

TRANSCRIPT_ISH4_SESSION2_NETZEROT EESSIDE_14072022

01:00

Yes, that's better a few times now less than four to five times resume. This hearing will now move on to Item four, which is ground conditions. Miss Davis.

01:14

Please can we start with an update on the progress that you're making on the ground investigation? The risk assessments?

01:21

Yes, ma'am. I'm going to ask Dr. Ian Campbell, to lead on this matter.

01:28

Is Dr. Ian Campbell, the applicants

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a premier ground investigation undertaken by the applicants in 2021.

01:37

And an interpretive report on that ground investigation has been produced by AECOM. Both the factual and the interpretive reports were submitted to the examining authority at deadline three.

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And comments on both were provided by the EA a deadline for

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a response to the EAS comments has been drafted by the applicants and will shortly be submitted to the EA and draft prior to discussion at a meeting between the applicants and the EA later this month.

02:08

Following the receipt of the EAS comments and following the meeting,

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the applicants ground investigation report will be updated, including an updated site conceptual model.

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At that point,

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we will have to confirm the date that the updated interpretive report will be submitted to the examining authority.

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Could you give us a rough idea of that date? So you know, your meeting Environment Agency in the middle of July? Yes. So when are you likely to formalise a response to us? By which deadline? I would imagine it will be six or seven. Okay.

02:52

Taking into account summer.

02:56

Okay.

02:59

So added a couple more questions on ground conditions, one of which is around responsibility for the works that's going on. I'm a bit confused at the moment about who's taking responsibility for which bits. Could you talk me through that so that I'm a bit clearer?

03:18

Mattawan on this matter, is this the responsibility for the remedial works? That's part of the question. Yes, all sections of it. So who's going to be responsible for the investigation going forward? Who's going to be responsible for deciding what needs remediating and who's going to do it? And then who's going to be responsible for any validation and then long term monitoring, then he's doing what I suggested if we can deal with this in two parts. The first part I'm going to ask Mr. Bottomly, just to explain what is being what's going on sort of between the parties as it were on this matter. And then against that background, it might help if I just explained how requirement 13 works for the purposes of the development consent order, because that includes provisions which are intended to govern this matter. So I'll get Mr. Bottomly, to provide some context, and then I'll come in on requirement 13. Sounds good. Thank you.

04:14

Jack Bottomly on behalf of the applicants, and so we've been in discussions with SPDC on the remediation of the main PCC sites.

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Currently, those discussions envision that by the voluntary agreement for that lease SDDC would be responsible for the remediation.

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And then, on completion, when we draw down the lease, we would conduct a baseline survey to establish a baseline. Thereafter we will be responsible for the future monitoring

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or women the main PCC side.

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And then, so before I pass about to miss

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But in the event that we do not reach a voluntary agreement, we would be responsible for our own remediation of the sign.

05:11

Thank you, Madam V.

05:13

The way that requirement 13 and the draft development consent order is structured allows for both of those possibilities to be addressed

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within the scope of the order. So it might be worth just having requirement 13 available, I'm looking at the track change version, which is rep 4003. But it is the deadline for

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version of the draft development consent order report, can I just interrupt a second is that something we can get up on the screen before we carry on.

06:03

While that's been done, just to give the pagination services in within sheduled, two, and in the internal pagination, it's page 44. It starts.

07:26

If it helps Jake It's page 45 on the PDF.

07:56

Grateful,

07:58

Man, am I

08:00

trying to explain this as a macro level burst, it's it might be helpful to think of

08:07

this as having broadly three parts. So paragraphs one and two,

08:16

provide for the submission and approval of a scheme. And I'll come back to what they provide in a moment in more detail. And then you have from paragraph three onwards, various provisions, which deal with the implementation of such a scheme. That's the second part of it. And then if you look to paragraph seven, eight and nine as the third part of it, they deal with alternatives to getting an approval under subparagraph, one for a scheme. And paragraph seven and eight effectively provide for an alternative route to getting a scheme which takes you back to the beginning of the second part, as though you had a scheme so that so so that middle part works in the same way for a scheme approved under seven and eight, as it does for a scheme approved under one and two. And then paragraph nine, as you'll see from the beginning, so subparagraphs one to eight do not apply to and then there's an alternative way of dealing with it. So that's the macro picture. If I then take you back to paragraph one.

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You'll see that the

09:49

nature of this is that no part of the authorised development may commence save for geotechnical surveys and other investigation for the purpose of assessing ground conditions.

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And,

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until so just pausing there, this is not one of those

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requirements where the permitted preliminary works. exception applies, there are very limited exceptions, so no part may commence subject to there's limited exceptions into the scheme to deal with the contamination of land for that part has been approved, and that has to follow consultation both with the EA and with STD C. Then paragraph two explains what the scheme has to comprise has to be consistent with both what's in the relevant part of the ies and also the camp submitted under requirement 16. And then it has to include certain things. So preliminary risk assessment

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that is supported by site investigation scheme and so on identifies the extent of any contamination, then an appraisal of the options for remediation and a proposal for a preferred option for the relevant area.

11:05

And that is in order for it not to meet the definition of contaminated land under the relevant part of the Environmental Protection Act. And where the preliminary risk assessment identifies the need for remediation, there has to be a remediation strategy, including the preferred option for ensuring the site won't meet that definition, and then a verification plan. And then the materials management plan with long term measures respect to any contaminants that remain on site during and after the authorised developments are carried out. And then obviously, how you deal with unexpected contamination so that that provides for a comprehensive scheme to deal with contamination so that

11:54

you end up with in the relevant part, ensuring the site won't meet the definition of contaminated land,

12:01

you then have under three to carry out the authorised developments in accordance with that scheme. And then you've got the requirements dealing with the verification report, if I can then go forward to seven, and this deals with

12:19

the alternative. So as an alternative to trying to get a an approval under subparagraph. One,

12:26

The Undertaker can submit to the local planning authority for approval again, following consultation in the same way a notification that wants to send to rely on a scheme,

12:38

which relates to that any part of the work numbers identified has previously been approved by the planning authority. So if you've got a separate scheme that's been approved already, and if it is then accepted as such a set that is appropriate

13:00

under eight, A, then effectively you treat that as your

13:08

scheme for the purposes of part three, paragraph three and following. If it's not accepted as such, then will you have to go back to option one. So that deals with a situation where, under the

13:25

aegis of someone else's scheme, you've already got something in place, and you then just need to implement it. But under paragraph nine,

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it may be that the undertaker is able to demonstrate to the planning authority that the relevant part is fit for the authorised development through a remedial Validation Report,

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which identifies through a risk assessment and details of any planning commission under which remediation works were carried out that effectively it's been dealt with. And if that happens, you don't then have to go through the loop. So that through that mechanism, the DCO provides for the range of foreseeable options, so that it is essentially a self contained regime. But what you can't do is implement any part of the development unless you've got to the desired endpoint through one of those routes. So that's a bit convoluted, but I hope it provides an answer in terms of how the DCO deals with this factual scenario. It does thank you

14:34

for looking at timescales, when were you hoping to commence the development?

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Process Mr. Bottomly to deal with that, sorry is that commenced the remediation commence in the sense of the wording of requirement 31.

14:54

No part of the authorised development may commence.

