.

With kind regards

Yours sincerely

Mrs Wendy Dalton
Business Support Officer
JNCC
Monkstone House
City Road
Peterborough
PE1 1JY

Tel: 01733 866884

E-mail: wendy.dalton@jncc.gov.uk

The Joint Nature Conservation Committee (JNCC) is the statutory adviser to Government on UK and international nature conservation. Its work contributes to maintaining and enriching biological diversity, conserving geological features and sustaining natural systems.

JNCC delivers the UK and international responsibilities of the Council for Nature Conservation and the Countryside, the Countryside Council for Wales, Natural England and Scottish Natural Heritage.

- please consider the environment - do you really need to print this email?

The Joint Nature Conservation Committee (JNCC) is the statutory adviser to Government on UK and international nature conservation, on behalf of the Council for Nature Conservation and the Countryside, the Countryside Council for Wales, Natural England and Scottish Natural Heritage. Its work contributes to maintaining and enriching biological diversity, conserving geological features and sustaining natural systems.

JNCC SUPPORT CO. Registered in England and Wales, company no. 05380206. Registered office: Monkstone House, City Road, Peterborough, Cambridgeshire PE1 1JY

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Correspondents should note that all communications to Department for Communities and Local Government may be automatically logged, monitored and/or recorded for lawful purposes.

Application No: 10/01688/EIASCO

Infrastructure Planning Commission
FAO David Cliff
Temple Quay House
Temple Quay
Bristol
BS1 6PN

Your Ref:

Date: 5 July 2010

This matter is being dealt with by:
Aidan Booth
Direct Line: 0191 643 6333

Dear Sir/Madam

Notification of receipt of request for scoping opinion

Location: Biomass Power Station Port Of Blyth Blyth Northumberland

Proposal: Environmental impact assessment scoping opinion

Under the provisions of the Town and Country Planning (Environmental Impact Assessment) Regulations 1999 (as amended):-

- 1) Your submission requesting a scoping opinion for information to be included within an environmental statement was received on the 1 July 2010 by North Tyneside Council.
- 2) If by 5 August 2010
 - a) You have not been given the scoping opinion; or
 - b) You have not agreed in writing to extend the period in which the decision may be given

then you can request the Secretary of State under Regulations 10 & 11 of the Town and Country Planning (Environmental Impact Assessment) Regulations 1999 (as amended) to make a scoping direction as to the information to be provided in the environmental statement. Any such request shall be copied, by you, to North Tyneside Council, as the relevant planning authority.

Yours faithfully



Planning Manager

Note: Building Regulations consent may be required for development involving the extension or construction of a building for which an application may be required. For further information telephone Building Control on 0191 219 2194.

David Cliff
Infrastructure Planning Commission
Temple Quay House
Temple Quay
Bristol
BS1 6PN

6th July 2010

— I P C

- 8 JUL 2010

REF: —


Dear David,

Ref; 100630_EN010016_161333

Blythe

I am writing to confirm that SSE Pipelines Ltd do not have any comments to make on the information to be provided in the environmental statement (Regulation 8 (11)).

Yours faithfully,



Kevin Bennett
SSE Pipelines General Manager

Robert Brown House
5 Pipers Way
Thatcham
Berkshire
RG19 4AZ

Infrastructure Planning Commission
Attention: David Price
Temple Quay House
Temple Quay
Bristol
BS1 6PN

Dr Tim Norman
Senior Planning Manager
Tel: 020 7851 5045
Fax: 020 7851 5125
E-mail: tim.norman@thecrownestate.co.uk

07 July 2010

Dear Mr Price

**PROPOSED BIOMASS POWER STATION AT PORT OF BLYTHE, NORTHUMBERLAND
RES UK & IRELAND LTD**

Reference is made to your letter dated 30 June 2010 inviting The Crown Estate to comment on the scoping report for the above mentioned proposal.

I can advise that at this stage, The Crown Estate has no comments on the scoping report submitted for this proposal.

Should you have any queries or require any additional information with regard to this matter, please do not hesitate to contact me on 0207 851 5045.

Yours sincerely,



Dr Tim Norman
Senior Planning Manager

Tel: 01623 637 119 (Planning Enquiries)

Email: planningconsultation@coal.gov.uk

Web: www.coal.gov.uk/services/planning

Mr David Cliff – Case Leader on behalf of the IPC
Infrastructure Planning Commission

[By Email: ipcscopingopinion@infrastructure.gsi.gov.uk]

08 July 2010

Your Ref: 100630_EN010016_161333

Dear Mr Cliff

**Infrastructure Planning (Environmental Impact Assessment) Regulations 2009
SI 2263**

Proposed Biomass Power Station at Port of Blyth, Northumberland

Thank you for your letter dated 30 June 2010 consulting The Coal Authority on the scoping opinion for the above proposal.

Coal Authority Response

The proposed EIA development is located within the defined coalfield area, and has been subject to past coal mining activity and is located within an area of surface coal resource.

The Coal Authority is therefore of the opinion that the past coal mining activities and the presence of coal within the site should be fully considered as part of the Environmental Statement (ES), together with any necessary mitigation measures.

Consideration of Coal Mining Issues in the ES

There are a number of potential issues that should be considered as part of an Environmental Statement for development proposals within coalfield areas:

- The location and stability of abandoned mine entries
- The extent and stability of shallow mine workings
- Outcropping coal seams and unrecorded mine workings
- Hydrogeology, minewater and minegas

In addition, development proposals should consider:

- If surface coal resources are present, whether prior extraction of the mineral resource is practicable and viable

- Whether Coal Authority permission is required to intersect, enter, or disturb any coal or coal workings during site investigation or development work

The Coal Authority is therefore pleased to note that the Scoping Report submitted by RES to the IPC identifies in section 6.8 that an assessment is required of geological conditions in and around the application site as part of the ES. Paragraph 6.8.16 appropriately identifies The Coal Authority and British Geological Survey as key sources of geological and coal mining information.

Coal Mining Information

Information on these issues can be obtained from The Coal Authority's Property Search Services Team (Tel: 0845 762 6848 or via The Coal Authority's website: www.coal.gov.uk/services/propertysearch/index.cfm) or book an appointment to visit The Coal Authority's Mining Records Centre in Mansfield to view our mining information (Tel: 01623 637 233).

We look forward to receiving the planning application and Environmental Statement for comment in due course.

I trust this is acceptable, please do not hesitate to contact me if you require any additional information or would like to discuss this matter further.

Yours sincerely

A handwritten signature in black ink, appearing to read 'M. Harrison', with a large circular flourish on the left and a horizontal line at the end.

Mark E. N. Harrison *B.A.(Hons), DipTP, MRTPI*
Planning Liaison Officer



North East

North East Strategic Health Authority
Waterfront 4
Goldcrest Way
Newcastle upon Tyne
NE15 8NY

Reception: 0191 210 6400
Fax: 0191 210 6401
www.northeast.nhs.uk

Direct dial: 0191 210 6459
Stephen.singleton@northeast.nhs.uk

Your ref: 100630_EN010016_161333

Reply by email to ipcscopingopinion@infrastructure.gsi.gov.uk

8 July 2010

Mr D Cliff
Case Leader on behalf of the IPC
Infrastructure Planning Commission
Temple Quay House
Temple Quay
Bristol, BS1 6PN

Dear Mr Cliff

Proposed Biomass Power Station at Port of Blyth

Thank you for your letter of 30 June. I can confirm that NHS North East (the Strategic Health Authority) is a statutory consultee for this development. We have reviewed the North Blyth Biomass Project Environmental Scoping Report and would like to make the following comments.

We consider that the impact on human health and health inequalities is not adequately covered and this should be fully addressed in any subsequent EIA and Environmental Statement. This should include not only effects via air, water, traffic, noise and vibration but also socioeconomic and community issues.

We would expect this work to be done by a group with expertise in Health Impact Assessment.



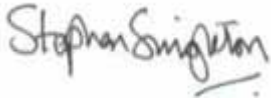
Sir Peter Carr
Chairman

Ian Dalton
Chief Executive

We also think that it would be useful for the developer to consult with the local health organisations: in particular the Director of Public Health, Professor Sue Milner.

We would be very happy to discuss further.

Yours sincerely

A handwritten signature in black ink that reads "Stephen Singleton". The signature is written in a cursive style with a horizontal line underneath the name.

Professor Stephen Singleton
Medical Director
GMC 2502535

Copy Dr David Chappel, NEPHO
Professor Sue Milner, Northumberland Care Trust

Carr House
Greasbrough Road
Rotherham
South Yorkshire S61 4QQ

T 0845 641 3010
F 0845 641 1808
E enquiries@fulcrum.co.uk
I www.fulcrum.co.uk



Your Reference: 100630_EN010016_161333
Date: 13/07/2010

Mr David Cliff
Infrastructure Planning Commission
Temple Quay House
Temple Quay
Bristol
BS1 6PN

Dear Mr Cliff,

REF 100630_EN010016_161333

RE: Proposed Biomass Power Station at Port of Blyth, Northumberland.

Thank you for your request for information about Fulcrum Pipelines Limited's pipes and equipment.

We can confirm that Fulcrum Pipelines Limited do not currently have any existing pipes or equipment on or around the above site address.

Please note that other Gas Transporters may have plant in this locality which could be affected by your proposed works.

If you have any future requests for information about our plant, please email these to us at FPLplantprotection@fulcrum.co.uk.

If you have any queries regarding this letter, please contact your Fulcrum Advisor, Deborah Turner on 01709 844407, who will be happy to help.

Yours sincerely,

A handwritten signature in black ink, appearing to read "Ian Foster".

Ian Foster
Head of Asset



IPC

13 JUL 2010

REF: _____

Chief Constable's Office

Headquarters

Ponteland

Newcastle upon Tyne

NE20 0BL

Tel: 08456 043 043

Fax: 01661 868 024

Email: command.mailbox@northumbria.pnn.police.uk

Ref: RF/LB P6

2nd July 2010

Mr David Cliff
Case Leader
Infrastructure Planning Commission
Temple Quay House
Temple Quay
Bristol
BS1 6PN

Dear Mr Cliff

On behalf of the Chief Constable I acknowledge receipt of your letter dated 30th June 2010.

