

## Tees CCPP Project

### The Tees Combined Cycle Power Plant Project Land at the Wilton International Site, Teesside

#### Statement of Common Ground with the Environment Agency **NOT SIGNED**

#### The Planning Act 2008



**Applicant:** Semcorp Utilities (UK)  
**Date:** May 2018

## DOCUMENT HISTORY

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<b>Signed</b>	JBG	<b>Date</b>	16.05.18
<b>Approved By</b>	Geoff Bullock (GB)		
<b>Signed</b>	GB	<b>Date</b>	16.05.18
<b>Document Owner</b>	DWD		

## GLOSSARY

<b>Abbreviation</b>	<b>Description</b>
<b>CEMP</b>	Construction environment management plan
<b>CHP</b>	Combined Heat and Power
<b>CCR</b>	Carbon Capture Readiness
<b>CCS</b>	Carbon Capture and Storage
<b>DCO</b>	Draft Consent Order
<b>DECC</b>	Department for Energy and Climate Change
<b>EA</b>	Environment Agency
<b>EP</b>	Environmental Permit
<b>ES</b>	Environment Statement
<b>MW</b>	Megawatt
<b>NSIP</b>	Nationally Significant Infrastructure Project
<b>PINS</b>	Planning Inspectorate
<b>SCU</b>	Sembcorp Utilities (UK) Ltd
<b>SoCG</b>	Statement of Common Ground
<b>SoS</b>	Secretary of State
<b>the Applicant</b>	Sembcorp Utilities (UK) Limited
<b>the Order</b>	Tees Combined Cycle Power Plant Order

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## **1 INTRODUCTION**

### **Overview**

- 1.1 This Statement of Common Ground ('SoCG') has been prepared on behalf of Sembcorp Utilities (UK) Limited ('SCU' or the 'Applicant') in respect of its application (the 'Application') for a Development Consent Order (a 'DCO'). The Application was accepted for examination by the Secretary of State (the 'SoS') for Business, Energy and Industrial Strategy on 18 December 2017.
- 1.2 SCU is seeking a DCO for the construction, operation and maintenance of a new gas-fired electricity generating station with a nominal net electrical output capacity of up to 1,700 megawatts ('MW') at ISO conditions (the 'Project' or 'Proposed Development'), on the site of the former Teesside Power Station, which forms part of the Wilton International Site, Teesside.
- 1.3 A DCO is required for the Proposed Development as it falls within the definition and thresholds for a 'Nationally Significant Infrastructure Project' (a 'NSIP') under Sections 14 and 15(2) of the Planning Act 2008 ('PA 2008').
- 1.4 The DCO, if made by the SoS, would be known as the 'Tees Combined Cycle Power Plant Order' (the 'Order').

### **SCU**

- 1.5 SCU provides vital utilities and services to major international process industry customers on the Wilton International site on Teesside. Part of Sembcorp Industries, a Singapore-based group providing energy, water and marine services globally, Sembcorp Utilities UK also owns some of the industrial development land on the near 810 hectares (2,000 acre) site which is marketed to energy intensive industries worldwide.
- 1.6 SCU owns the land required for the Proposed Development.

### **The Project Site**

- 1.7 The Project Site (the 'Site') is on the south west side of the Wilton International Site, adjacent to the A1053. The Site lies entirely within the administrative area of Redcar and Cleveland Borough Council ('RCBC') which is a unitary authority.
- 1.8 Historically the Site accommodated a 1,875 MW Combined Cycle Gas Turbine power station (the former Teesside Power Station) with the ability to generate steam for utilisation within the wider Wilton International site. The Teesside Power Station ceased generation in 2013 and was demolished between 2013 and 2015.
- 1.9 SCU has identified the Site, based on its historical land use and the availability of natural gas supply and electricity grid connections and utilities as a suitable location for the Project. In summary, the benefits of the Site include:
  - brownfield land that has previously been used for power generation;
  - on-site gas connection, supplied from existing National Grid Gas Plc infrastructure;
  - on-site electrical connection, utilising existing National Grid Electricity Transmission infrastructure;
  - existing internal access roads connecting to a robust public road network;
  - availability of a cooling water supply using an existing contracted supply (from the Wilton Site mains) and existing permitted discharge consent for effluent to the site drainage system
  - screening provided by an existing southern noise control wall, approximately 6 m in height;
  - potential for future combined heat and power and carbon capture and storage; and
  - existing services, including drainage.