14:59

I would

15:00

suggested that we are still aligned to the shedule. In chapter five of the Yes, remind me what that date would be after look at.

15:16

Income from the applicants, I think from memory, it's kind of mid 2025. In the chapter five, for commencement.

15:27

We'll just check and confirm that. What if we work with that for now, so that you can understand where I'm coming from.

15:37

At the moment, you've only got a preliminary investigation.

15:44

And there are quite a few gaps environment agencies identified that there's outstanding areas that they want to look at.

15:50

So we've only got a very rough idea of what you're going to find underneath the site at the moment and what you're going to have to deal with. So in terms of coming up with a scheme, I'm pre empting, your meeting with the Environment Agency a little bit here, I appreciate that. I'm trying to understand how likely it is that you'll be able to come up with a scheme before you need to commence the development, the date that you've got. So could you give me an idea of when you're intending to do the main site investigation that might help

16:19

income? Well, for the applicants. There's already a supplementary ground investigation in support of the feed work, which commenced recently

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we have taken the opportunity following the receipt of comments from the EAA on the preliminary ground investigation to modify that ground investigation, as in particular, that's included

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additional groundwater monitoring, and additional investigation in areas where the EAA has

16:48

particularly asked for more information, so the northwest of the site in particular.

16:54

And when will you be producing the results of that?

16:58

It will be towards the end of this year, I think,

17:02

with the full report to come out.

17:05

So it'll be after the end of this examination? That's likely yes. Yeah.

17:13

And then, above and beyond that, as a supplement, another supplementary ground investigation which we undertaken along the connections corridors, so outside of the PCC site, and that's due to stop be in q3 q4, this year.

17:35

So looking at when you're likely to come up with a scheme that will be submitted for approval, have you got a feel for when that's likely to be submitted?

17:49

Think we need to respond to in writing on that.

17:53

Melody, if I'm May, having heard the the line of questioning and therefore the uncertainty that you've identified? Would it help if we provided a timeline that shows how we envisage this will work out to enable us to commence? As anticipated? Yes, I think that will be helpful. I think we'll be looking to understand whether or not in principle a scheme can be produced.

18:21

And whether or not the timing of that will be suitable to when you want to commence the development as it's defined in that first paragraph.

18:33

Madam, just to add to that point, and I think over time, I would would be beneficial. And we'll submit that for a deadline of five. I think the other point to emphasise is that we're engaging with SDDC for them to undertake the remediation, so that we can achieve the timelines we're wanting to set out. So hence, it is a little bit more convoluted by having them involve to do that. But that is, has been deliberately done to allow that programme to be realised. So just to clarify, and perhaps reassure on that point.

19:05

Under paragraph eight of that requirement, 13 there's a reference to other approvals. Are there any or are you expecting to have some? And the same question applies to paragraph nine? Are you anticipating that there will be other validation reports that you can rely on?

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Ma'am, just so that I understand it, the reference in paragraph eight

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to a, an approval, this is an approval of a notification under subparagraph. Seven. So under sub under subparagraph. Seven The Undertaker may submit

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for approval by the relevant planning authority and notification that the undertaker in tends to rely on a

20:00

An alternative scheme. And it's the alternative scheme that is

20:07

notified as it were the notification is then approved. So is the question. Are we aware of any alternative schemes that are likely to come forward to deal with the contamination of land? Yes, yes. And

20:24

I'll ask others to deal with that. But, but presumably that would include then any scheme that STD C comes up with for decontamination of any lands, I just asked if we're aware of any other schemes of the light to come for.

20:44

Income off the applicants. We're not aware of any other schemes other than the, what's proposed under the SPDC planning permission for remediation.

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I was curious to know if it had been written

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in the knowledge that they were likely to be other schemes coming forward. But that's not the case. Well, well, as I understand it,

21:07

the opportunity for Dr. Campbell to correct my understanding, but the application for remediation,

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submitted by STD See, would be potentially a scheme to which paragraph seven would apply. So there is that potential as I understand what's being said, we're not aware of any separate scheme in contemplation beyond the one that's been for which planning permission has been sought.

21:39

Okay, thank you

21:43

are a couple of other questions relating to that.

21:49

Zooming in a bit more.

21:52

Environment agencies specifically asked for monitoring of the effects of using the reused slags they wanted groundwater monitoring to look at the long term impact, I think on groundwater quality is that proposed, as I understand I've gotten instructions on that. This morning, my understanding is that that is a matter under discussion with the environmental agency following their deadline three submission, I anticipate it will be covered in one of the meetings it is coming up. And depending on what comes out of that there may be then a need to consider supplementing

22:30

requirement 13, if that's necessary in order to meet that concern. Thank you. And read co counsel also asked about offsite migration and monitoring of that is that also something that's being progressed?

22:47

Income off the applicants in the hydrogeological impact assessment that we submitted it deadline for which is based on the preliminary ground investigation, we haven't found any evidence of off site migration as in off the steelworks site.

23:03

So there's been no evidence of migration to tease Bay, for example, or the North Sea.

23:10

Thank you. And obviously, that will be confirmed by any supplementary ground investigation. And if the supplementary ground investigation

23:19

identifies the conditions are different than the supplement or the site conceptual model and the hydrogeological impact assessment will be updated. Okay. Thank you. Did anybody have any questions that they wanted to raise on ground conditions before I move on?

23:35

Can I just told one point ma'am.

23:39

I had a discussion yesterday with colleagues from STD C. There is a current application I think this is the application that counsellors referring to former edcast your works, engineering operations associated with brown remediation and preparation of the site. Councils references are stroke 2021, Stroke 1048 Stroke, F. F M. My understanding as of yesterday is that the concerns of the Environment Agency have been addressed. They have withdrawn.

24:13

Not sure if it was an objection, it might have simply been a responsive concern. And the latest information information I have is that the authority are going to be in a position to design that planning application under delegated powers. Probably in the very near future, I would expect within the next 10 to 14 days.

24:34

So that's just just for your information. Yeah, thanks for the update, Mr. Miller.

24:44

So moving on to the horizontal directional drilling.

24:49

Appreciate that the intention is no longer to drill beneath the T's but until we're certain about that we're gonna have to proceed on the basis that it might happen, and it'll still be required.

25:00

Add for the co2 export pipeline and any replacement outfall will be drilled by microbore.

25:10

So I wanted to run through how paragraphs 2.232 and 2.2323, sorry, of the National Policy Statement en fall have been taken into account.

25:26

Matter again to us, Mr. Paul Edwards sat me down to my right to answer that

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or AdWords to the applicant.

25:36

So, madam, as you clarified, There are currently three HDDs in the order, we are not progressing the co2 pipeline, t's river crossing,

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I think we notified that that will be one of the changes that will be advanced into the DCO. So this response does not cover the T's crossing HDD that is currently in the DCO. So this response covers both the co2 export pipeline from the PCC site and the optional potential new build wastewater outfall from the PCC site. Both of those are in the same corridor in the same area. So this response covers both of those HDD options. There's no nuance responsible if those individually

26:28

we haven't undertaken ground investigation work on PCC site on the cotton dunes and on the beach as well and that was undertaken last year. Those investigation works have confirmed that the geology in the area is suitable for HDD and we also noted that EDF have previously done a HDD to connect the the wind farm and to the onshore area. So they previously have done an HDD in this area that was successful.