In order to be of assistance, a copy of your correspondence has been forwarded for the attention of Chief Superintendent Dennett, Area Commander for Northumberland.

He will arrange for the issues raised to receive attention and ensure you are provided with a direct response.

Yours sincerely

Rf **Chief Inspector R Ford**
Staff Officer to Chief Constable



IPC

28 JUL 2010

Our Ref: TH/MC

REF: _____

Date: 27th July 2010

Tel: 03456 043 043
Fax: 01661 863518

Mr David Cliff
Infrastructure Planning Commission
Temple Quay House
Bristol
BS1 6PN

Dear Mr Cliff

Re: Proposed Biomass Power Station at Port of Blyth

Thank you for your letter of 30th June 2010.

The information provided by RES UK and Ireland appears to cover the issues of most relevance to the Police Authority. The only aspects which I feel should be worthy of inclusion are the security arrangements for the site both during construction and once in operation. Whilst I appreciate this may not appear significant within an environmental report, breaches of security can compromise the safety of residents and on-site personnel as well as increasing the likelihood of system failures leading to critical incidents.

Yours sincerely

pp Tom Hearne
Business Manager
Northumberland Area Command

cc. Mr James Scott
RES UK & Ireland Limited
Beaufort Court
Egg Farm Lane
Kings Langley
Hertfordshire
WD4 8LR

Our ref: [REDACTED]
Your ref: 106630-EN010016-161333

James Finch
3 South
Lateral
8 City Walk
Leeds LS11 9AT

David Cliff
Infrastructure Planning Commission
Temple Quay House
Temple Quay
Bristol
BS1 6PN

Direct Line: 0113 283 5817
Fax: 0113 283 4799

IPC

14 JUL 2010

REF: _____

For the attention of David Cliff

12th July 2010

Dear Sir,

North Blyth Renewable Energy Project

Thank you for consultation on the Environmental Scoping Report (ESR) for the above site. The Highways Agency has reviewed the 'Transport, Traffic and Access' section of the ESR, and would like to offer the following comments.

General

It is understood that a Transport Assessment (TA) would be produced for both the construction and operation proposals, and a Travel Plan (TP) would also be produced to encourage employees to travel by sustainable transport.

The ESR states that 'the highest daily vehicle movements associated with the Project could occur during the construction period, and that it is likely that occasional 'abnormal loads' would require access to the site during construction of the Project. Therefore, the Agency would also require that a Construction Traffic Management Plan (CTMP) be produced and submitted to the Agency for comments.

The Highways Agency has provided its requirements in terms of the TA, TP and CTMP, to assist the applicant in collating the necessary evidence to support a planning application for the development. Please see below.

Transport Assessment

The ESR provides some information on likely transport impact of the Project. In general, the Highways Agency supports the proposed assessment methodology outlined in the ESR. However, the Highways Agency would require further detail or clarification on some items (specified below).

Trip generation

The Environmental Scoping Report (ESR) has provided daily vehicle moments for the operation of the Project. The Highways Agency supports the sensitivity analysis to consider the impact of the relatively unlikely event of 100% road transportation for biomass to the site.

The ESR states that 'even the worst case scenarios of 264 heavy vehicles trips per day would not be significant on the strategic highway network beyond the proposed study area, though this would be confirmed with the Highways Agency'. In order to confirm this, the provision of hourly 2-way vehicle movements to / from the site during both construction and operation needs to be provided.

In terms of construction traffic, the Department for Transport's Guidance on Transport Assessment states that the assessment of construction traffic should identify the time period(s) during which construction activities will take place, the numbers of trips likely to be generated, the vehicle type and, for heavy construction traffic, an appropriate diversion route or a traffic management plan to minimise impacts.

If applicable, the TA should also consider the number of HGV trips required for non-biofuels delivery (e.g. equipment and supplies).

Trip distribution

It is understood that the Project would take delivery of approximately 20% of biomass fuel by road or rail from sources in the north of England and Scotland (with 80% by sea transportation).

However, the ESR states that the likely EIA 'study area' in terms of transport would be between the site and the A189, via the C403 North Blyth Road and the C415 West Sleekburn Road, and that there would be no significant impact on the strategic highway network. The Highways Agency would require confirmation of haulage routes for HGVs delivering biomass from the North of England and Scotland (including proportion of total HGV trips on each route) so that the impact on the strategic road network can be properly assessed.

Assessments

The TA is required to include junction capacity assessments and merge / diverge assessments for junctions and links where traffic is predicted to increase by 30 or more two-way trips (or 30 one-way trips on slip roads) in any peak hour as a result of the development. Similarly, the TA is required to include appropriate mitigation measures to address any capacity issues that are identified through the assessments. Analysis periods should include weekday morning and evening peak period trips for the adjacent transport system.

Assessment years should include the year of opening and ten years after the date of registration of a planning application for the development. The assessment years should consider vehicle trips from all committed developments that would impact significantly on the transport network, particularly where they substantially overlap, such as at the same junctions and/or on roads as the proposed development.

Travel plan

The Highways Agency would require that the TP include the following information / elements:

- Number of staff, working hours and mode split;
- Work start and finish times for both construction and operational staff;
- Details of the number of parking spaces to be provided on site and, if appropriate, provision of a Car Park Management Plan;

- Firm commitment to measures that would encourage sustainable travel to the site for construction and operational staff, including provision for the use of buses and/or minibuses to carry workers to and from the site;
- Responsibility and timescales for implementing measures;
- Targets for vehicle trips and mode splits; and
- Formal monitoring regime to ensure that the targets are being met.

Construction Traffic Management Plan

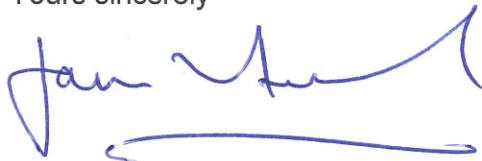
Prior to commencement of construction on site, a Traffic Management Plan shall be submitted to and agreed in writing the Local Planning Authority, the Highways Agency and Northumbria Police.

As a minimum, the Plan should include the following:

- Identification of the construction programme and start and finish times of all personnel working on the construction site;
- Specification of the haul route(s) and of any temporary signing to be provided to identify the route and promote its safe use;
- Identification of the times when major items of plant and equipment are to be transported to and from the site;
- Number of abnormal loads and identification of the routing strategy and procedures for the notification and conveyance of indivisible 'out of gauge' loads. This includes any necessary measures for the temporary protection of carriageway surfaces; for the protection of statutory undertakers' plant and equipment; and for the temporary removal of street furniture;
- Measures to mitigate traffic impact (e.g. restrictions on delivery times);
- Description of the methods of transport to be used by personnel to minimise overall traffic impact;
- Description of the arrangements to be made for on-site parking for both staff and visitors;
- Monitoring procedure; and
- Proposals for communicating information to the planning and highway authorities.

I trust the above comments are helpful. However, if you would like to discuss any of the above, please do not hesitate to contact me.

Yours sincerely



James Finch
 Yorkshire & North East
 Email: james.finch@highways.gsi.gov.uk



Ref: EIA scoping/Blyth biomass
Contact: Lucy Butler
Direct Line: 01434 611508
Date: 12th July 2010

Northumberland National Park Authority,
Eastburn, South Park, Hexham,
Northumberland NE46 1BS
T: 01434 605555 F: 01434 611675

Chief Executive (National Park Officer): Tony Gates

D Cliff
Infrastructure Planning Commission
Temple Quay House
Temple Quay
Bristol
BS1 6PN

IPC

14 JUL 2010

REF: _____

Dear Mr Cliff,

Town and Country Planning Act (Environmental Impact Assessment) England and Wales regulations 1999

Scoping request for a proposed biomass power station at Port of Blyth, Northumberland

Thank you for your letter dated 30th June 2010 regarding the above. Northumberland National Park Authority would request that if any fuel materials are to be sourced from within Northumberland National Park for the power station, that the traffic generation and routes through the National Park are given consideration as part of the EIA.

The National Park Authority has no other interest in the proposal.

Yours faithfully

L Butler
Development Control Manager



IPC

16 JUL 2010

REF:

14 July 2010

David Cliff
Infrastructure Planning Commission
Temple Quay House
Temple Quay
Bristol
BS1 6PN



Our ref: CSE-20638

Dear David Cliff

**NORTHUMBERLAND COUNTY COUNCIL: NORTH BLYTH BIOMASS PROJECT
(RES NEW VENTURES)
PLANNING APPLICATION REFERENCE: 100630_EN01006_161333**

Thank you for consulting the Commission for Architecture and the Built Environment (CABE) about this proposal.

We do not review Environmental Impact Assessments. However, we would like to be consulted in due course on any significant designs that come forward for the North Blyth Biomass Project and any public space works that might be proposed as part of this scheme.

Yours sincerely

A handwritten signature in black ink, appearing to read 'Clare Rutherwood'.

Clare Rutherwood
Design Review assistant
DRsubmissions@cabe.org.uk



David Cliff
The Infrastructure Planning Commission
Temple Quay House
Temple Quay
Bristol
BS1 6PN

20th July 2010

Your Ref: 100630_EN010016_161333
Our Ref: EN_NSIP_RE_BI_100630_0044

Health Protection Agency

**Centre for Radiation,
Chemical and
Environmental Hazards**

Chilton, Didcot
Oxfordshire OX11 0RQ

Tel +44 (0) 1235 822849
Fax: +44 (0) 1235 833891
www.hpa.org.uk/IPC

Dear David Cliff

North Blyth Biomass Project Environmental Scoping Report

Background

RES UK & IRELAND LTD has asked the Infrastructure Planning Commission (IPC) for its opinion ("scoping opinion") on the information to be provided in an environmental statement relating to a proposal for a Energy from Biomass Incinerator at Battleship Wharf, at the Port of Blyth in North Blyth. The request for a scoping opinion is a precursor to an intensive and detailed independent assessment of the environmental impact of the proposed development.