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1.10 A more detailed description of the Site is provided at Chapter 3 ‘Description of the Site’ of the Environmental Statement (‘ES’) Volume 1 (Application Document Ref. 6.2.3).

### The Proposed Development

1.11 The main components of the Proposed Development are summarised below:

- **Work No. 1** – a natural gas fired electricity generating station located on land within the Wilton International site, Teesside, which includes the site of a former CCGT power station, with a nominal net electrical output capacity of up to 1,700 MWe at ISO Conditions; and
- **Work No. 2** – associated development comprising within the meaning of section 115(2) of the 2008 Act in connection with the nationally significant infrastructure project referred to in Work No. 1.

1.12 Please refer to Schedule 1 of the Draft DCO (Application Document Ref. 2.1) for more detail.

1.13 It is anticipated that subject to the DCO having been made by the SoS (and a final investment decision by SCU), construction work on the Project would commence in around the second half of 2019. The construction of the Project could proceed under one of two scenarios, based on SCU’s financial modelling, as follows.

- **‘Scenario One’**: two CCGT ‘trains’ of up to 850 MW are built in a single phase of construction to give a total capacity of up to 1,700 MW.
- **‘Scenario Two’**: one CCGT train of up to 850 MW is built and commissioned. Within an estimated five years of its commercial operation the construction of a further CCGT train of up to 850 MWe commences.

1.14 The above scenarios have been fully assessed within the ES.

1.15 A more detailed description of the Project is provided at Schedule 1 ‘Authorised Development’ of the draft DCO (Application Document Ref. 2.1) and Chapter 5 ‘Project Description’ of the ES Volume I (Application Document Ref. 6.2.5).

### The purpose and structure of this document

1.16 The purpose of this SoCG is to set out the agreement (see Section 2 of this report) that has been reached between the Applicant and the Environment Agency (‘EA’) in respect of the following matters:

- the role of the EA;
- consultation;
- environmental permits;
- air quality assessment;
- Water Framework Directive;
- flood risk/surface water;
- nature conservation;
- noise and vibration;
- landscape and visual;
- combined heat and power;
- carbon capture and storage;
- Construction Environmental Management Plan; and
- the draft DCO.

1.17 In addition, this SoCG also sets out where matters remain to be resolved (see Section 3 of this report).

## **2 MATTERS AGREED**

### **The role of the Environment Agency**

- 2.1 The EA is a non-departmental public body, the purpose of which is ‘to protect or enhance the environment taken as a whole’, so as to contribute to ‘the objective of achieving sustainable development’.
- 2.2 The EA is a statutory consultee in respect of all DCO applications that are likely to affect land in England.

### **Consultation with the Environment Agency**

- 2.3 The Applicant engaged with the EA on the Project during the pre-application process by way of informal non-statutory engagement and also during the formal consultation carried out pursuant to section 42 of the PA 2008. This took the form of a meeting with Environmental Management Officers from the EA and written feedback from the EA’s Planning Advisors in the Sustainable Places team, as detailed in the Consultation Report (Application Document Ref: 5.1).
- 2.4 The EA was first formally consulted on the Proposed Development by the Planning Inspectorate (‘PINS’) in March 2017 in response to SCU’s request for an Environmental Impact Assessment (‘EIA’) Scoping Opinion. The EA responded to the consultation via letter dated 16 March 2017 (included as **Appendix 1** to this report).
- 2.5 The letter stated that certain information should be included in the scope of the EIA, as follows:
- a stack height (and diameter) sensitivity study to be prepared to enable early agreement on stack design;
  - a Combined Heat and Power (‘CHP’) Ready assessment, as required by Article 14 of the Energy Efficiency Directive – to demonstrate the use of Best Available Technique (‘BAT’) to maximise energy efficiency; and
  - information relating to future proofing the Project, which considers the impact of the reduced emission limit values proposed in the European Union combustion Best Available Techniques Reference Document.
- 2.6 The EA was consulted again by the Applicant as part of the PA 2008 section 42 consultation. The EA responded by letter on 7 July 2017 (included as **Appendix 2** to this report), including a number of comments and queries. Each of the EA’s queries/comments, along with SCU’s response, is set out in **Table 2.1** below.