27:05

One of the reasons we are choosing HDD is that we don't particularly want to do an open cut through the protected area. So that's one of the reasons that we are biasing towards an HDD so that we don't have to do an open cut trenching operation through through the coat and June's because of that protected status.

27:28

Both the co2 export pipeline and the option of wastewater for pass beneath the SBA and runs our site and the breakout area for the HDD is within the national SBA.

27:44

The Trench lifts methodology has been selected rather than sorry, I've said that already.

27:50

The geology of the dunes area is blown sand and made ground up of post glacial and glacial deposits, and then into the Mercia mudstone under the SPI and the rams are the HDD will run sub horizontally through the Mercia mudstone. Before rising to the breakout point in the SBA. The depths of the HDD and the presence of the Mercia mudstone will prevent and mitigate any FRAC out risks that could potentially affect the SBA.

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The planned breakout point of the HDD bores in the TSB have been identified as an area that could be susceptible to frack out.

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So we are planning a further ground investigation

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in the near shore area later this year. And we will use the data that that ground investigation provides us with to optimise the drilling programme, and the the selection of the fluids that will be used for that drilling to minimise the potential for any frack outs. But also, if there is a frack out, we'll select fluids that are inert in the marine environment. And there'll be used to

29:08

offset any potential effects from that. And we believe that the dispersion of the drilling fluids will also be fairly quick, within the with the area as well.

29:21

We also just highlight that, under 223, three of em four, that doesn't apply in this area as the HDD route, doesn't pass under a designated geological or geomorphological. Interest

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will obviously provide all of that in a written statement to you. And there's a whole heap of references that we've got here about how that is referenced in the existing environmental statement and the associated information in the DCO. So we can provide all those references with a written response. That's really helpful. Thank you. So Natural England have obviously raised concerns about breaking

30:00

out from the drilling. Have you and I saw you put a paragraph into the most recent HRA. Have you had any correspondence with them about your proposal since then? I'll defer to my colleague, Dr. Campbell, but one has he has the conversations with

30:16

her in Campbell for the applicants? Yes, we had a meeting with Natural England earlier this week, and we discussed the HDD collapse issue. And the, they were reassured by the information that Paul Edwards has just given to you, what they want from the applicant is confirmation through the appropriate assessment of that information. So that's included in the HRA, and also provision of pollution mitigation plans and the event in the what we consider the unlikely event that there was a blackout and leak of drilling fluid. But they accepted our argument that any leak out of drilling fluid will be in TES Bay, rather than within the dunes of particularly onshore protected area. That was the area that they were most concerned about based on experience of the sites where there have been problems with HDD, using HDD techniques.

31:15

And they also accepted that

31:19

if there was a leak of drilling mud into the bay, similar to any drilling rod that comes out into the bay at breakout, that would be dispersed within the bay. And it's as it's composed of inert materials, it doesn't represent a pollution risk. But we will confirm that with them through the

31:39

updated HRA, obviously, which they can comment on. Yeah. And we'll be looking for them to confirm that

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day. But yeah, those are my recollections of the meetings.

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And madam, just just to complete the picture,

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Mr. Owen was referred to the submission of a note which will encapsulate both what he said but also the relevant references within the documentation. And we hope that that will make it easier for you and your colleagues when reporting against the relevant parts of the national policy statement to which you've identified and how this has been addressed. And we can also include in that references to where the measures that have been described in terms of how the HDD will be carried out, and how that will minimise and mitigate any effects of any frack out. Those can be included in the notes. So you've hopefully got then a complete picture of how things are secured where they're relying on. Thank you. I'm looking at timescales for that if Natural England are asking you to update the appropriate assessment and that there's going to be air pollution mitigation plan.

32:52

And you also mentioned that there's going to be more ground investigation needed. What are the timescales for that in relation to the examination, and we're going to have confidence

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that Natural England are content with the HRA by the end of the examination.

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In terms of the updated HRA, we're talking about think deadline six, for that.

33:21

The additional ground investigation, information will come through the supplementary ground investigation, which is ongoing at the moment. And I would have to we might have to respond separately, I think in terms of when those all holes are going to be drilled.

33:39

No, sorry. Mr. Bosman has just confirmed that it won't be available within the examination timeframe. The results from that, madam, just two points, if I may. The first point is in the timeline that we've already said that will provide in terms of ground investigation we can cover when that would come in

33:58

that the second matter is my understanding. And I'll be corrected if I'm wrong about this. Is that demonstrating that this has been adequately considered and can be dealt with and wouldn't give rise to adverse finding in terms of the HRA is not dependent on that further information? My understanding is that so far is natural. England's position has been communicated so far to us that it concerns

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were in the various stages of the HRA process. The assessment is to be found, rather than uncertainty as to what the ultimate answer is. And so we're we're reasonably optimistic that once we have provided something that puts it in the right stage, that we'll be able to reach hopefully common ground with that not that great, thank you.

35:03

And just by way of

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a heads up, as it were, as to where some of these matters of methodology might be covered. The updated framework camp will include HDD, methodology matters. But we'll, as I indicated, will include that in the note

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that responds to this item.

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Things.

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And related to the camp, I noticed that the MMO asked,

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while they noted that it deadline three, the applicants agreed that mitigation release from HDD will be in the camp and the MMO have requested that this is also in the D marine licence. If it poses a risk to the marine environment.

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Could you give us an update on what you're up to with that place? I'd have to take that away and consider it. I am conscious that the de marine licence does already include reference to a chemical within the conditions, but as to whether it covers HDD, I just want to check before we

36:13

do give a definitive answer to that. So can we deal with that in writing in the post hearing notes if that's acceptable? That'd be great. Thank you.

36:23

Are there any other comments or questions about HDD before I move on?

36:30

So my next question was about the concerns that have been raised by NPL waste management limited. We've had some more correspondence from them on Tuesday. It hasn't been published yet. But it expands on their original concerns about contamination. And the main point of it is that the applicants are refusing to remove any contamination found. I get the impression you've had some correspondence with them. And I wondered if you'd like to give us an update on how you're addressing their concerns? Yes, well, I'll try and do this in a proportionate way.

37:04

The letter that has been most recently submitted, which was the lesser of the 11th of July, it refers to a compulsory purchase hearing of the 10th of May, but I think that's a typographical error. It is, in many respects, identical to the submission that was made in lieu of attendance at the compulsory acquisition hearing. But there is a difference in the wording so far as the contamination part is concerned. And what they say is that the applicant is refusing to remove any contamination that it finds, whilst undertaking its proposed operations within the curtilage of NpLS property. And they say NPL consider that should the applicant on Earth contaminated materials as part of their works. And then these words are additional, I think, to what was in the previous submission, and or affect any other parts of the NPL ownership, those are the additional words, they should remove them. So that seems to be the nature of the concern. And

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there have been, as I understand it, discussions about this. And I guess, try and keep what I say, to within reasonable limits, bearing in mind that this is essentially a commercial matter, and negotiations are ongoing. But

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if I can push it in this way, this is not a concern as to environmental effects, or as we understand it, that more needs to be done to cater for the effects of the development so far as contamination is concerned.

38:56

If one looks as we did a moment ago, at requirement 13. And what it stipulates so far as dealing with contamination is concerned, it's quite clear that whichever route is adopted of those that I described, one ends up with a complete and comprehensive answer to any contamination that is found as a result of the works.