The HPA is a statutory consultee at the pre-application and application stages for nationally significant infrastructure projects (NSIP) "which are likely to involve chemicals, poisons or radiation which could potentially cause harm to people."¹ For those NSIP applications subject to Environmental Impact Assessment (EIA) the HPA is a consultation body under the Infrastructure Planning (Environmental Impact Assessment) Regulations 2009.

The IPC must therefore consult the HPA on the information that the HPA considers should be provided in the environmental statement (or confirm that the HPA has no comments) before the IPC adopts its scoping opinion.

The HPA's enclosed response focuses on health protection issues relating to chemicals and radiation. The scope of the HPA's response does not extend to wider health; these fall under the remit of other stakeholders. The following document outlines the information that the HPA considers should be provided in the environmental statement. The advice offered by the HPA is impartial and independent.

¹ Cited in the Infrastructure Planning (Applications: Prescribed Forms and Procedure) Regulations 2009

HPA recommendations regarding the scoping document

General approach

The EIA should give consideration to best practice guidance such as the Government's Good Practice Guide for EIA². It is important that the EIA identifies and assesses the potential public health impacts of the activities at, and emissions from, the installation. Assessment should consider the development, operational, and decommissioning phases.

The applicant should ensure that the EIA contains sufficient information for relevant authorities to be able to fully assess the potential impact of the development on public health. The HPA strongly recommends that a separate section be included in the environmental statement summarising the impact of the proposed development on public health: summarising risk assessments, proposed mitigation measures, and residual impacts. This section should include any information relating to health contained in other sections of the application (e.g. air quality, emissions to water, etc). Compliance with National Policy Statements' requirements and with relevant guidance and standards should be highlighted. The document should be reviewed by the IPC to ensure that the application is of sufficient quality to be submitted for consultation. The HPA considers that the onus should be on the applicant to gather and clearly present the information required and requested by statutory consultees and that it should not be the role of statutory consultees to undertake these assessments on the applicant's behalf. An expectation that statutory consultees will undertake these assessments is unrealistic; this would pose significant resource implications and would conflict with the consultee's position as an impartial and independent body.

Within the EIA the HPA would expect to see information about how the applicant would respond to accidents with potential off-site emissions e.g. flooding or fires, spills, leaks or releases off-site. Assessment of accidents should; identify all potential hazards in relation to construction, operation and decommissioning; include an assessment of the risks posed; identify risk management measures and contingency actions that will be employed in the event of an accident in order to mitigate off-site effects.

The following comments cover a range of issues that the HPA would expect to be addressed by the applicant. However this list is not exhaustive and the onus is on the applicant to ensure that the relevant public health issues have been identified and addressed.

Impacts arising from construction

It is recommended that any assessment of impacts arising from emissions due to construction considers potential impacts on all receptors and describes monitoring and mitigation during the construction phase. Construction will be associated with vehicle movements and cumulative impacts should be accounted for.

We would expect the applicant to follow best practice guidance during all phases from construction to decommissioning to ensure appropriate measures are in place to mitigate any potential impact on health from emissions (point source, fugitive and traffic-related). An effective Construction Environmental Management Plan (CEMP) (and Decommissioning Environmental Management Plan (DEMP)) will help provide reassurance that activities are well managed. The applicant should ensure that there are robust mechanisms in place to respond to any complaints of traffic related pollution, during both construction and operation of the facility.

² Environmental Impact Assessment: A guide to good practice and procedures - A consultation paper; 2006; Department for Communities and Local Government. Available from:

<http://www.communities.gov.uk/archived/publications/planningandbuilding/environmentalimpactassessment>

Emissions to air

There are unlikely to be significant air quality impacts arising from installations which employ BAT and which meet regulatory requirements concerning emission limits and design parameters. However, the HPA has a number of comments regarding emissions to air in order that the EIA provides a comprehensive assessment of potential impacts.

The EIA should appraise and describe the measures that will be used to control both point source and fugitive emissions and demonstrate that health-based air quality standards will not be exceeded due to emissions from the installation. This should include consideration of any emitted pollutants for which there are no set emission limits.

When considering a baseline (of existing air quality) and in the assessment and future monitoring of impacts these:

- should include appropriate screening assessments and detailed dispersion modelling where this is screened as necessary
- should encompass all pollutants which may be emitted by the installation in combination with all pollutants arising from associated development and transport, ideally these should be considered in a single holistic assessment
- should consider the construction, operational, and decommissioning phases
- should consider the typical operational emissions and emissions from start-up, shut-down, abnormal operation and accidents when assessing potential impacts and include an assessment of worst-case impacts
- should fully account for fugitive emissions
- should include appropriate estimates of background levels
- should identify cumulative and incremental impacts (i.e. assess cumulative impacts from multiple sources), including those arising from associated development, other existing and proposed development in the local area, and new vehicle movements associated with the proposed development; associated transport emissions should include consideration of non-road impacts (i.e. rail, sea, and air)
- should include consideration of local authority, national network, and any local site-specific sources of monitoring data
- should compare predicted environmental concentrations to health based standards (such as UK Air Quality Standards and Objectives; Environmental Assessment Levels; and WHO Standards), this should include both short-term and long-term standards
- should identify and consider impacts on residential areas and sensitive receptors (such as schools, nursing homes and healthcare facilities) in the area(s) which may be affected by emissions, this should include consideration of any new receptors arising from future development
- should include consideration of impacts on existing areas of poor air quality e.g. existing or proposed local authority Air Quality Management Areas (AQMAs)
- should include modelling of appropriate meteorological data (i.e. come from the nearest suitable meteorological station and include a range of years and worst case conditions)
- should include modelling of local topography.

Whilst screening of impacts using qualitative methodologies is common practice (e.g. for impacts arising from fugitive emissions such as dust), where it is possible to undertake a quantitative assessment of impacts then this should be undertaken.

Emissions to water

When considering a baseline (of existing water quality) and in the assessment and future monitoring of impacts the points raised above regarding emissions to air should be considered. Furthermore, the EIA should:

- include assessment of potential impacts on human health and not focus solely on ecological impacts
- identify and consider all routes by which emissions may lead to population exposure (e.g. surface watercourses; sewers; geological routes etc.)
- assess the potential off-site effects of emissions to groundwater (e.g. on aquifers used for drinking water) and surface water (used for drinking water abstraction) in terms of the potential for population exposure
- include consideration of potential impacts on recreational users (e.g. from fishing, canoeing etc) alongside assessment of potential exposure via drinking water.

Emissions to ground

Existing and future contaminated land issues

We would expect the applicant to provide details of any hazardous contamination present on site (including ground gas) as part of the site condition report.

Emissions to and from ground should be considered in terms of the previous history of the site and the potential of the site, once operational, to give rise to issues. Public health impacts associated with contaminated land and/or the migration of material off-site should be assessed and the potential impact on nearby receptors and control and mitigation measures should be outlined.

Relevant areas outlined in the Government's Good Practice Guide for EIA include:

- effects associated with land contamination that may already exist
- effects associated with the potential for polluting substances that are used (during construction / operation) to cause new ground contamination issues on a site, for example introducing / changing the source of contamination
- impacts associated with re-use of soils and waste soils, for example, re-use of site-sourced materials on-site or offsite, disposal of site-sourced materials offsite, importation of materials to the site, etc.

Waste

The EIA should demonstrate compliance with the waste hierarchy (e.g. with respect to re-use, recycling or recovery and disposal).

For wastes arising from the installations the EIA should consider:

- the implications and wider environmental and public health impacts of different waste disposal options
- disposal route(s) and transport method(s) and how potential impacts on public health will be mitigated.

Liaison with other stakeholders, comments should be sought from

- the local authority for matters relating to noise, odour, vermin and dust nuisance.
- the local authority regarding any site investigation and subsequent construction (and remediation) proposals to ensure that the site could not be determined as 'contaminated land' under Part 2A of the Environmental Protection Act.
- the Food Standards Agency for matters relating to the impact on human health of pollutants deposited on land used for growing food/ crops.
- the Environment Agency for matters relating to flood risk and releases with the potential to impact on controlled waters.

Environmental Permitting

Amongst other permits and consents, the development will require an environmental permit from the Environment Agency to operate (under the Environmental Permitting (England and Wales) Regulations 2007). Therefore the installation will need to comply with the requirements of best available techniques (BAT). The HPA is a consultee to bespoke environmental permit applications and will respond separately to any such consultation.

Yours sincerely

A handwritten signature in black ink, appearing to be 'M Morrey', written in a cursive style.

Mrs Mary Morrey

Deputy Director, Centre for Radiation, Chemicals and Environmental Hazards

CRCE.IPCConsultations@HPA.org.uk

From: [Rose, Kelly \(NE\)](#)
To: [IPC Scoping Opinion;](#)
cc: [Godfrey, Colin \(NE\); Hall, Richard \(NE\); Alcock, Giles \(NE\);](#)
Subject: Natural England Response: Blyth Biomass (Your Ref: 100630_EN10016_161333)
Date: 23 July 2010 13:09:48
Attachments: [Blyth Biomass_NtEng_EIA scoping_TC and Marine combined_kr_July 2010.pdf](#)

Dear David,

Thank you for consulting Natural England on the Environmental Impact Assessment Scope for the Proposed Biomass Power Station at the Port of Blyth (Your ref: 100630_EN010016_161333). Please find attached our response.

Please note that Natural England was also consulted on this proposal by the North Tyneside Council (NTC). We have responded to the council with the same letter as attached here, and you will see the NTC address and contact on the letter.

Should you have any queries regarding the response please do not hesitate to contact myself, or my colleagues copied into this e-mail,

Kind Regards

<<Blyth Biomass_NtEng_EIA scoping_TC and Marine combined_kr_July 2010.pdf>>

Kelly Rose

[Coastal and River Catchment Advisor](#)
[Natural England](#)

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Date: 23/07/2010
Our ref: Case: 132
Infrastructure Planning Commission Ref:
100630_EN010016_161333
North Tyneside Council Ref:
10/01688/EIASCO



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David Cliff
Infrastructure Planning Commission
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Aidan Booth
North Tyneside Council
Quadrant East
The Silverlink North
Cobalt Business Park
NE27 0BY

Dear Sirs,

**Town and Country Planning (Environmental Impact Assessment)
(England and Wales) Regulations 1999 and Marine Works
(Environmental Impact Assessment) Regulations 2007: Scoping
Proposal: Biomass Power Station
Location: Port of Blyth**

Thank you for your letter received by Natural England on 06 July 2010, regarding the above proposed development.