**Table 2.1 – Consultation summary**

<b>Topic/Query Type</b>	<b>Query/comment</b>	<b>SCU Response</b>
IPPC Permit	Confirmation that Ensus have not operated the proposed installation boundary and the original permit holder was Enron.	No action/response required.
Data Correction	Possible discrepancy in the Process Contribution at the Teesmouth & Cleveland Special Protection Area (‘SPA’) - advise that you investigate this further.	Data investigated and corrected in the submitted ES (ES Volume 2, Annex H ‘HRA’ – Application Document Ref: 6.3.15).
Text Correction	In Annex L – Air Quality in PEIR Volume 2, the PCLT at the Teesmouth & Cleveland Coast SPA is detailed as 0.272ug/m3. However, in Annex H the same determinant is 0.301ug/m3.	Discrepancy investigated and corrected in the submitted ES (ES Volume 2, Annex H ‘Habitats Regulations Assessment’ – Application Document Ref: 6.3.15).



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Topic/Query Type	Query/comment	SCU Response
	We consider that this discrepancy should be investigated as this affects the Process Contribution/ Critical Load (PC/CL) data in Annex L.	
Text Correction	Annex L shows the nitrogen (NO <sub>x</sub> ) annual mean data at protected habitat sites. At Teesmouth & Cleveland Coast the PC/CL (%) is 0.9% which is below the 1% threshold for significance. However, the Predicted Environmental Concentration/Critical Load (PEC/CL) (%) is 107% and is 106% or 107% at a further 7 habitat locations, as the data is dominated by high background levels. We advise that you explain the location and measurement basis of background data and ensure that the same statistical basis is used to calculate process contributions and background concentrations.	Discrepancy investigated and corrected in the submitted ES (ES Volume 2, Annex H ‘Habitats Regulations Assessment’ – Application Document Ref: 6.3.15).
Clarification	The stack height of the black start(s) stack(s) has not been mentioned in the report or included in the photomontages.	The black start units have been removed from the Proposed development.
Clarification	A stack height and sensitivity study must be provided as part of the Development Consent Order (DCO) application.	A stack height assessment has been included as part of the submitted ES (ES Volume 2, Annex E1 – Application Document Ref: 6.3.8).
Clarification	It might be useful for the applicant to provide a comparison between the old GDF Suez stack height and the proposed stack height, to help local residents assess the visual impact. We understand that the environmental information in the PEIR report will be fed into the DCO application. We recommend that the individual paragraphs of the DCO application are numbered for ease of reference.	The old GDF stack height was lower at the time the plant was built. A comparison with the adjacent Ensus stack (80m) has been included in the submitted ES to help local residents assess the visual impact. See ES Volume 1, Chapter 11 ‘Landscape and Visual’ (Application Document Ref: 6.2.11).
Acknowledgement	An abstraction licence will not be required for the proposed development.	No action/required.

## Environmental Permit

2.7 There are a number of other consents and licences, in addition to the DCO, that are required in respect of the construction and operation of the Project, including an Environmental Permit (‘EP’). Although the

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2008 Act provides the ability to include the EP within the DCO, it is agreed that the Applicant's chosen approach to progress the EP separately is acceptable.

- 2.8 The consents and licences that the Applicant has identified as being required (in addition to the DCO, are listed within the 'Other Consents and Licences' document (DCO Document Ref. 5.4). This is a live document and details the discussions that have taken place to date with the relevant consenting bodies. It also sets out any actions that are required and confirms the status of the applications required.
- 2.9 It is agreed that the Applicant has sought pre-application advice from the EA for an EP for the activities that are the subject of the DCO.
- 2.10 In addition to the above, there are still some matters to be resolved regarding the EP – please see Section 3 of this report.

### **Air quality**

- 2.11 It is agreed, in terms of methodology, that the effects on human receptors must be assessed using the maximum ground level concentration at any point on the grid predicted by atmospheric dispersion modelling as a worst case approach. In addition, it is agreed that the results of the modelling must be based upon the worst case results for any of the five years of meteorological input data used.
- 2.12 There is the potential for air quality impacts as a result of direct emissions to air from operation of the Project. Additionally, potential impacts on air quality could result from increased traffic during construction, operation and decommissioning.
- 2.13 Impacts on air quality could lead to effects on both sensitive human and ecological receptors. There is also the potential for air quality impacts as a result of project start-up and shut down and emissions during some foreseeable non-routine operations.
- 2.14 The Applicant has therefore undertaken dispersion modelling to assess the effects from the operational Project on sensitive human and ecological receptors – see submitted ES Volume 1, Chapter 7 'Air Quality' (Application Document Ref: 6.2.7). Following the section 42 consultation, the Applicant addressed matters raised by the EA and Natural England in the air quality assessment and associated annexes, including ES Volume 2, Annex E1 'Stack Height Assessment' (Application Document Ref: 6.3.8).
- 2.15 A number of matters are yet to be agreed in respect of air quality – please see Section 3 of this report.