39:26

And therefore, what this seems to be dealing with is something that goes beyond what is necessary to deal with contamination in public interest terms and it relates to a wider commercial consideration. I haven't seen anything from MPL to date that seeks to suggest that requirement 13 is not comprehensive in what it requires to be done where contamination exists. And so it

40:00

provides a complete answer. And anything more anything more beyond what requirement 13 already requires to be done would necessarily be unrelated to the development and therefore a matter of separate commercial negotiation. It's not something that arises as a result of what is proposed, and therefore nothing more is needed on the face of the order to deal with this issue. But negotiations are ongoing on the commercial matters, it may be that this is resolved through that means if it's not, the answer is regarding 13.

40:36

Noted Thank you.

40:40

Were there any other questions in relation to ground conditions before I move on to water?

40:51

So moving on to the water environment. We'll start with issues relating to the water supply and the discharge as a decision be made yet on how and where the industrial effluent is going to be processed. I'm going to ask Mr. Bottomly, to respond to this amount.

41:12

During possibly on behalf of the applicants,

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at the moment, the latest status on that decision is reflected in our submission deadline for being rep 4031 where we outlined the status of any remaining optionality we have in the order. We still anticipate making that decision within examination. But we don't have a deadline to confirm at this time.

41:42

So what is it that's holding up making that decision at the moment?

41:47

So we are still in technical and commercial discussions with Northumbrian Water limited on the option of treating some streams of effluent at the brand sands wastewater treatment plants. We are also in ongoing discussions with the Environment Agency and Natural England with regards to any concerns they would have with that option I'll do

42:16

if I may, Madam Richard Lowe represented the applicants.

42:19

One of the issues that you'll appreciate as a right arisen relatively late into our application assessments and is the nutrient neutrality point. And I know this is a subject of discussion later on in in this hearing, but that is having a bearing on the decision we make in terms of our discharge location for our effluent, because we obviously don't want to direct our effluent to an area where that leads to a complication relating to neutral neutrality. So that's part of that rationale for the decision.

42:51

Yeah, thank you.

42:55

So moving on to the design, the alignment for the outfield tees Bay, a deadline,

43:01

a deadline for you said that the technical assessments required to confirm the feasibility of using music sting discharge pipeline hadn't been completed. So where are we up to with that now? And can you tell me a bit more about what's involved in the feasibility assessment as well, please?

43:19

Yeah, Sherman. The assessment is ongoing

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by one of our nominated contractors.

43:27

Broadly, this assessment is looking at the feasibility for us to connect to the existing outfall shaft. It's not a set assessing the existing condition or alignment of the outfall itself.

43:45

Through technical discussions with SDDC, they've indicated that they would like to cap the existence shafts at ground level to enable development on top of it.

43:57

That represents some technical challenges from us, because it requires a new approach to connecting below grade but above the waterline. So the study is focused on whether that is technically feasible.

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On completion of that study, well, we'll either know whether it's still feasible and then further work will be required or whether that would rule out the use of the existing outfall.

44:26

In manner of timing, we're expecting that phase of the study to be completed within August of this year.

44:36

So we can provide an update at this subsequent deadline. Would you expect to make a decision in August about whether or not it's feasible to connect to this extreme outfall? If that was study was to reveal that it is not possible to connect below grade and therefore we would impact the potential develop

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of that area of tees works that would essentially roll out that as an option

45:05

along with other considerations of of a replacement outfall. So, we Yeah, if technically not possible to utilise the existing outfall, we would

45:17

by by definition, select the replacement for work number five be there. So, then after August if it is possible to connect to the existing outfall at that point, you then look at whether or not the outfalls suitable in a suitable condition to use the tunnel itself and how long is that likely to take? So, we have already done some preliminary work on this and we have identified a contractor that will be able to do a internal inspection of of the existing outfall. So, we we will be confident if if we would have to go on to that next stage of that study that we could again do that within the examination and have the feedback to share with with the panel. Yeah.

46:03

So, it sounds as though you are confident that you're going to be able to tell us one way or another by the end of the exam, whether or not you're going to need to drill a new outfall. Yes, yes.

46:31

And then

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relatively minor question perhaps but about how your discussions are progressing with Northumbrian Water for the Fall water discharge, which it sounds like is likely to go to mask by the sea.

46:46

Yeah, ultimately on behalf of the applicants. Yeah, we are in ongoing discussions with Northumbrian Water limited on this option. We are now in technical discussions on a fortnightly basis. We've committed to share demand

47:05

volumes for mas by the sea in the near term for them to be able to assess available capacity.

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We have been in discussions with North Bay water limited since early 2020. Part of that initial discussion,

47:22

there was confidence that they would have capacity because there is available capacity having

47:28

previously accommodated the steelworks where the PCC site will be. But we do need to positively confirm with our latest numbers.

47:38

And will the recent questions about nutrient neutrality have an effect on those conversations? Do you think

47:50

regular representative applicants, I think the discharge to mass by the sea would still be wouldn't affect the nutrient neutrality issue. We're confident that that can be reconciled and the use of Moscow the secrets would wouldn't have any bearing on the neutral neutrality. Okay, thank you.

48:13

Which I think moves us neatly on to nutrient neutrality.

48:20

Right, could you give us an update on the progress on the modelling?

48:28

Richard Liu representing the applicants, the modelling is ongoing, and we have some preliminary results. That was we're having discussions with Environment Agency in Natural England

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to share the methodology and agree the methodology which the first step undertake the assessments, considering the discharge, and looking at whether that discharges via

48:51

WM Gupt, through the Branson's existing licence discharge point or whether we would be discharging via one of the outfalls.

49:01

We're clarifying the position of and the government agency are largely deferring to Natural England on this point, as indeed are the MMO. And I think representations have been made by both parties to that effect. So that discretion was Natural England is ongoing.

49:17

We're seeking clarity from them in terms of the interpretation. The focus has been to teach relating to the assessment of effects on the estuary. And certainly the anecdotal evidence provided in meetings by Natural England to date is that they want us to undertake the modelling to demonstrate that we're we to discharge into the bay that that discharge wouldn't then reach the estuary or dispersed back into the estuary under the tides.

49:48

Initial consideration and assessment of the work we've done is that that is the case and we have not identified any exacerbation of nutrient issues in the estuary. But we are still come

50:00

firming that position. And we want to agree that position with naturalism before we submit the documentation into examination so that there are no surprises from them, and we can expedite their review and determination of what we provide. So you're not predicting at the moment and appreciate its early significant effects via either route.

50:21

We're certainly not predicting a significant fitness by the use of the outfall.

50:26

So that then leads to the discussion around the return line that we have included with the development consent order from brand sands effluent treatment plant back such that we could discharge effluent through the outfall, we're still examining the issue around if we were to discharge to debone Gert,

50:46

obviously the discharge, who does Northumbrian waters discharge,

50:51

and they haven't existing consent. But we fully appreciate that we and our proposed development wasn't exacerbate the any issues that identified related to that. So I think with the demo, the work is still ongoing. With regards to the discharge via the outfalls, we have great greater confidence at this stage that that's not going to cause any issues into the estuary.