Unfortunately, Natural England does not hold detailed records of protected species at specific locations, although surveys may be required if the proposal may impact upon such species or their habitats.

Natural England offers general advice on the scope of the EIA, with relation to our remit, as set out below. The Marine Management Organisation should also be consulted on the requirement and scope of the EIA as required under the Marine Works Regulations 2007, and also with regard to any other permits or licences required.

Natural England offers general advice on the scope of the EIA, with relation to our remit, as set out below.

1. General principles

It will be important for the EIA to consider the potential cumulative effects of this proposal with other similar proposals within the region. We advise that there should also be a thorough assessment of the 'in combination' effects of the proposed development with any existing developments and new applications.

A full consideration of the implications of the whole scheme should be included in the ES, including all associated infrastructure and operations such as pipelines, cables and electrical connection, road works, site development, quay extensions or dredging.

Comments specific to the report are included below in Table 1, followed by general principles which Natural England would expect the ES to follow.

Natural England
Head Office: 1 East Parade, Sheffield, S1 2ET
www.naturalengland.org.uk

Report Specific Comments

All potential impacts arising from the works must be considered in full detail by the EIA and should not be limited to those in the scoping report. The scoping report, while identifying what are considered the highest risks or easily identifiable impacts does not address all potentially significant impacts. As such, based on the information provided, we advise further consideration should be given to the points raised in Table 1. We would expect all relevant impacts to be identified and thoroughly assessed throughout the process of EIA and to be included in the ES

Table 1: Report Specific Comments

Report Section	Comments
Overall	<p>Location of site/alternatives</p> <p>Full explanation for choice of site – including consideration of alternatives, should be provided in the ES.</p>
3.2	<p>Fuel, Water Quality and Invasive Species</p> <p>The scope outlines the import of biofuel, particularly on ships.</p> <p>The EIA should address impacts upon water quality particularly from ballast waters. Likewise the EIA should address impacts upon ecology and the risk of introducing invasive species from the ship structure and ballast waters, or in the biofuel itself.</p>
Scope 3.9	<p>Infrastructure and supporting activities</p> <p>The EIA must fully consider the impacts of all infrastructure, upgrades and activities associated with all phases of the development.</p> <p>Particularly, the potential installation of a pipeline through sand dunes and SPA (Special Protection Area) must be fully assessed including details of implementation and remediation for habitats. The impact assessment must also consider any impacts upon coastal processes by the introduction of any barriers. Likewise, impacts from any infrastructure development of the quay, or abstraction and discharge to the estuary must also be fully assessed. Supporting works for the development, such as dredging must be addressed in the EIA to determine alone and in-combination effects; particularly on the adjacent SSSI.</p>
3.5	<p>Abstraction and Discharge</p> <p>The Scoping report identifies some issues of abstraction and discharge, however detail will be required including impacts upon flow, hydrodynamics, effects on water quality, erosion and scour, sediment disturbance, suspension and contaminants, turbidity, and coastal processes, related to designated sites and interest features.</p>
3.5	<p>Preference for each cooling system must be supported by sound evidence including full explanation of 'efficiencies' particularly if the preferred option is not that with the least significant environmental impacts.</p>

Report Section	Comments
3.5.7	<p>States that 'boiler blowdown, surface water drainage and water treatment plant effluent will be discharged with the main cooling water discharge' unless air cooling system is used in which case these will be discharged to the sewer'.</p> <p>The EIA must address the impacts of all discharges, including the option to treat these through the sewer for all cooling methods.</p>
Table 6.1	<p>The Table has highlighted that the EIA regulation requires assessment of climatic factors. However the Scoping report has not highlighted impacts on climate change and carbon outputs. The proposal should also be considered in light of the UK Climate Projections (http://ukclimateprojections.defra.gov.uk) which provides future climate projections for land and marine regions.</p> <p>Assessment of impacts to climate change and carbon outputs must be included in the assessment, together with proposed mitigation measures.</p> <p>Climatic factors should also include the marine environment and the 'in combination' effects of a thermal plume with rising sea temperatures over the life of the project.</p>
6.2.1	<p>The Phase 1 habitat survey was carried out in January 2010. The EIA should fully address the limitations associated with undertaking the survey at a sub-optimum time of year.</p>
6.2.14	<p>The results of the desk survey should be used to inform the need for further dedicated species surveys</p>
6.2.15	<p>Where the need for dedicated species surveys has been 'scoped out' i.e. otter, the reason should be clearly justified within the report.</p>
6.2.17	<p>A reptile survey is not proposed although it appears that their presence is considered likely. Natural England would expect survey work to be undertaken in accordance with good practice i.e. '<i>Froglife Advice Sheet 10: Reptile Survey</i>'.</p> <p>The decision not to undertake survey would therefore need to be fully detailed within the report. Unless a sound reason for not surveying is provided, we would expect dedicated surveys to be undertaken.</p>
6.2.21	<p>'Assessment of significance of impacts' must include the interest features of designated sites, as well as the integrity of the site.</p>
6.3	<p>Only 1 year of site specific bird survey has been undertaken. The appropriateness of this level of survey must be justified in the ES. Existing data from other sources should also be obtained to provide greater confidence that the survey results are representative of the general pattern of wintering / breeding bird interest in the area.</p>
6.3.15	<p>Cumulative impacts will be an important consideration in assessing likely significant effect on birds which are interest features of the SPA / SSSI. There are numerous development proposals in the area at various stages of progression through the planning system which will need to be considered within the assessment of cumulative impact. The applicant should contact the LPA for further details.</p>

Report Section	Comments
6.3.18	<p>The scoping report states the bird breeding season is April – July</p> <p>However, Natural England advises that any on-site vegetation clearance / demolition should avoid the period March to end of August unless the project ecologist undertakes a checking survey immediately prior to clearance and confirms that no active nests are present.</p>
6.3.19	<p>States ‘birds nests are protected from <u>malicious</u> destruction’.</p> <p>However, the Wildlife and Countryside Act 1981 (as amended) states that an offence is committed if any person <u>intentionally</u>:</p> <p>Kills injures or takes any wild bird; takes, damages or destroys the nest of any wild bird while that nest is in use or being built; takes or destroys an egg of any wild bird;</p> <p>The ES should be amended accordingly and all staff must be fully and correctly informed of the requirements of the legislation to ensure full compliance.</p>
6.4.15	<p>The report states ‘need and scope of any modelling to be undertaken for the thermal plume would be discussed... if once through cooling is selected.’</p> <p>Modelling of any thermal plume and all impacts of this, particularly upon protected species, designated sites and their interest features must be included in the ES. This must be applied to both the once through cooling system and the hybrid cooling system.</p>
6.4.13	<p>Aquatic Ecology</p> <p>Detailed information and previous studies regarding entrainment of aquatic species during abstraction should be sought from the Environment Agency.</p>
	<p>Marine impacts must be addressed in the EIA and include all potential impacts of construction and operation including support works such as dredging, or maintenance of the ‘once through’ discharge pipe. Receptors to consider must include, but not be limited to water quality, protected species, designated sites and BAP habitats and species.</p>
	<p>The report identifies terrestrial and aquatic ecology, but does not highlight intertidal ecology and the potential effects specific to this environment.</p> <p>Effects on intertidal habitats must be addressed ensuring that habitats, invertebrates and other ecological aspects are fully assessed, particularly with regard to designated sites, their integrity and interest features.</p>
6.6	<p>Air Quality</p> <p>The EIA must address changes to Air Quality and all affects upon designated sites, interest features and habitats, especially the adjacent dune, mudflat and sandflat habitats.</p> <p>The EIA intends to base assessment of Air Quality on existing data sets. The suitability of this must be demonstrated in the ES particularly with regard to impacts upon designated sites and BAP habitat.</p>
6.6.13	<p>The assessment of air quality impacts within a 15km radius must be justified by demonstrating that this considers all receptors which may be impacted.</p>

Report Section	Comments
6.8	<p>Water quality</p> <p>The EIA should address Water Quality as a complete chapter given the potential effects upon it, rather than being addressed through impacts to Aquatic Ecology as it appears now.</p> <p>The 'Water and Soils chapter' should include impacts upon estuary and sea, including effects upon water quality, hydrodynamics, erosion and scour, sediment disturbance, suspended sediments, turbidity, contaminated sediments, related to designated sites and interest features.</p>
6.8.17	EIA of soil contamination must include pathways of contaminants to designated sites, particularly in hydraulic connectivity with adjacent mudflats, or windblown contaminated sediments.
6.10	The Noise and Vibration chapter must consider all potential impacts upon designated sites and ecological receptors. The proposal should consider the need to plan works to avoid ecologically important times of year.
6.13	<p>Scoping</p> <p>Includes topics scoped in and out of assessment. However does not mention topics covered in section 6.1- 6.12 and is unclear if these have been scoped in or out. Such as ornithology, transport, traffic and access, water and soils.</p>
Table 6.5	<p>Scoped Out topics</p> <p>Further justification is required regarding topics that have been 'scoped out' to demonstrate that impacts have been fully considered. For Example, 'vibration' has been scoped out on the basis of distance of receptors, however the proposed site is adjacent designated sites which are particularly sensitive receptors.</p>

2. **Biodiversity and Geology**

The EIA must include a full assessment of the impact of the proposals on biodiversity and geology. Natural England offers the following advice to assist you.