### **Flood risk/surface water**

- 2.16 The assessment of effects of the Project in terms of flood risk and surface water are set out in ES Volume 1, Chapter 6 'Geology, Hydrogeology and Contamination' (Application Document Ref: 6.2.6) and ES Volume 2, Annex C 'Flood Risk Assessment' (Application Document Ref: 6.3.3).
- 2.17 It is agreed that the Site is located within Flood Zone 1 and that this is the zone with the lowest risk of flooding. The EA considers the relevant body to comment should be the Lead Local Flood Authority, RCBC, who is responsible for managing local sources of flooding from surface water, groundwater and small 'ordinary' watercourses. The EA, therefore, has no further comments to make in respect of flood risk and surface water and consider that these matters are outside of the EA's remit to comment upon.

### **Groundwater and land contamination**

- 2.18 It is agreed that the EA has no comments to make in respect of groundwater and contamination impact associated with the Proposed Development in relation to the DCO.

### **Landscape and visual**

- 2.19 It is agreed that this is not within the EA's remit and therefore the EA is unable comment on this matter.

### **Nature conservation**

- 2.20 The assessment of effects upon nature conservation is set out in ES Volume 1, Chapter 9 'Ecology' (Application Document Ref: 6.2.9) and ES Volume 2, Annexes G.1 'Effects of Air Quality on Nationally



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and Locally Designated Sites' (Application Document Ref: 6.3.12, and ES Volume 2, Annex H 'Habitats Regulations Assessment' (Application Document Ref: 6.3.15).

2.21 A number of matters are yet to be agreed in respect of air quality – please see Section 3 of this report.

### **Combined Heat and Power**

2.22 It is agreed that the Applicant has assessed the feasibility of CHP through the CHP Assessment submitted as part of the Application (Application Document Ref: 5.7).

2.23 A number of matters are yet to be agreed in respect of air quality – please see Section 3 of this report.

### **Carbon Capture and Storage**

2.24 It is agreed that the Carbon Capture and Readiness ('CCR') Statement (Application Document Ref: 5.8) assesses whether CCR conditions can be achieved in respect of the Proposed Development.

A number of matters are yet to be agreed in respect of air quality – please see Section 3 of this report.

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### 3 MATTERS TO RESOLVE

#### Environmental Permit 2017

- 3.1 The EA needs to receive sufficiently detailed technical information to complete a full technical assessment of the Project before an EP is issued.
- 3.2 The EA's current position is that it is in the process of reviewing all information submitted and will provide a more detailed response in due course, likely as part of its written representations.

#### Air quality

- 3.3 The EA has not completed a detailed review of the ES and will provide further comments, likely as part of its written representations.
- 3.4 The EA has confirmed however that final conclusions in respect of air quality will require a full assessment of the modelling source data. It is important that the source data is correct. If it is incorrect then additional abatement may have to be added which might require a larger footprint.'
- 3.5 Notwithstanding the above, the EA reserves the right to make necessary comments as part of the DCO process, in respect of, amongst other things, any need for additional abatement and stack diameter. The EA continues to have concerns over the size of the stack diameter. The EA considers that an 8m diameter vertical stack is large. The EA considers that a narrower stack (back pressure issues to be addressed) to increase exit velocity and improve representative air emissions monitoring should be considered.'

#### Noise and vibration

- 3.6 It is not yet agreed that Requirement 20 of the draft DCO (Application Document Ref: 2.1) adequately secures the ability of the EA to be consulted upon and input into a written programme for the monitoring and control of noise during the operational phase that must be agreed prior to commissioning.
- 3.7 The EA is currently reviewing the ES Volume 1, Chapter 8 'Noise and Vibration' (Application Document Ref: 6.2.9) and will comment in due course, likely as part of its written representations.