51:17

You said you're having discussions with them over clarification of interpretation? Can you tell me a bit more about what that means? Well, so the position that that naturally kind of set out to us is, as I've indicated that they want us to do the modelling to make sure that we aren't exacerbating nutrient neutrality issues in the estuary. And we just want to confirm that position with them. And

51:43

ultimately, as the wording of the of the of the guidance provided by Natural England focuses on not causing any increase in nutrients. So therefore, how do we apply that definition, ultimately, in terms of a dispersion, so it's agreeing that there is a de minimis threshold that we can assess against and and making sure that our interpretation of cause with their interpretation of the of the guidance and the policy that they're putting out?

52:14

I see. Thank you.

52:18

Does your model do in combination?

52:22

effects with the fallout from air dispersion as well? No. So the air dispersion point and the nitrogen deposition from air dispersion has been considered separately, we've looked at the potential pathways, and the concentrations that are involved and the concentrations are so low, and the dilution and dispersion is so significant into the bay, that we've ruled out any potential in combination effect from that pathway, based on the really, really low risk associated with that. So we're setting that out. We've had early discussions with natural inven to agree that point, but we will confirm that in writing and get an agreement in writing on that point. So it is a question that you're going to put to them if their content that you look at the two separately and not. Not in combination. Yes. Okay. Yeah. But but we're confident based on the concentrations that we're dealing with, that's appropriate, just effectively, we've screened out that pathway as part of the assessment. But obviously, we need their agreement on that point. But the discussions to date are that they agree that based on the evidence that we've presented, we can screen out the air dispersion pathway. Okay.

53:41

So if you can't reach agreement on the nitrogen modelling, or you can't rule out adverse effects, have you started to think about what mitigation could be put in place or compensation? Potentially? Yes, yes, we have. So in parallel, we were looking at

54:00

exactly that. Would we need to do any compensation or mitigation as appropriate? And what that would entail? Yeah.

54:09

So would you like to share your thoughts on mitigation, and if it is even likely to be possible, I wouldn't want to prejudge the outcome of the assessment. So, I mean, obviously, we're aware that there are different options to have been identified.

54:24

Through natural England's advice and guidance. So we are considering each of those potential options. Whether that's some form of additional treatment, whether that's some form of additional land is something that's being explored and and but rather than propose some ideas, which might be unnecessary or lead down a standard path, I think I'd rather we finalise the modelling agree the level of effect, then understand the implications, but we are absolutely looking at what if scenarios in the event that something further is required

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and having those conversations with Natural England where we're not yet in the discussion of of compensation mitigation with nurturing the no because we want to set out our position as to whether there is actually an issue to be compensated or mitigated.

55:24

Had one last question on the HRA, which isn't related to nutrient neutrality, Natural England agreed that T Southbank quarry should be included in in combination effects. And I can't see that that's gone through. So I wondered if that was something that you could

55:39

check out?

55:42

These? Certainly right. And we'll we'll check that that will be included. Thank you.

55:52

Were there any comments or questions anyone wanted to make on nutrient neutrality before I move on?

55:59

So turning to the Water Framework Directive, and there's obviously gonna be some overlap with what we've just talked about.

56:06

But my understanding that a separate model for the deposition of atmospheric nitrogen on the water bodies has been developed. Can you provide an update on this?

56:17

Sorry, were you not ready then? Sorry. I was expecting a different question on the water primogeniture, so I do apologise. Would you? Repeat the question, please? Yes, so I understood that there's a separate model being developed for the deposition of atmospheric nitrogen on water bodies. And it might be the one that you're referring to earlier that you've already decided doesn't show any significant facts. So if it is a different one, can you provide an update on it, please? Yes, ma'am. So yes, you're right. It is that we previously referred to So we've looked at the potential effect of deposition on the water body and a screening that out so we will provide in writing that into examination to confirm that position. And that's been discussed in the Environment Agency, presumably, yes. Okay.

57:11

Quite early on as well. The Environment Agency said that the project mustn't jeopardise the attainment of the WSD objectives, and particularly the dissolved inorganic nitrogen. But no measures to enhance or restore water bodies have been put forward. Would you like to comment on that?

57:34

I think Dr. Campbell is going to deal with this matter.

57:43

Income Campbell representing the applicants, at the moment, there aren't any plans to restore any more bodies that I'm aware of.

57:54

Madam, we're not at the moment conscious of

57:59

why this is being advanced is something that we are obliged to do to make the development acceptable. If there is something that the environment agency thinks we may have overlooked, we will of course, consider it but it's some

58:13

there's a distinction to be drawn between making sure that the development is acceptable, and doesn't cause any difficulty in terms of conflict with the Water Framework Directive. And then a consideration of whether we're under any obligation to improve matters beyond where they are at present. And if the environment agency thinks there is some obligation on us to go further, we will be happy to hear why they think that and then consider a further

58:46

amount an additional point that we wondered whether it might relate to is the issue that we've just been discussing relating to the discharge to depo and get where Northumbrian Water, obviously under their own obligations to achieve Water Framework Directive compliance are now looking at the long term plan relating to that.

59:08

We've obviously had discussions around the diversion of some of our treated effluent back through the outfall, as we've discussed in the previous answer. And that's a discussion we've had involving the Environment Agency who have identified again, anecdotally that could be beneficial to look at the wider Water Framework Directive complaints in the area, if we are able to divert some effluent treated effluent into the into the bay. So we're wondering whether that's what perhaps this point is relating to in that.

59:39

Obviously, there are commercial considerations, and there are other considerations around that effluent, and how we actually identify that effluent and what level of treatment and testing is, is if but the principle of us diverting effluent into the bay could help overall Water Framework Directive compliance and the Dubow govern the estuary and not I think

1:00:00

Is the point that has been raised? So we are, therefore, as per the previous answers, we are evaluating the opportunity to do that, or indeed use greywater back into the process, as part of that to reduce the effects of existing discharges into the WM good. So it's outside of the effects and mitigation of our proposed development, and hence might be then interpreted as an enhancement measure that's outside of the probe proposed development itself.

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But that's in the context where something that we propose to do in order to address the effects of the development may have an enhancement effect, as opposed to

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seeking to achieve objectives which go beyond the need that's identified for this development that underlies the need for the order and all the provisions in it. So we can't use the order as a means of addressing pre existing problems, if they don't arise as a result of addressing our own impacts. That I think is that's appreciated. But thank you for the update that's useful.

1:01:09

There was also a slight adverse effect predicted on Tees Bay water body from fine sediment during the outfall construction. And the Environment Agency said that measures to prevent this were required. Can you provide us with an update on that, please?

1:01:27

Richard Lowe represented the applicants, the level of effect we've identified is, is minor and temporary.

1:01:37

And the measures that we would use to minimise that effect would be the those enshrined in the in the camp. So we haven't identified the need for any additional measures beyond those. I think the action perhaps is for us to further discuss that

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with the Environment Agency to make sure that they're comfortable with that the camp does cover that but there's no level of effect predicted that is driving any additional mitigation beyond standard best practice working measures that we would be adopting to the company way. Great. Um, yeah, if we can get confirmation from the Environment Agency to tick that off, that will be great.

1:02:19

Are there any other questions on Water Framework Directive?

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There the rock armour then,

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and scour protection.

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I saw that the HRA been updated deadlines, really to address the concerns about rock armoring and scour protection associated with a new outfall head. Has there been any feedback from Natural England in response to this?