Local Authorities have a Duty to have regard to the conservation of biodiversity in exercising their functions. This duty was introduced by the Natural Environment and Rural Communities Act and came into force on 1st October 2006. The Duty affects all public authorities and aims to raise the profile and visibility of biodiversity, to clarify existing commitments with regard to biodiversity, and to make it a natural and integral part of policy and decision making. Defra has produced a guidance document for Local Authorities on Biodiversity duty, available from the link below:

<http://www.defra.gov.uk/wildlife-countryside/pdf/biodiversity/la-guid-english.pdf>

2.1 **Ecological Aspects of an Environmental Statement**

Natural England advises that the potential impact of the proposal upon features of nature conservation interest and opportunities for habitat creation/enhancement should be included within this assessment in accordance with appropriate guidance on such matters. In particular, Guidelines for Ecological Impact Assessment (EclA) and Survey Methodology have been developed by the Institute of Ecology and Environmental Management (IEEM) and are available on their website at www.ieem.org.uk from the publications menu.

EclA is the process of identifying, quantifying and evaluating the potential impacts of defined actions on ecosystems or their components. EclA may be carried out as part of a formal EIA or to support other forms of environmental assessment or appraisal. EclA should include the following stages:

- **scoping**, involving consultation to ensure the widest possible input to all following stages (in practice this is iterative throughout the EclA process);
- identification of the **likely zone of influence** arising from the proposals;
- identification and evaluation of **ecological resources and features likely to be affected**. The IEEM guidance on Survey Methodology states that “the importance of primary data collection in all survey work cannot be over-emphasised. Without good survey data the quality of an ecological assessment and any mitigation or compensation proposals will be compromised . . . the need to report in an unbiased, clear and detailed manner is required by the Code of Professional Conduct”. This IEEM guidance also makes reference to other key survey methodologies and standards, including key Natural England guidance available from <http://www.naturalengland.org.uk>
- identification of the **biophysical changes likely to affect valued ecological resources and features**;
- assessment of **whether these biophysical changes will give rise to a significant ecological impact**, defined as an impact on the integrity of the defined site or ecosystem(s) and/or the conservation status of habitats or species, including cumulative impacts;
- refinement of proposals to incorporate ecological **enhancement measures and to avoid negative ecological impacts, reduce any impacts that cannot be avoided; and compensate for any significant adverse impacts that remain**. Measures identified to address this should be agreed with the developer to facilitate their inclusion within the scheme at an early stage. They would then become part of the proposals and subject to detailed assessment. An options list of proposed mitigation at the end of an EclA is of very little value as it requires the competent authority to enter into discussion with the proponent to agree what will be implemented. An EclA is effectively meaningless if it provides an assessment of the significance of the residual impacts of a scheme based on the proposed mitigation measures being implemented even though these measures have not been agreed by the developer;
- provision of advice on the **consequences for decision making** of the significant ecological impacts, based on the value of the affected resource or feature; and
- provision for **monitoring** and following up the implementation and success of mitigation measures and ecological outcomes.

Please also Key Principle (vi) of PPS9 *Biodiversity and Geological Conservation*, which begins “The aim of planning decisions should be to prevent harm to biodiversity and geological conservation interests”. Natural England also draws your attention to the Royal Town Planning Institute (RTPI) “Five Point Approach to Planning Decisions for Biodiversity” (which are summarised within the joint ODPM, Defra and English Nature companion guide to PPS9, entitled *Planning for Biodiversity and Geological Conservation: A Guide to Good Practice*). The ES should aim to address these principles to assist the local planning authority in identifying whether they have been met by the proposals within the planning application.

2.2 Internationally and Nationally Designated Sites

Natural England advises that it will be important for the EIA to thoroughly assess the impact of the proposals on designated sites, including Special Areas of Conservation (SAC), Special Protection Areas (SPA), Ramsar sites and Sites of Special Scientific Interest (SSSI). Please note, should a Likely Significant Effect on a European/Internationally designated site be identified an Appropriate Assessment under the Conservation of Habitats and Species Regulations 2010 may be required (the full process being termed Habitats Regulations Assessment), in addition to consideration of impacts through the EIA process.

Please refer to www.magic.gov.uk for statutory site locations. Further information concerning particular statutory sites can be found on the Natural England website (www.naturalengland.org.uk), following the links to Conservation, then Designated Areas.

2.3 Protected Species

The proposal may affect protected species, for example great crested newts, bats, otters, reptiles and breeding birds. The protection afforded these species is explained in Part IV and Annex A of Government Circular 06/2005 *Biodiversity and Geological Conservation: Statutory Obligations and their Impact within the Planning System*. The area likely to be affected by the proposal should be thoroughly surveyed by competent ecologists at appropriate times of year for these species and the survey results, impact assessments and appropriate accompanying mitigation strategies included as part of the ES.

The ES should assess the impact of all phases of the proposal on protected species. Records of protected species should be sought from appropriate nature conservation organisations, groups and individuals; and consideration should be given to the wider context of the site for example in terms of habitat linkages and protected species populations in the wider area, to assist in the impact assessment. Please note that Natural England does not hold comprehensive information regarding the locations of species protected by law, but advises on the procedures and legislation relevant to such species.

Surveys, assessments and recommendations for mitigation measures should be undertaken by suitably qualified and experienced persons holding any licences that may be required. Guidance and information about survey methods and mitigation measures may be found on the Natural England website at <http://www.naturalengland.org.uk> in the publications menu.

2.4 Regionally and Locally Important Sites

Non-statutory sites may be affected by the proposals, for example Local Wildlife Sites (LoWS), Local Nature Reserves (LNR) and Regionally Important Geological and Geomorphological Sites (RIGS). Natural England is unable to advise on the locations of any non-statutory sites that might be affected. We therefore advise that the Local Wildlife Trust, Local Planning Authority and Local RIGS Group should be contacted with respect to this matter.

2.5 Biodiversity Action Plan Habitats and Species

The proposal may impact upon habitats and/or species listed in the UK Biodiversity Action Plan (BAP). These Priority Habitats and Species are listed as "Habitats and Species of Principal Importance" within the England Biodiversity List, recently published under the requirements of S14 of the Natural Environment and Rural Communities (NERC) Act 2006 and available on the internet at <http://www.ukbap-reporting.org.uk/uploaded/files/s41%20nerc%20list%20-%20may%202008v1a.xls>. Section 40 of the NERC Act 2006 places a general duty of all public authorities, including local planning authorities, to conserve and enhance biodiversity. Further

information on this duty is available via the following is a link to the Defra publication 'Guidance for Local Authorities on Implementing the Biodiversity Duty':

<http://www.defra.gov.uk/wildlife-countryside/pdf/biodiversity/la-guid-english.pdf>

PPS9 Paragraph 16 states "Planning authorities should ensure that these **species** [Habitats and Species of Principal Importance identified in the Countryside and Rights of Way Act 2000 section 74 list*] are protected from the adverse effects of development...". Government Circular 06/2005 adds that BAP species and habitats, "are capable of being a material consideration...in the making of planning decisions". Natural England therefore advises that survey, impact assessment and mitigation proposals for Habitats and Species of Principal Importance should be included in the EIA. Consideration should also be given to those species and habitats included in the relevant Local BAP.

*Please note that this list, included as Annex C of Government Circular 06/2005 *Biodiversity and Geological Conservation – Statutory Obligations and their impact within the planning system* is superceded by the NERC Act S41 list.

2.6 Birds

Given the potential impact of the proposals on birds, breeding and wintering populations, the ES will need to consider the impact of the proposals on bird populations. Where these are included as an interest feature of a European or Internationally designated site, an Appropriate Assessment under the Conservation of Habitats and Species Regulations 2010 may be required.

It is important that the bird surveys are undertaken at appropriate times of the year and frequency to ascertain accurately the use of the site. Reconnaissance and desk-based studies provide a picture of the level of bird interest on the site in order to inform the scale and type of observation and survey effort needed. As well as desk study, direct observation and further information on the current known interest of the site should also be sourced from bodies such as the local Wildlife Trust or bird club.

Bird surveys should follow best established practice entitled 'Survey methods for use in the assessment of the impacts of proposed onshore wind farms on bird communities' (Scottish Natural Heritage, 2005) at www.snh.org.uk. This document indicates survey effort recommended under a number of different scenarios. Please therefore refer to this document for further guidance.

3. Landscape, Access and Recreation

The EIA should address in an appropriately broad and detailed way any impacts on the landscape as well as access and recreation assets. This assessment should include thorough consideration of any impacts on National Parks, Areas of Outstanding Natural Beauty (AONB), Heritage Coasts and National Trails.

3.1 Landscape and Visual Impacts

Natural England expects the methodology of consideration of landscape impacts to reflect the approach set out in the *Guidelines for Landscape and Visual Impact Assessment* (The Landscape Institute, 2002), the *Landscape Character Assessment Guidance for England and Scotland* (Scottish Natural Heritage and The Countryside Agency, 2002) and good practice. The assessment should also include the cumulative effect of the development with other relevant existing or proposed developments in the area.

The assessment should reflect the contents of Countryside Character Volume 1: North East, which is available on the Natural England website (www.naturalengland.org.uk) by following the links “Our Work”, then “Landscape”, then “England’s Landscapes”, then “Landscape Character”, then “National Character Areas” and select “North East” on the interactive map. Links for Joint Character Areas (JCA) (Landscape Character Assessment at a local level) are also available under “Landscape Policy and Character” through the Natural England website, providing information on the character, physical influences and land cover characteristics of the area.

3.2 Access and Recreation

Natural England will expect the proposals to retain any public rights of way and to ensure that these rights of way will not be adversely affected. We expect to see a thorough assessment of the development’s effects upon access to the countryside and its enjoyment through recreation. With this in mind and in addition to consideration of public rights of way, landscape and visual effects on Open Access land, whether direct or indirect, should be included in the EIA.

Natural England would also expect to see consideration of opportunities for improved or new public access provision on the site, to include linking existing public rights of way and/or providing new circular routes and interpretation.

This advice is provided in response to the information provided at the time of consultation; and does not preclude Natural England from making additional comments should further information come to light. This opinion is based on the information provided by you, and for the avoidance of doubt does not affect our obligation to advise on, and potentially object to any specific development proposal which may subsequently arise from this or later versions of the plan or programme which is the subject of this consultation, and which may despite EIA and Habitats Regulations Assessment have adverse effects on the environment.