#### Nature conservation

- 3.8 The EA does not yet agree that the ES demonstrates that the Site is of low ecological interest and that the Project is unlikely to have direct impacts on protected species or interest features within designated sites and that any impacts on air quality resulting from the Project are not considered likely to result in significant ecological effects by themselves or in combination.
- 3.9 The EA does not yet agree that emissions to atmosphere, deposition and potential effects on sites designated on account of their ecological interest have been appropriately addressed in the ES. Furthermore, the EA does not yet agree that the Habitats Regulations Assessment (Application Document Ref: 6.3.15) demonstrates that it is unlikely the Project will not have significant effects upon European Designated Sites alone or in combination with other projects and plans.
- 3.10 The EA is currently reviewing the aforementioned documents forming part of the ES and the Applicant's recent submission requesting a non-material change to the Proposed Development, and will comment in due course, likely as part of its written representations and in response to the consultation on the non-material change requested by the Applicant.

#### Combined Heat and Power

- 3.11 The EA does not yet agree that the CHP Assessment submitted as part of the Application (Application Document Ref: 5.7) adequately demonstrates the 'CHP-Ready' status of the plant in accordance with the three BAT Tests outlined in the EA CHP-Readiness Guidance, dated February 2013.
- 3.12 The EA is currently reviewing the CHP Assessment and will comment in due course, likely as part of its written representations.

## **Carbon Capture and Storage**

- 3.13 The EA does not yet agree that the CCR Statement (Application Document Ref: 5.8) demonstrates that that there are no foreseeable barriers to carbon capture and storage ('CCS') in relation to space allocation and technology feasibility and would like to see more information on this issue
- 3.14 The EA does not yet agree that Requirement 22 'CCS Site' and Requirement 23 'CCS Monitoring Report' of the Draft DCO secures the recommendations of the CCR Statement and the recommendations contained within the Department for Energy and Climate Change ('DECC') Guidance Note (November 2009). The latter details the requirements for a CCR Statement that accompanies consenting applications for power stations of greater than 300 MWe output.
- 3.15 The EA is currently reviewing the CCR Statement and will comment in due course, likely as part of its written representations.
- 3.16 It should also be noted that the Applicant is submitting an updated CCR Statement for Deadline 2 of the Examination, which may provide the additional information requested by the EA.

## **Construction Environmental Management Plan**

- 3.17 Construction emissions would be controlled in accordance with industry best practice and this would be secured by the Construction Environmental Management Plan ('CEMP'), which would need to be developed and approved in accordance with Requirement 13 of the draft DCO (Application Document Ref: 2.1).
- 3.18 The Application contained a framework for the CEMP (ES Volume 2, Annex L – Application Document Ref: 6.3.20). The EA has initially advised that the proposed section headings and range of guidance to be applied is suitable. The CEMP is not part of the environmental permit application process; however, the framework for it should be agreed with the EA to ensure environmental protection during the plant construction phase.
- 3.19 The Applicant has confirmed that it is in the process of updating the framework CEMP to address the ExA's written questions and will submit this at Deadline 2. The EA will provide further comments on the framework CEMP at this time (upon receipt of the updated framework) and the parties will seek to agree the content of the document during the Examination.
- 3.20 This matter therefore remains to be resolved.

## **Water Framework Directive**

- 3.21 The EA is assessing whether the Applicant has demonstrated compliance with the requirements of the Water Framework Directive and will comment in due course, as part of its written representations.

## **Draft DCO**

- 3.22 The EA does not yet agree that the following requirements contained at Schedule 1, Part 2 of the draft DCO are adequate for their purpose:
- Requirement 21 'Combined heat and power';
  - Requirement 22 'CCS site'; and
  - Requirement 23 'CCS monitoring report'.
- 3.23 The EA proposes to provide comments in its written representations and the SoCG will be updated at this time.

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Signed:

Print name and position:

**On behalf of the Environment Agency**

Date:

Signed:

Print name and position:

**On behalf of Sembcorp Utilities (UK) Limited**

Date:

DRAFT

**APPENDIX 1: LETTER FROM THE ENVIRONMENT AGENCY DATED  
16 MARCH 2017**

DRAFT

Ms Alison Down  
The Planning Inspectorate  
3/18 Eagle Wing  
Temple Quay House (2 The Square)  
Temple Quay  
Bristol  
Avon  
BS1 6PN

Our ref: NA/2017/113566/01-L01  
Your ref: 170221\_EN010082-000011  
Date: 16 March 2017

Dear Ms Down

**SCOPING OPINION REQUEST FOR PROPOSED TEESIDE COMBINED  
CYCLE POWER PLANT.  
SITE OF THE FORMER TEESIDE POWER STATION; GREYSTONE ROAD,  
GRANGETOWN, MIDDLESBROUGH, TS6 8JF.**

Thank you for your letter referring to the above Scoping Opinion request which we received on 21 February 2017. We have assessed the supporting documents and have the following comments to make.