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Yes, ma'am. They we had a meeting with them

1:02:48

earlier this week, I think it was and they recognise and agree that the effect is unlikely to be significant associated with the rock armour. I think what they have asked us to do, though, is to just take it forward

into the appropriate assessment for completeness. So while we agree that the effect isn't going to lead to a significant adverse effect,

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they've asked us to bring it forward into the assessment rather than screen it out. So for completeness, we are content to update the HRA accordingly, just to close the issue.

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Thank you.

1:03:33

Flooding.

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Can you confirm how much land remains within flood zone two and flood zone three, following all the changes that were made?

1:03:45

I'm happy to confirm that and I don't have the answers in my hand, I'm afraid but I will Yes, we can confirm up to in writing the principal developments obviously in flood zone one, most of the PCC sites. So the area's influence, and two and three are limited. And most of the works associated with those areas are either on existing pipe racking or underground. So yep, so pipe racking aside. If you've got any of the above ground installations, do you know off the top of your head in front of two or three?

1:04:18

I will have to come back to you in writing, Madam if that's okay. Okay, because if any of them are then we will need to satisfy ourselves that there's been a sequential test applied to that. It's not altogether clear at the moment that it has been applied.

1:04:35

Understood, madam.

1:04:39

And then there's a flood emergency response plan with the emergency access along South car road or South Gate road.

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This is possibly a question for you, Mr. Malone read Karissa that it's not your responsibility to look out because it's a private road.

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And I wanted to explore whose responsibility

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Here it is

1:05:02
to review

1:05:04
the flood emergency response plan.

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Mr. Miller, the public highway ends at a certain point along there the point of contact remember?

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I'm not absolutely certain, but I think we might literally confirm the remainder of the role might be the responsibility of SDDC. But that's that's not an answer I've got. I'm afraid at the moment, we'd have to come back to you on that.

1:05:32
I think Mr. Bottom, we may be able to help with it. Yeah. Just to confirm that yes, that section of Safco road is part of SCDC is freehold.

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So how can we be sure that that egress is going to be kept open and appropriate to escape if there's a flood, if it's not in your control,

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the

1:06:09
powers that are needed, and the rights that are needed to maintain that are included within the development consent order. So it is it is included as a proposed permanent right in the order. And it's also part of work number 10. So the applicants have taken both the land rights and also the relevant development consented, it's necessary to create and maintain that access egress rather, within the DCO. So we have the ability to secure that ourselves. Clearly, as you have heard there are negotiations going on to acquire necessary rights by agreement, but the order achieves that objective in the absence of agreement.

1:07:03
Thanks for the clarification.

1:07:13
Probably a question for Mr. Bottomly. With regard to discussions with Northumbria water, an SDDC. Could you give us an update on where you're up to for water supply? I saw that the volume of water required dropped quite dramatically

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from 82 today to two mega litres a day. So where are you up to in terms of profile and securing that water supply?

1:07:38

Yes, we're in ongoing discussions with both parties. The working assumption is securing a voluntary agreement best TDC and using their existing water connection to Northumbria water to provide raw and potable water to site. But as also as part of those discussions, we're working directly with Northumbrian Water to confirm availability of the required volumes of raw water.

1:08:08

The latest update forecast that we provided them in June of this year. Their network team is currently analysing that based off of current and future demands. And we're expecting a feedback from them shortly, hopefully within within August of this year.

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So without wishing to preempt that, are you looking at other sources of supply to top up what you're requiring, in the event that they haven't got the headroom?

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We're not currently at the moment. Again, back to some early discussions. We have them at the beginning of 2020

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based off historical supply that they had for the steelworks and the wider region,

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that their anticipation is they are they have available demand to support the proposed settlement. But again, the the numbers are working as is if there's any potential work that's quiet for them to continue to continue to do that for life again. Thank you.

1:09:17

Also, Madam just for context. At the start, when we first developed the proposed development, we did include a river abstraction option at the scoping stage. Through the discussions with Northumbrian Water, we've got confidence that there was sufficient water available so it's that we were able to then discount that option for further evaluation. So we've definitely moved towards this being a proposed supply of water such that we had the confidence to drop the river obstruction option.

1:09:49

Thank you.

1:09:51

That was my last question on water. Did anyone have any other comments that they wanted to make about the water environment? Dr. Lowe one point just for colour

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are at which

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you're probably aware of. But the very large number that was referred to relation to the waters by was an error in one of the documents hence that's now been corrected and the numbers have not dropped. So it's not because we've done more work to reduce the number. That number was artificially too high by accident and is now gone down again. So probably I can understand Northumbria waters can perhaps concern around that volume of water being required, but we don't need that much. Thank you for that.

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There's no more questions on water. I'll move on to air quality. Is that okay with you Mr. Leeson?

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Yes, so it's now five to one.

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I think given the amount of time need spend on air quality, and then the other remaining matters should be for quite quick. So parties are happy. We'll carry on with that unless anyone wants to come to this point. We can tend to carry on if if you are good, thank you carry on.

1:11:05

So my first question relates to the minimum height of the stacks. So the height of the stacks will have an effect on the dispersion modelling including the building down what effects and then that in turn could have an effect on the outcome of the habitats regs assessment.

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So we wanted to check how that lack of control on the minimum height has been accounted for, with a view to the HRA

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rigidly represented the applicant. So

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as we've provided in our written response

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relating to this point at rep 2016, I believe

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the concern we have around setting a minimum stack height is that the current design is based on the rock shall envelope approach of a worst case visual aspect for the absorber tower and the associated

stack. As the detailed design and the feed work progresses, our expectation is that the final absorber tower height would lower.

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And what we don't want to do within the DCO therefore is set a minimum stack height based on the worst case, upper height of the absorber tower. Such that then when the detailed design is completed, if that absorber tower is several metres lower in height, we can therefore correspondingly bring the minimum stock height down and still achieve the same level of environmental effect. So

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that's why we we are not proposing to secure a minimum stack height within the DCO parameters. What we feel is an appropriate control is that we have assessed a range of struck heights within the equality impact assessment. And we've identified a means through the stack design the stack height, and stack admissions parameters such that we don't give rise to any significant adverse effects, as reported in the environmental statement. So our proposal is that we use the environmental statements level of effect that's presented as the minimum bar that we must achieve such such as the detailed design of the absorber continues, if that is therefore able to be reduced in height that has a beneficial effect from from a landscaping visual perspective. And we don't don't have this anomalous additional height on a site that would not be needed.

1:13:31

The air quality effects are heavily driven partly by the by the relatively low temperature with the release that they're they're heavily driven by the downwash effects that you've alluded to, on the absorber. So the fact that the absorber is such a large structure in the Rochdale envelope in our assessments, if we are able to reduce that it does reduce the damage effect quite markedly and therefore that improves dispersion and therefore lowers the environmental impact for that presented, if that makes sense.

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It does.

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One of the

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graphs produced in the back of the air quality assessment for operational

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model different heights. And as it came down to about 80 metres,

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the no to output goes up quite dramatically.