This response is also without prejudice to, and should be considered alongside, any related agricultural and soil resource protection, etc comments (on behalf of Defra), received from the Natural England Geology, Landscape & Soils Team at this office.

I hope that these comments are of assistance with your enquiry. If you require clarification on any of the above points, please do not hesitate to contact me.

Yours faithfully

Kelly Rose
Coastal and River Catchment Advisor
North East Region
Natural England
0300 060 2902
E-mail: kelly.rose@naturalengland.org.uk

From: [Wylie, Kevin](#)
To: [IPC Scoping Opinion;](#)
cc: [Clough, Andy; Richards, Stephen;](#)
Subject: Proposed Biomass Power Station at Port of Blyth Northumberland
Date: 23 July 2010 15:58:58

FAO Mr David Cliff

Dear David,

Many thanks for the notification re the above project.

I'm not sure if this is the correct stage to raise the following issues but as they could have a significant environmental impact with regards to potential water and air pollution I thought it worth raising at this juncture. All other issues will be raised when we have sight of more detailed plans or at Building Regulation Approval stage should the project progress.

1. What provisions are to be made to contain fire fighting water run off should there be a fire?
2. What provisions are to be made to automatically suppress any fire both in the plant and the bulk bio-mass store(s)?
3. What provisions are to be made to sub-divide bulk storage to limit fire size and fire spread?
4. What provisions are to be made to prevent accidental ignition of the bio-mass materials?

Regards

Kevin

Kevin Wylie Bsc(Hons)
Station Manager
Fire Safety
Northumberland Fire and Rescue Service
Blyth Fire Station
Cowpen Road
Blyth
Northumberland
NE245SU

Telephone: 01670-363867

Mobile: 07747006122

Fax: 01670-367652

E-mail: Kevin.Wylie@northumberland.gov.uk

Web site: <http://www.northumberland.gov.uk>

From: IPC Enquiries
Sent: 27 July 2010 17:01
To: IPC Scoping Opinion
Subject: FW: Biomass Power Station - Blyth Northumberland

From: Martin Boys [mailto:Martin.Boys@hca.gsx.gov.uk]
Sent: Tuesday, July 27, 2010 3:18 PM
To: IPC Enquiries
Subject: Biomass Power Station - Blyth Northumberland

Dear Sirs

With reference to the above project and your letter to the Homes and Communities Agency asking for comments, having read the scoping report on your website there does not appear to be any mention of the new housing development and school proposed at the reclaimed Bates Colliery site. The proposed Power Station's impact on this development should be fully explored.

Regards

Martin Boys
Investment and Regeneration Manager
T: 0191 4977652 (DDI)
F: 0191 4977693
M: 07776 490557
Homes & Communities Agency(Gateshead)
St George's House
Kingsway
Team Valley
Gateshead
NE11 0NA
Web: www.homesandcommunities.co.uk

Homes and Communities Agency

110 Buckingham Palace Road, London SW1W 9SA

Arpley House, 110 Birchwood Boulevard, Warrington WA3 7QH

Central Business Exchange II, 414 - 428 Midsummer Boulevard,

Central Milton Keynes, MK9 2EA (registered address for legal documents)

0300 1234 500

mail@homesandcommunities.co.uk

VAT no: 941 6200 50

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Town Council Cottage,
7 Front Street,
Newbiggin by the Sea,
Northumberland NE64 6NU
Tel: 01670 811048

David Cliff
Infrastructure Planning Commission
Temple Quay House
Temple Quay
Bristol
BS1 6PN

26 July 2010

Dear Mr Cliff

**Proposed Biomass Power Station at Port of Blyth
RES UK & IRELAND LTD**

I thank you for your letter dated 30 June regarding the above application and the request for a scoping opinion under the Infrastructure Planning (Environmental Impact Assessment) Regulations 2009.

The Town Council has considered this matter and requests that the following matters are taken into account by the IPC when adopting its scoping opinion:

1. The roads to be used to import biomass into the site, the frequency and times of movement and the likely materials to be imported over time. While it is accepted that the proposed site will have both port and rail transport access it is anticipated that a high proportion of regional materials could also be transported by road leading to local environmental problems.
2. The port and near coast location could lead to potential discharge from the site that could impact on coastal waters and marine life. The bay at Newbiggin a very short distance away has recently been regenerated as a local and tourist recreational facility at considerable cost and the possible environmental impact should be assessed.

Kind regards

A handwritten signature in black ink, appearing to read 'Dennis Earl', is written over a white background.

Dennis Earl

Town Clerk

I P C

29 JUL 2010

REF:

Simor/Dave

David Cliff
Case Leader on behalf of the IPC
Infrastructure Planning Commission
Temple Quay House
Temple Quay
Bristol
BS1 6PN

10/068/NBL/SEN

10_EN010016_161333

(0191) 229 6392

27 July 2010

wendy.hetherington@onenortheast.co.uk

Dear Mr Cliff,

REQUEST FOR SCOPING OPINION UNDER INFRASTRUCTURE PLANNING (ENVIRONMENTAL IMPACT ASSESSMENT) REGULATIONS 2009:

PROPOSED DEVELOPMENT: Proposed Biomass Power Station.
LOCATION: Port of Blyth, Northumberland.

Thank you for requesting the Agency's comments on the scoping exercise in respect of the above planning application. One North East has been identified as a consultation body which must be consulted by the Infrastructure Planning Commission before the Commission adopts its Scoping Opinion on the Environmental Impact Assessment required in respect of the above proposal.

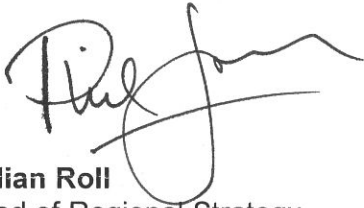
The Scoping Opinion relates to the proposed development of a 100 MWe Renewable Energy Project by RES UK & Ireland Ltd. at Battleship Wharf within the Port of Blyth.

The Agency notes the applicants' recognition that, whilst local sources of biomass fuel exist, they are limited and a significant proportion of the fuel will initially come from overseas or elsewhere in the UK and will be delivered by ship. The applicants anticipate that, on average, 80% of the fuel will be delivered to the site via ship and offloaded at the existing wharf with the remaining 20% delivered by road or rail from sources in the north of England and Scotland.

The Agency recognises that large scale biomass power stations are reliant on imported supplies and will not be serviced from indigenous supply chains. However, there is a danger that the large volume of imported supplies will disrupt the well-balanced existing regional supply chain. Current biomass resources in the region are channelled towards high value activities and tied up in long-term contracts. It is considered that the applicants should provide assurances on the feedstock for the plant, the potential to create value in local supply chains and also investigate the utilisation of any waste heat from the plant for local community benefits.

One North East looks forward to further consultation on the development proposals once the formal application is submitted.

Yours sincerely,

A handwritten signature in black ink, appearing to read 'Phil Jones', written over a horizontal line.

Gillian Roll
Head of Regional Strategy
(signed by Phil Jones, Planning and Housing Manager, in Gillian Roll's absence)

Freedom of Information Act 2000:

This above legislation requires us to make available to the public any recorded information that we hold. This will include any information you provide to us. If a third party requests access to your information we will be obliged to disclose it unless it is exempt from disclosure in accordance with the legislation. Accordingly, we offer no assurances that your information will be maintained in confidence and you should obtain independent legal advice before submitting any proprietary or sensitive information to us.

From: Dennis, Bill [Bill.Dennis@orr.gsi.gov.uk] on behalf of CCT Contact [contact.cct@orr.gsi.gov.uk]
Sent: 27 July 2010 10:33
To: IPC Scoping Opinion
Subject: Proposed Biomass power station at Port of Blyth, Northumberland ("the project")

FAO: David Cliff,

Your Ref: 100630_EN010016_161333

Proposed Biomass power station at Port of Blyth, Northumberland ("the project")

**RES UK & Ireland Ltd ("the Applicant")
Infrastructure Planning (Environmental Impact Assessment)
Regulations 2009 SI 2263 ("the EIA Regulations")**

Thank you for your consultation letter of 30 June 2010, regarding the above project. The Office of Rail Regulation (ORR) has no comment at this stage.

Yours sincerely,

Bill Dennis
customer correspondence team
Office of Rail Regulation
One Kemble Street
London WC2B 4AN

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Mr D Cliff
Infrastructure Planning Commission
Temple Quay House (2 The Square)
Temple Quay
Bristol
Avon
BS1 6PN

Our ref: NA/2010/105253/01-L01
Your ref: 100630_EN010016_161333

Date: 28 July 2010

Dear Mr Cliff

**PROPOSED BIOMASS POWER STATION AT PORT OF BLYTH,
NORTHUMBERLAND. ENVIRONMENTAL SCOPING REPORT.
FORMER COLLIERY, BATES WHARF, PORT OF BLYTH.**

Thank you for your Environmental Scoping consultation letter which we received on 30 June 2010.

We have reviewed the scoping report submitted and have further comments to make in respect of biodiversity, land contamination, flood risk and coastal change management to ensure that the Environmental Statement will appropriately address the environmental issues we consider are of most importance for this proposal.

Our technical comments detailing the information we consider should be provided in the environmental statement are provided below.

Biodiversity

Aquatic Ecology

We note that a cooling system to regulate the temperature of the boilers is proposed and that there are three available methods to consider. Two of these methods will result in the abstraction and discharge of water at various temperatures. As identified in Section 6.4 of the Scoping Report, issues to consider are the potential impacts on the aquatic environment. We have also recommended further consideration of impacts to the intertidal environment, the cumulative impacts of the proposal, and the impacts of biocides and construction activities.

Baseline

We support the proposal to undertake a survey in the area to identify evidence of Sabellaria reef. Sabellaria reefs have been known to develop near jetties where currents are increased due to vessel traffic.

Environment Agency
Tyneside House Skinnerburn Road, Newcastle Business Park, Newcastle upon Tyne, NE4 7AR.
Customer services line: 08708 506 506
Email: enquiries@environment-agency.gov.uk
www.environment-agency.gov.uk
Cont/d..