**Environmental Impact Assessment Requirements  
Advice to applicant**

We request that the following information is included within the scope of the Environmental Impact Assessment:

- a stack height (and diameter) sensitivity study to be prepared to enable early agreement on stack design.
- a Combined Heat and Power (CHP) Ready assessment as required by Article 14 of the Energy Efficiency Directive to demonstrate the use of Best Available Techniques (BAT) to maximise energy efficiency. Please follow the link below for further information:  
<https://www.gov.uk/government/publications/energy-efficiency-for-combustion-and-energy-from-waste-power-plants>
- Information relating to future-proofing this project, which considers the impact of the reduced emission limit values proposed in the European Union combustion BREF (Best Available Techniques Reference

Tyneside House, Skinnerburn Road, Newcastle Business Park, Newcastle upon Tyne, NE4 7AR.  
Customer services line: 03708 506 506  
Email: [enquiries@environment-agency.gov.uk](mailto:enquiries@environment-agency.gov.uk)  
[www.environment-agency.gov.uk](http://www.environment-agency.gov.uk)





Document), due to be published in 2017, which would require this plant to be compliant within 4 years, thereafter.

#### **Teessmouth Special Protection Area**

We wish to inform the operator/applicant that there is a proposed expansion of the Teessmouth Special Protection Area (SPA). Details of this proposed expansion to the SPA are available on the Natural England website at the following link:

<http://publications.naturalengland.org.uk/publication/5987326182293504>

Consideration will need to be had within the Environmental Impact Assessment and Habitats Directive Assessment to the proposed SPA expansion, as it will greatly increase the size of the existing protected area and move the SPA boundary closer to the proposed power plant site.

#### **Environmental Permitting Regulations**

##### **Advice to applicant**

The development will require an Environmental Permit under the Environmental Permitting Regulations 2010, from the Environment Agency, unless an exemption applies. The applicant is advised to contact our Environment Management Officer Chloe Harvey-Walker at our Tyneside House Office either by telephone on 02030255292 or by email at [chloe.harvey-walker@environment-agency.gov.uk](mailto:chloe.harvey-walker@environment-agency.gov.uk) for further advice and to discuss the issues likely to be raised.

Additional 'Environmental Permitting Guidance' can be accessed via the Gov.UK website at: <https://www.gov.uk>

#### **Abstraction Licence**

Section 3.3.4 of the submitted scoping report discusses three available methods for cooling water. The Once-Through Cooling Systems method indicates that, due to the high volume of water required to operate the system, water will need to be abstracted from and returned to the river Tees (as opposed to utilising the Teesside Industrial raw supply and Wilton Site drains). The discharge of this water should be covered by the required Environmental Permit. However, the abstraction of the water will require a separate Abstraction Licence. The applicant is advised to contact our Permitting Support Centre at the following email address for further advice:

[PSC-WaterResources@environment-agency.gov.uk](mailto:PSC-WaterResources@environment-agency.gov.uk)

If you have any questions in respect of the above, please do not hesitate to contact me.



creating a better place



Yours sincerely

**Louise Tait**  
**Senior Planning Advisor**

Direct dial [REDACTED]  
Direct e-mail [REDACTED]

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**APPENDIX 2: LETTER FROM THE ENVIRONMENT AGENCY DATED 7  
JULY 2017**

DRAFT

██████████  
Sembcorp Utilities (UK) Limited  
PO Box 1985  
Wilton International  
Middlesbrough  
TS90 8WS

**Our ref:** NA/2017/113566/02-L01  
**Your ref:** 170221\_EN010082-000011  
**Date:** 7 July 2017

Dear ██████████

**SECTION 42 REQUEST FOR ADVICE ON THE PROPOSED TEESSIDE  
COMBINED CYCLE POWER PLANT  
SITE OF THE FORMER TEESSIDE POWER STATION; GREYSTONE ROAD,  
GRANGETOWN, MIDDLESBROUGH, TS6 8JF.**

Thank you for your consultation in respect of the above proposal which we received on 14 June 2017. We have assessed the submitted information and have the following comments to make.