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And the HRA won't have allowed for that kind of increase. So I guess where we're coming from is if we're to be content, that the HRA is appropriate. If we can't be sure that those lower heights aren't feasible, then there is going to be that risk that the modelling isn't reflective and that the risk hasn't been understood. Yes, understood. So the HRA assessment is based on stack height as presented on that level of

1:15:00

effect has presented. So my

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interpretation is that we must maintain or better that environmental effect from that assessment presented in the in the Yes. And the HRA. So where the stock hide, you're absolutely right where we did the the sensitivity testing on different stock kinds. There is, of course, a stack height below which we would lead to unacceptable effects. And we're not proposing to ever use such a low stack height. So by setting the level of effect based on that, that was assessed in the HRA, and environmental statement as the bar that we must meet, when the detailed design is undertaken and completed, we must meet that level of environmental effect as presented. So we would determine the appropriate stock height on that basis.

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So I guess, perhaps the action, we need to take away how we reassure the examining authority of that point that we can safeguard the level of effect as presented and assessed, without prescribing a minimum stack height that, as I say, my, my strong suspicion is that if we were to set a minimum stack height, today, based on the actual envelope, that minimum stack height would be too tall, and therefore unnecessarily tall, then actually would need to be one that came to be finely designed and built. Yeah, that will make sense. And I agree with you that it's about those environmental effects and outcomes, ultimately, at least from an environmental point of view, not necessarily from a landscape and visual, which is another issue again. So it's how we secure that in the DCO. That we'll be looking to understand. And we can take that away, as Dr. Lowe has indicated, and there are

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some quite well tried and tested means of doing that the concept of not environmentally worse than you sometimes see in embraced in requirements that ties to an effect that's been assessed, whether in NES or in an HRA. But we can look at ways of doing that, as I understand the point that's being made, rather than using stack height as the means of securing this matter and ensuring the effects aren't unacceptable. That would, that would potentially lead to on desirable side effects, as it were unexpected consequences, we should be seeking to tie it to a level of effect on air quality. And we can take that away and look at how that's best done.

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Thank you.

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And then moving on to stack with the Environment Agency raise these concerns about whether or not you could

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represent actively monitor start with so it was a six and a half 6.6 metres diameter and ask that you looked at the M one guidance as a matter of urgency.

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Do you like to comment on that? Doctor?

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Yes, certainly. I am. So yeah, we saw the comment that was made. And we absolutely will have to make sure that the stack can be appropriately monitored in accordance with the guidance.

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There are stacks of gas turbines which are of similar size, so we are confident that it is possible and achievable. Obviously, we've got to reassure the Environment Agency to that point. So it's one of the one of the matters that we will continue to discuss with the Environment Agency to to give that reassurance. Yeah, the Environment Agency presumably aware that they're commonly our towers that big and they still chosen to put that question to us. So I think they have got concerns that we do need to investigate. So if we could have some reassurance from them, and again, it's a shame they couldn't be here today. But if we could either get that from them or if you were able to provide examples that you've referred to where it's commonly done so that we can take our own view perhaps that will be useful certainly might have I'm hoping that we can agree the position on the thrust and sustainment of common ground with them as well.

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And then my last question related to the air quality the potential changes on the triple si features at coton dunes and because Natural England has reported they're particularly sensitive to the changes in air quality

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so deadline to said that the PC is greater than the appropriate screening thresholds for more detailed assessment is required. And Natural England suggested the detailed contour map for KNOX my answer their questions

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And could you provide us an update on what you're up to with that, please? Certainly, madam. So yes.

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The wording really does relate to the screening for shorter the 70% threshold is used as a mechanism for determining within more detailed assessment is required. We have obviously undertaken the more detailed assessment so effectively that that threshold is relatively academic in our case, because we've already done the assessment.

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And the fact that it was only marginally over the screening threshold is quite a positive message rather than a negative one in my interpretation. But nevertheless, we have provided the EIS blitz that they've requested to Natural England, and it's part of the ongoing discussions just to provide that reassurance. But certainly, the area of predicted effect and the size of the area of the predicted effects are small. So we're confident that we've addressed that there are no significant adverse effects. I think what we, again, another action that we will take away is that that figure can be submitted into examination to provide that further clarity. And again, is another point that we want to close out with, with natural three of the statements of common ground.

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That'd be great. Thank you.

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Do any of the elevated concentrations coincide with the areas of the triple si that have got the sensitive features in them? No matter? Okay, that's useful. Thank you.

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And my last point on was that I noticed that I think it's read current counsel requested a condition to include an odour assessment and I can't see that secured in their DCO camp anywhere. Was there any comment that either rancour or the applicants would like to make on that?

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We haven't identified any particular odour concerns associated with the proposed development and its construction or operation. That said, Therefore, from our perspective, providing an odour assessment to demonstrate that, I guess is, is something we can certainly do, if that's requested to provide that reassurance. But we haven't identified odour as a concern based on its design and operations. Mr. Mueller, did you want to come back on that? No. I think if the applicants are happy, the order is not a particular issue. It's not something that we would seek to address through the planning through the DCO.

1:22:39

Thank you.

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I'm sorry, might have further comfort on that point that the environmental permit always has a standard requirements that odour must be minimised at the site boundary, and controlled in accordance with best available techniques. So from the operational development perspective, there is a further control mechanism already in place for the management of odours, should there be any risks associated with odour? So that would be done through the environmental permit? Yeah, that's a useful point. Thank you, doctor. I think on that point, my mother would record that. I'm conscious of the guidance and the NPPF and states that if there are external effects from a development, which are dealt with by other regulatory regimes, the planning authorities to assume those resumes will operate effectively.

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Yes, thanks, Mr. manleigh.

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That was my last question on air quality. Was there anything anybody wanted to raise or any questions they wanted to put?

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And we'll move on to item seven, which is statements of common ground relevant to environmental matters.

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So our first question to the applicants is please would you provide us an update on statements of common ground relevant to the environmental matters? Yes, madam dot Campbell is going to provide you with a brief update.

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In Campbell representing the applicant.

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We've got statements of common ground with Natural England, the Environment Agency, store, England, marine management organisation and national highways, I think what we need to consider here.

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The meeting we had with Natural England, earlier this week gave us a roadmap for getting the statement of common ground agreed in terms of looking at nutrient neutrality, the ways of assessing the impacts of rock armour and dealing with HDD collapse. So if we can provide sufficient information to satisfy Natural England that will be allow us to get that signed off.

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For the Environment Agency, we are currently arranging a similar meeting, so that we can go through this statement of common ground

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with them, which includes some permitting related issues, there's contaminated land and also

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Water Framework Directive issues.

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And Historic England, we provided an update in response to their questions.

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And which was sent to them on the 11th of July this month.

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We're waiting for a response from Historic England.

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For the MMO,

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the MMO, we're still reviewing our last version of the socg with them, so we're waiting until we get their comments, we can't address them.

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And then finally, we have an agreed and signed statement of common ground with national highways. And that was submitted a deadline for

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this, that's everything.

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Were there any others? No, those are all the ones that are okay. Thank you.

1:26:06

Anybody got any comments they want to make on the statements of common ground, anything that might have been missed off?

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Can I just ask, are you confident you can agree the outstanding ones by the ends of the examination? Do you see any fundamental concerns? Clearly, we've been through today, some of the issues, natural England's and the environmental agency, but on other matters? Are you competent? You can address these?

1:26:32

Yes, Ian Campbell, for the applicants? Yes, we're confident that we can do that. Thank you.