If a water cooled method is proposed, the effects on fish and on benthic ecology should be considered. We hold some data sets on benthic ecology and fisheries for the area and recommend you contact our External Relations Team at northeast-newcastle@environment-agency.gov.uk to request this. For further information we recommend you contact the Marine Management Organisation (MMO) and the Centre for Environment, Fisheries and Aquaculture Science (CEFAS) who may hold additional fisheries data.

Assessment Methodology

We consider that with this type of development the main issues for fish are likely to be entrainment and increased estuary temperature.

Eels, Salmon, and Sea Trout migrate up the river to the estuary, which supports a diverse range of flora and fauna. Migratory salmonids are known to access the River Blyth and any increase to the estuarine temperature has a potential to cause increased stress, and potentially mortality to fish stocks.

A cooling system that avoids both of the above scenarios and reduces the impact on marine fauna and flora would be preferable. For this reason it is recommended that the potential for a sea water intake and outlet (as opposed to the estuary) is investigated.

We would also expect to see the assessments noted in the report for entrainment, the effect of residual oxidant content and thermal plume.

Potential Mitigation Measures

Due to the severe decline in stocks of the European freshwater eel new regulations place more stringent requirements on screening. For this reason it is likely that any estuarine inlet, as suggested for the once through cooling system, would require screens with spacing of maximum 3mm.

We will be able to provide further comments on potential mitigation measures once the assessments listed above have been undertaken.

Other Impacts to Consider

Development should not encroach, either physically or via its associated infrastructure ie: pipework, into the intertidal environment. We are committed to no net loss of intertidal and subtidal habitat. When encroachment is proposed, considerable justification and options considered for this, together with details of mitigation and compensation would need to be included to secure our support.

The cumulative effects of the water cooling system (if chosen) needs to be considered with other developments in the Blyth Estuary particularly those involving abstractions/discharges such as the Narec Test site (Blyth Street) which is to the south of the application site. This proposed development is for an offshore wind turbine test facility which includes a water cooling system discharging into the River Blyth. We therefore recommend that the cumulative effects on the marine environment are considered.

The use of biocides and their effects on the estuary should be considered. Mitigation measures should be looked at including options to the North Sea and the use of larger pipes to allow some degree of bio fouling.

A description of construction methodology is required and the impacts associated with this. Mitigation measures should include reduction of sediment plumes (eg silt screens, contained piling/dredging methods) and the timing of works in order to minimise impacts on migratory species such as salmonids.

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Any impacts associated with dredging (if required) need detailed assessments including mitigation. Key parameters should include re suspension of contaminated sediment, assessment of increased turbidity and the ecological impact on designated sites, fish and invertebrate populations within the estuary.

Land Contamination

Water and Soils

Assessment Methodology

The information provided indicates that there is the potential for land contamination to exist at the site. We support the proposal to undertake a detailed desk study as referred to in section 6.8.17 of the report. Consideration should be given to whether land contamination is likely to be an issue in relation to controlled waters.

The desk study should contain enough information to decide whether contamination exists at the site, the nature of the contamination and what risk it poses. It should also be considered as to whether the identified risks can be reduced to an acceptable level. This means that the applicant will need to include a risk assessment that identifies the sources, pathways and receptors (ie pollutant linkages).

An assessment should be made of the risks posed to groundwater during the construction, operation and decommissioning phases of the project. This should address any risks to both the flow and quality of shallow and deep groundwater.

We recommend that the requirements of Planning Policy Statement 23 "Planning and Pollution Control", the Model Procedures for the Management of Land Contamination (CLR11) and our guidance on the requirements for land contamination reports (available from our website) are followed.

Potential Mitigation Measures

Following the desk study findings we are available to provide further guidance and advice on possible mitigation measures.

Flood Risk Management

Flood Risk

The scoping report has identified the need for a Sequential Test and FRA in line with PPS25 given the sites location within flood zones. We support this approach.

Baseline

The western section of the site lies within modelled tidal Flood Zone 2 and 3 and the site is surrounded by Flood Zone 3 on all sides except to the north. There are no watercourses running through the site however the River Blyth runs adjacent to the site in the west.

Our External Relations Team (northeast-newcastle@environment-agency.gov.uk) can provide any relevant flooding information for the Blyth Estuary area including the 1 in 200 year event flood levels. For more information on the products we can provide for Flood Risk Assessments please click on the following link:
<http://www.environment-agency.gov.uk/research/planning/93498.aspx>

Within your request for information we ask that you include the red line boundary of the site as well as a brief description of the data you are requesting.

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We support the consideration of the Northumberland Strategic Flood Risk Assessment as part of the assessment.

Assessment Methodology

Sequential Test

The proposed application site partially lies in an area of Flood Zone 2 and 3 as defined by Planning Policy Statement 25 "Development and Flood Risk" (PPS25). PPS25 requires decision makers to steer new development to areas at the lowest probability of flooding by applying a flood risk 'Sequential Test'. We advise that the Sequential Test be carried out at an early stage of the application determination process. Further guidance on the Sequential Test can be found on the following link:

<http://www.environment-agency.gov.uk/research/planning/82587.aspx>

The Exception Test is required to be applied in the circumstances shown in table D1 and D3. All three elements (paragraph D9, Annex D) of the Test must be passed for development to be permitted.

Flood Risk Assessment (FRA)

Annex E of PPS25 outlines the minimum requirements for a FRA. The assessment methodology outlined within the scoping report is in line with these requirements. The proposed development should be assessed against the proposed risks both to and from the development from all sources of flooding. In this case as stated in the report this will predominantly be tidal and wave inundation and any potential fluvial flood risk within the estuary.

The assessment methodology considers climate change effects based upon guidance within PPS25. Table B.1 in Annex B in PPS25 includes the recommended contingency allowances for net sea level rise. As the flood risk at the site is predominantly tidal, climate change contingencies should be based upon the figures within Table B.1, which cover net sea level rise. Table B2 also provides precautionary sensitivity ranges for offshore wind speed and extreme wave height.

We recommend that an assessment is undertaken considering the requirement for the power station to be operational during a flood event and how this would be accommodated if necessary. Evacuation plans are also discussed in more detail in the 'Potential Mitigation Measures' section below.

Surface Water Drainage

The Scoping Report states that a surface water drainage strategy for the site will be included within the FRA. If the discharge is intended to be directly to tidal waters there will be no requirement for a restricted discharge rate.

However, we strongly recommend that the applicant base the surface water drainage design on sustainable drainage principles (SUDS) and the drainage hierarchy. SUDS involve a range of techniques including soak aways, infiltration trenches, permeable pavements, grassed swales, ponds and wetlands. SUDS offer significant advantages over conventional piped drainage systems in reducing flood risk by attenuating the rate and quantity of surface water run-off from a site, promoting groundwater recharge, and improving water quality and amenity. The variety of SUDS techniques available means that virtually any development should be able to include a scheme based around these principles.

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Environmental Permit

This development will require an Environmental Permit under the Environmental Permitting Regulations 2007 from the Environment Agency.

We note that a meeting has already been held with the applicant regarding the implications of the Environmental Permitting Regulations on the proposed Biomass Power Station.

We advise you contact our Regulatory Officer, Rob Gardener on 0191 203 4285 to discuss any further issues relating to the permit. Further guidance can be found on our website at: <http://www.environment-agency.gov.uk/business/topics/permitting/default.aspx>

Abstraction Licence

If the applicant intends to abstract water for cooling or any other purpose from surface water or groundwater sources, at a rate of more than 20 cubic meters per day, an abstraction licence must be obtained. This currently takes a minimum of four months.

Further details can be found on our website at <http://www.environment-agency.gov.uk/business/topics/water/32032.aspx>.

Please contact our National Customer Contact Centre on 08708 506 506 to initiate the process, or contact our Environmental Planning Officer, Eva Diran at eva.diran@environment-agency.gov.uk for further pre application discussions.

The comments we set out above are without prejudice to future decisions we make regarding any applications subsequently made to us for our permits or consents for operations at the site.

We are available to meet with the applicant to go over our comments in more detail and to provide further guidance.

Yours faithfully

**Liz Lightbourne
Planning Officer**

Direct dial 0191 203 4203
Direct fax 0191 203 4004
Direct e-mail elizabeth.lightbourne@environment-agency.gov.uk

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APPENDIX 3

PRESENTATION OF ENVIRONMENTAL STATEMENT

Appendix 3

PRESENTATION OF THE ENVIRONMENTAL STATEMENT

An environmental statement is described under the EIA Regs as a statement:

- ‘(a) that includes such of the information referred to in Part 1 of Schedule 4 as is reasonably required to assess the environmental effects of the development and of any associated development and which the applicant can, having regard in particular to current knowledge and methods of assessment, reasonably be required to compile; but
- (b) that includes at least the information required in Part 2 of Schedule 4’.

(EIA Regs regulation 2)

The EIA Regs Schedule 4, Parts 1 and 2, set out the information for inclusion in an ES. Part 2 sets out the minimum requirements and is included below for reference:

Schedule 4 Part 2

- a description of the development comprising information on the site, design and size of the development;
- a description of the measures envisaged in order to avoid, reduce and, if possible, remedy significant adverse effects;
- the data required to identify and assess the main effects which the development is likely to have on the environment;
- an outline of the main alternatives studies by the applicant and an indication of the main reasons for the applicant’s choice, taking into account the environmental effects;
- a non-technical summary of the information provided [*under the four paragraphs above*].

The Infrastructure Planning (Applications: Prescribed Forms and Procedure) Regulations 2009 SI 2264 set out the requirements for information which must be provided as part of the DCO application. Applicants may also provide any other documents considered necessary to support the application. Information which is not environmental information (this is defined in Regulation 2 of the EIA Regs) need not be replicated or included in the ES.

The Commission advises that the ES should be laid out clearly with a minimum amount of technical terms and should provide a clear objective and realistic description of the likely significant impacts of the proposed development. The information should be presented so as to be comprehensible to the specialist and non-specialist alike.