**Preliminary Environmental Information Report (PEIR)  
Advice to Applicant**

Paragraph 6.61 on Page 6-24 describes the history of the IPPC permits regulating previous operators on this site and states that

“One entry appears to be registered to Ensus UK Ltd for ‘Organic Chemicals; Oxygen containing compounds’. This permit is understood, in fact, to be associated with the neighbouring Ensus bioethanol plant (see below), however, is listed in the Envirocheck database as ‘onsite’ due to inaccuracies in the IPPC registration system.”

We agree that the Envirocheck database is incorrect in this matter. We can confirm that Ensus have not operated within the proposed installation boundary and the original permit holder was Enron. The following table is an extract from the Environmental Permitting Regulations (EPR) permit for GDF Suez Teesside Limited. The table shows that the operators of the previous site were Enron and then px Limited. Subsequently, GDF Suez Teesside Limited operated the site.



**Superseded or Partially Superseded Licences/Authorisations/Consents relating to this installation**

Holder	Reference Number	Date of Issue	Fully or Partially Superseded
Enron	AA8397(IPC)	24/07/92	Fully superseded
Enron	BR7429(IPC)	08/04/02	Fully superseded
px Limited	BY3924(IPC)	05/12/04	Fully superseded
px Limited	WP3133LB(PPC)	15/12/06	Fully superseded
px Limited	RP3834UY (PPC variation)	17/05/07	Fully superseded
px Limited	KP3130XR	23/11/07	Fully superseded

Annex H-Habitats Regulations Assessment in the PEIR Volume 2 states that the Process Contribution (PC) at the Teesmouth & Cleveland Coast SPA is 0.0433 kgN ha<sup>-1</sup> yr<sup>-1</sup> whereas the PC at the pSPA is 0.0407 kgN ha<sup>-1</sup> yr<sup>-1</sup>. Unusually, the PC is lower at the pSPA, which is closer to the installation than the SPA. There might be an issue with this data and we advise that you investigate this further.

In Annex L – Air Quality in PEIR Volume 2, the PC<sub>LT</sub> at the Teesmouth & Cleveland Coast SPA is detailed as 0.272ug/m<sup>3</sup>. However, in Annex H the same determinand is 0.301ug/m<sup>3</sup>. We consider that this discrepancy should be investigated as this affects the Process Contribution/Critical Load (PC/CL) data in Annex L.

Annex L shows the nitrogen (NO<sub>x</sub>) annual mean data at protected habitat sites. At Teesmouth & Cleveland Coast the PC/CL (%) is 0.9% which is below the 1% threshold for significance. However, the Predicted Environmental Concentration/Critical Load (PEC/CL) (%) is 107% and is 106% or 107% at a further 7 habitat locations, as the data is dominated by high background levels. We advise that you explain the location and measurement basis of background data and ensure that the same statistical basis is used to calculate process contributions and background concentrations. The national and non-statutory objectives are a benchmark for harm and any significant contribution to a breach is likely to be unacceptable but is assessed on a case by case basis taking account of the costs and benefits of the situation.

The submitted information mentions heights of 75 metres and 90 metres as options for the main stack. However, the stack height of the black start(s) stack(s) has not been mentioned in the report or included in the photomontages.



A stack height and sensitivity study must be provided as part of the Development Consent Order (DCO) application. We note that it has not been provided in the submitted PEIR report.

It might be useful for the applicant to provide a comparison between the old GDF Suez stack height and the proposed stack height, to help local residents assess the visual impact.

We understand that the environmental information in the PEIR report will be fed into the DCO application. We recommend that the individual paragraphs of the DCO application are numbered for ease of reference.

### **Abstraction**

Our previous comments at the scoping opinion stage detailed that an abstraction licence would be required if the Once-Through Cooling Water System was chosen as the preferred method for cooling water.

Table 6.1 - Consultation Responses in the submitted PEIR report clearly details that the Once-Through Cooling Water method will not be used and that water will be delivered through the Northumbrian Water mains system which already serves the Wilton International site. Section 5.3.8 – Cooling Water System of the PEIR report also mentions that the Once-Through Cooling System is not being proposed for the project. Therefore, an abstraction licence will not be required for the proposed development.

If you have any questions in respect of the above comments please do not hesitate to contact me.

If you require any further advice from us prior to submission of your DCO application I would be grateful if you could contact me directly. Please note, a request for further advice or review of documents/information prior to submission of the DCO application will be subject to a charge under our cost recovery regime.


Yours sincerely


  
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