1:26:42

But the second question on this agenda item relates to a question from the Environment Agency at rep 1009 where they requested demonstration that there are no foreseeable barriers to the technical feasibility of installing the applicant's chosen carbon capture plant.

1:27:00

Please, could you respond to that? Yes, we're going to, I'm going to ask Dr. Lowe to respond to that.

1:27:07

Thank you.

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Yes,

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we're aware of the comments received. And we're aware that the environment agency's role is to assess compliance with the carbon capture readiness guidance.

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That guidance obviously is quite old now. And in fact,

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we are in the process of updating our guidance for bees. But nevertheless, we appreciate that is the guidance in place. So we have this rather strange situation where this first of a kind carbon capture project has to demonstrate compliance with quite old guidance,

1:27:39

we prepared our current get your retinas report, and the environment etc. as satisfied as enough land, which is one of the key considerations on CCR compliance. And we've also demonstrated a credible transport route for the carbon dioxide to be discharged them as if we need it. So it's quite important for us as much as anything else. And likewise, the storage is available and and can be connected to.

1:28:06

So there are a couple of specific technical points that they've raised, which we are in the process of providing a response to them on.

1:28:16

We had a similar situation on the Gibby, three carbon capture readiness report and the Environment Agency comments. So we're very confident that we can reconcile their outstanding requests provide the clarity they need. After all, if we can't develop them to demonstrate that we can't capture ready, then we have, we don't have a project. So it's really fundamental for us to be able to achieve this. So we'll get that position agreed in writing within brokerage agency, such that they can lift any concerns that they have, probably the mechanism for doing that will be through the same set of common ground. Thank you. He said, there's a couple of technical points that you're still discussing with them, can you give us a flavour of what those are? So the specific points they've asked are, they would like a little bit more. So the the site, the Indicative layout of the carbon capture plant that we provided was not to definition that they could easily see and they didn't have any annotation of the different components. So they've asked for an updated plan. So that's something that we're in the process of gathering and that's easy to achieve.

1:29:20

They asked for confirmation on the cooling tower footprints. We've, we haven't or whether we have enough space on the site to accommodate the cooling towers to meet the demand. We've estimated at around 10,000 square metres, which is ample we've got ample space within the footprint.

1:29:40

And as a general point, they've already indicated as I say that, that we have enough space available for Colgate your retinas we tend to look at this the number of square metres per megawatt that are required, and we're significantly more space than the minimum threshold set by the guidance

1:30:01

Partly because this is a first of a kind scheme, and we want to make sure that we don't run out of space. And the tighter the space, the more complex and more expensive it is to build. So we've deliberately allowed so.

1:30:16

So we're not at the bare minimum in terms of the space requirement that's from a constructability, and a design perspective.

1:30:23

So those were the key points that they've raised, I think from memory. So yes, therefore, are there any technical barriers, and we're confident there are no technical barriers? So that's the update. Yeah, if we can get that confirmed by the Environment Agency, that will be helpful. Thanks. Hello.

1:30:41

Was there anything anybody else wanted to raise in relation to statements of common ground and the technical feasibility?

1:30:49

Thank you. I'll now pass you back to Mr. Gleason.

1:30:52

Thank you very much. So I have identified a list of action points from today's hearings. Like the action points from the previous hearings, they will be published on the project website in the next couple of days. But I'll run through the ones from today now so that you have them

1:31:14

and please clarify if there's something that needs correcting. So first one, the applicants provide updated visuals or viewpoint two, by either deadline five or deadline six.

1:31:33

Secondary applicants review the list of other developments had deadline for which was rep 429. With the updated list from the conclusion pro counsel deadline for no reference was read 441.

1:31:51

That is to be done by deadline five.

1:31:55

Thirdly, read conclave and Borough Council to update the list of other developments by deadline five.

1:32:06

Most applicants consider whether there are any additional visual effects from other developments identified in rep 429 can be done by deadline 5/5 is conclave and Borough Council updates the position on reserved matters applications I'd deadline five

1:32:36

six applicants to review requirements three, the weather and the amendments is necessary to address detailed design

1:32:46

to be done by deadline five

1:32:50

and seven applicants to consider whether they are there is a benefits in providing additional indicative plans showing the evolving design some by deadline five.

1:33:09

Number eight applicants consider how the proposed developments relates to emerging proposals in the locality and then the implications regarding cumulative effects.

1:33:27

The benign applicants to provide a timeline for commencement of authorised developments

1:33:33

in terms of contaminated lands and groundwater. I did learn five

1:33:43

number 10. applicants to respond in writing to how the proposal for HDD

1:33:52

meets the requirements of the NPS en for

1:34:00

has references within documentation and measures as to how HCD carried out to address potential records.

1:34:10

That's done by deadline five.

1:34:17

Number 11 applicants confirm whether mitigation for release from HDD will be included in the genes marine licence that's been done by deadline five.

1:34:35

Number 12. applicants to check position whether tes Southbank quarry, should be included in in combination effects by deadline five.

1:34:54

Number 13 applicants to provide updates on the model for the position event

1:35:00

As far as nitrogen on water bodies,

1:35:03

I'd said line five

1:35:09

and 14,

1:35:12

applicants confirm how much land remains within flood zone two and flood zone three, following the changes and weather above ground installations associated with the same coal pipeline in flood zone two will be retained.

1:35:31

That's again by deadline five.

1:35:36

I think the final one stack heights,

1:35:40

applicants consider how to safeguard the level of effects without identifying the minimum stack heights. And to address the issue of the widths of the stack with the Environment Agency, also by deadline five.

1:36:03

Is that's a list? Does that list make sense? Have I missed anything out? Or is anything need clarification? The list that you just wrote out? Made sense it corresponds with the notice that I took of actions along the way.

1:36:19

I just check to see if anyone has anything else. I think Dr. Lowe may have won.

1:36:24

Thank you, sir. The additional action I think was to submit the isobella figure on the nitrogen deposition and a triple si

1:36:34

that we're sharing with Natural England.

1:36:37

Thank you.

1:36:40

And I'm Is it correct that you also wanted to know what percentage of the site is left with influences two and three? All?

1:36:49

Right.

1:36:51

How much land remains within flood zone two and three? Thank

1:36:54

you. We don't need a percentage. Okay.

1:37:00

Okay, that's fine. Thank you very much. So are there any other matters and all wishes to raise any other business?

1:37:09

Not from us. I said, thank you very much. Any other participants?

1:37:15

No.

1:37:20

Thank you very much. So in that case, I'd just like to thank everyone for attending today and previous couple of days as well.

1:37:28

I think the discussion has been very helpful to us with obviously consider all the responses. And that will help us inform whether or not we have the extensive further written questions, and whether or not we need further hearings going forward.

1:37:43

That deadline for the next next deadline, I think is the

1:37:50

fifth

1:37:53

of August, is that correct? So

1:37:56

some interest check. I think it may be the second of August and of online five. Yes, thank you. Thanks very much.

1:38:04

And then further written questions be provided on the ninth of August. Thank you.

1:38:10

And just to confirm, that concludes the this hearing issue specific hearing for so there is no need for attendance tomorrow that we blocked out avoidance of turns. So once again, thank you very much. The time is now

1:38:29

123. This issue specifically hearing is proposals. Net Zero to side projects is now closed. Thanks very much. Thank you