The Commission recommends that the ES be concise with technical information placed in appendices.

ES Indicative Contents

The Commission emphasises that the ES should be a 'stand alone' document in line with best practice and case law.

Schedule 4 Part 1 of the EIA Regs sets out the aspects of the environment likely to be significantly affected by the development which should include '*in particular, population, fauna, flora, soil, water, air, climatic factors, material assets, including the architectural and archaeological heritage, landscape and the inter-relationship between the above factors*' (paragraph 19).

The content of the ES should include as a minimum those matters set out in Schedule 4 Part 2 of the EIA Regs. This includes the consideration of 'Alternatives' which the Commission recommends could be addressed as a separate chapter in the ES.

Traffic and transport is not specified as a topic for assessment under Schedule 4; although in line with good practice the Commission considers it is an important consideration *per se*, as well as being the source of further impacts in terms of air quality and noise and vibration.

Balance

The Commission recommends that the ES should be balanced, with matters which give rise to a greater number or more significant impacts being given greater prominence. Where few or no impacts are identified, the technical section may be much shorter, with greater use of information in appendices as appropriate.

The Commission considers that the ES should not be a series of disparate reports and stresses the importance of considering combined and cumulative impacts.

Physical Scope

In general the Commission recommends that the physical scope for the EIA should be determined in the light of:

- the nature of the proposal being considered;
- the relevance in terms of the specialist topic;
- the breadth of the topic;

- the physical extent of any surveys or the study area; and
- the potential significant impacts.

Therefore, the Commission recommends that the study area for the EIA should include at least the whole of the application site embracing all offsite development and for certain topics, such as landscape and transport, the study area will need to be wider. The study area for each specialist topic should be clearly defined and determined by establishing the physical extent of the likely impacts in accordance with good practice.

The Commission considers that the study areas should be agreed, wherever possible, with the relevant statutory consultees and local authorities.

Temporal Scope

The assessment should consider:

- environmental impact during construction works;
- environmental impacts on completion/operation of the development;
- environmental impacts a suitable number of years after completion of the development in order to allow for traffic growth or maturing of any landscape proposals; and
- decommissioning.

In terms of decommissioning, the Commission acknowledges that the further into the future any assessment is made, the less reliance may be placed on the outcome. However, the purpose of such a long term assessment is to enable the decommissioning of the works to be taken into account in the design and use of materials such that structures can be taken down with the minimum of disruption, materials can be re-used and the site can be restored or put to a suitable new use. The Commission encourages consideration of such matters in the ES.

The Commission recommends that these matters should be set out clearly in the ES and that the suitable time period for the assessment should be agreed with the relevant statutory consultees.

The Commission considers that the duration of effects should use a standard terminology, which should be defined.

Baseline

The Commission recommends that the baseline should describe the position from which the impacts of the proposed development are measured. The baseline should be chosen carefully and, where possible, be consistent between topics.

The identification of a single baseline is to be welcomed in terms of the approach to the assessment, although the Commission considers that care should be taken to ensure that all the baseline data remains relevant and up to date. The Commission recommends that the baseline environment should be clearly explained in the ES, including any dates of surveys. Wherever possible the baseline should be agreed with the appropriate consultees.

For each of the environmental topics, the data source(s) for the baseline should be set out together with any survey work undertaken with the dates.

Indications of Impacts and Methods Statement

Legislation and Guidelines

In terms of the EIA methodology, the Commission recommends that reference should be made to best practice and any standards, guidelines and legislation that have been used to inform the assessment. This should include guidelines prepared by relevant professional bodies.

In terms of other regulatory regimes, the Commission recommends that relevant legislation and all permit and licences required should be listed in the ES where relevant to each topic. This information should also be submitted with the application in accordance with the Infrastructure Planning (Applications: Prescribed Forms and Procedure) Regulations 2009 SI No. 2264.

In terms of assessing the impacts, the ES should record such impacts in the context of all relevant planning and environmental policy – local, regional and national (and where appropriate international) – in a consistent manner.

Assessment of Effects and Impact Significance

The EIA Regs require the identification of the '*likely significant effects of the development on the environment*' (Schedule 4 Part 1 paragraph 20). Therefore, the Commission considers it is imperative for the ES to define the meaning of 'significant' in the context of each of the specialist topics` and for significant impacts to be clearly identified.

The Commission recommends that the criteria should be set out fully and that the ES should set out clearly the interpretation of 'significant' in terms of each of the EIA topics. Quantitative criteria should be used where available. The Commission considers that this should also apply to the consideration of cumulative impacts and impact interactions.

Potential Environmental Impacts

The Commission considers these under Section 3: the EIA Topic Areas of this opinion.

Impact Inter-actions/Combined Impacts

Multiple impacts on the same receptor should be taken into account. These occur where a number of separate impacts, eg. noise and air quality, affect a single receptor such as fauna.

The Commission considers that the combined effects of the development should be assessed and that details should be provided as to how interactions will be assessed in order to address the environmental impacts of the proposal as a whole.

Cumulative Impacts

The ES should describe the baseline situation and the proposed development within the context of the site and any other proposals in the vicinity.

Other major development in the area should be identified beyond the proposal itself including all the associated development. The Commission recommends that this should be identified through consultation with the local planning authorities on the basis of major developments that are:

- built and operational;
- under construction;
- permitted application(s), but not yet implemented;
- submitted application(s) not yet determined, and
- identified in the Development Plan recognising that much information on any relevant proposals will be limited.

Details should be provided in the ES, including the types of development, location and key aspects the cumulative effects of which have been taken into account as part of the assessment.

Associated development

The ES should give equal prominence to any development which is associated with the proposed development site to ensure that all the impacts of the proposals are assessed.

The Commission recommends that the applicant should distinguish between development for which development consent will be sought and any other development. This distinction should be clear in the ES.

Alternatives

The ES must set out an outline of the main alternatives studied by the applicant and provide an indication of the main reasons for the applicant's choice, taking account of the environmental effect (Schedule 4 part 1 paragraph 18).

Matters should be included, such as *inter alia* alternative design options and alternative mitigation measures. The justification for the final choice and evolution of the scheme development should be made clear. Where other sites have been considered, the reasons for the final choice should be addressed.

The Commission advises that the ES should give sufficient attention to the alternative forms and locations for the off-site proposals, where appropriate, and justify the needs and choices made in terms of the form of the development proposed and the sites chosen.

Mitigation Measures

Mitigation measures may fall into certain categories: namely avoid; reduce; compensate or enhance; and should be identified as such in the specialist sections (Schedule 4 part 1 paragraph 21). Mitigation measures should not be developed in isolation as they may benefit more than one topic area.

The effectiveness of mitigation should be apparent. Only mitigation measures which are a firm commitment should be taken into account as part of the assessment.

The application itself will need to demonstrate how the mitigation would be delivered, and only mitigation which can be shown to be deliverable should be taken into account as part of the EIA.

It would be helpful if the mitigation measures proposed could be cross referred to specific provisions proposed within the development consent order. This could be achieved by means of describing the mitigation measures proposed either in each of the specialist reports or collating these within a summary section on mitigation.

Trans-boundary Effects

The Commission recommends that consideration should be given in the ES to any likely significant effects on the environment of another Member State of the European Economic Area. In particular, the Commission recommends consideration should be given to discharges to the air and sea and to potential impacts on migratory species.

Presentation

The Commission recommends that all paragraphs in the ES should be numbered. This is for ease of reference. Appendices must be clearly referenced, again with all paragraphs numbered. All figures and drawings should be clearly referenced.

Cross Reference and Interactions

The Commission recommends that all the specialist topics in the ES should cross reference their text to other relevant disciplines. Interactions between the specialist topics is essential to the production of a robust assessment, as the ES should not be a collection of separate specialist topics, but a comprehensive assessment of the environmental impacts of the proposal and how these impacts can be mitigated.

As set out in EIA Regs Schedule 4 Part 1 paragraph 23, the ES should include an indication of any technical difficulties (technical deficiencies or lack of know-how) encountered by the applicant in compiling the required information.

Terminology and Glossary of Technical Terms

The Commission recommends that a common terminology should be adopted. This will help to ensure consistency and ease of understanding for the decision making process. For example, 'the site' should be defined and used only in terms of this definition so as to avoid confusion with, for example, the wider site area or the surrounding site.

A glossary of technical terms should be included in the ES.

Summary Tables

The Commission recommends that in order to assist the decision making process, the applicant may wish to consider the use of tables to identify and collate the residual impacts after mitigation. This would include the EIA topics, combined and cumulative impacts.

A table setting out the mitigation measures proposed would assist the reader and the Commission recommends that this would also enable the applicant to cross refer mitigation to specific provisions proposed to be included within the draft Order.

The ES should also demonstrate how the assessment has taken account of this opinion and other responses to consultation. The Commission recommends that this may be most simply expressed in a table.

Bibliography

A bibliography should be included in the ES. The author, date and publication title should be included for all references.

Non-technical Summary

The EIA Regs require a Non Technical Summary (EIA Regs Schedule 4 Part 1 paragraph 22). This should be a summary of the assessment in simple language. It should be supported by appropriate figures, photographs and photomontages.

Consultation

The Commission recommends that any changes to the scheme design in response to consultation should be addressed in the ES.

It is recommended that the applicant provides preliminary environmental information to the local authorities.

Consultation with the local community should be carried out in accordance with the SoCC which will state how the applicant intends to consult on the preliminary environmental information (this term is defined in the EIA Regs under regulation 2 'Interpretation'). This preliminary information could include results of detailed surveys and recommended mitigation actions. Where effective consultation is carried out in accordance with s47 of the Planning Act, this could usefully assist the applicant in the EIA process – for example the local community may be able to identify possible mitigation measures to address the impacts identified in the preliminary environmental information. Attention is drawn to the duty upon applicants under s50 of the Planning Act to have regard to the guidance on pre-application consultation.

Environmental Management

The Commission advises that it is considered best practice to outline in the ES, the structure of the environmental management and monitoring plan (EMMP) and safety procedures which will be adopted during construction and operation.