

Net Zero Teesside Project

Planning Inspectorate Reference: EN010103

Land at and in the vicinity of the former Redcar Steel Works site, Redcar and in Stockton-on-Tees, Teesside

The Net Zero Teesside Order

Document Reference: 9.38 – Applicants’ Comments on Deadline 8 Submissions

Planning Act 2008



Applicants: Net Zero Teesside Power Limited (NZN Power Ltd) & Net Zero North Sea Storage Limited (NZNS Storage Ltd)

Date: October 2022

DOCUMENT HISTORY

Document Ref	9.38		
Revision	1.0		
Author	Jack Bottomley (JB)		
Signed	JB	Date	October 2022
Approved By	Jack Bottomley (JB)		
Signed	JB	Date	October 2022
Document Owner	bp		

GLOSSARY

Abbreviation	Description
AOD	Above ordnance datum
AS-	Additional Submissions
BAT	Best Available Techniques
BEIS	The Department for Business, Energy and Industrial Strategy
CCGT	Combined Cycle Gas Turbine
CCUS	Carbon Capture, Utilisation and Storage
CEMP	Construction and Environmental Management Plan
CTMP	Construction Traffic Management Plan
CO ₂	Carbon dioxide
CPO	Compulsory Purchase Order
dB	Decibels
DCO	Development Consent Order
dDCO	Draft Development Consent Order
EIA	Environmental Impact Assessment
EPC	Engineering, Procurement and Construction
ES	Environmental Statement
ETS	Emissions Trading Scheme
ExA	Examining Authority
FEED	Front end engineering and design
FRA	Flood Risk Assessment
Ha	Hectares
HDD	Horizontal Directional Drilling
HIA	Hydrogeological Impact Appraisal
HoT	Heads of Terms
kV	Kilovolts
MHWS	Mean High Water Springs
MLWS	Mean Low Water Springs
Mt	Million tonnes

NATS	National Air Traffic Services
NSIP	Nationally Significant Infrastructure Project
NWL	Northumbria Water Lagoon
NZT	The Net Zero Teesside Project
NZT Power	Net Zero Teesside Power Limited
NZNS Storage	Net Zero North Sea Storage Limited
PA 2008	Planning Act 2008
PCC	Power Capture and Compressor Site
PDA-	Procedural Deadline A
PINS	Planning Inspectorate
RCBC	Redcar and Cleveland Borough Council
RR	Relevant Representation
SBC	Stockton Borough Council
SEL	Sound Exposure Level
SPA	Special Protection Areas
SoCG	Statement of Common Ground
SoS	Secretary of State
STDC	South Tees Development Corporation
SuDS	Sustainable urban drainage systems
UXO	Unexploded Ordnance
WFD	Water Framework Directive

CONTENTS

1.0	Introduction	2
2.0	Environment Agency (“EA”)	4
3.0	Marine Management Organisation (“MMO”)	7
4.0	Orsted Hornsea Project Four Limited (“Orsted”).....	8
5.0	South Tees Development Corporation (“STDC”)	9

1.0 INTRODUCTION

1.1 Overview

- 1.1.1 This document, 'Applicant's Comments on Deadline 8 Submissions' (Document Ref. 9.38) has been prepared on behalf of Net Zero Teesside Power Limited and Net Zero North Sea Storage Limited (the 'Applicants'). It relates to the application (the 'Application') for a Development Consent Order (a 'DCO'), that has been submitted to the Secretary of State (the 'SoS') for Business, Energy and Industrial Strategy ('BEIS'), under Section 37 of 'The Planning Act 2008' (the 'PA 2008') for the Net Zero Teesside Project (the 'Proposed Development').
- 1.1.2 The Application was submitted to the SoS on 19 July 2021 and was accepted for Examination on 16 August 2021. Change requests made by the Applicants in respect of the Application were accepted into the Examination by the Examining Authority on 6 May 2022 and 6 September 2022.

1.2 Description of the Proposed Development

- 1.2.1 The Proposed Development will work by capturing CO₂ from a new the gas-fired power station in addition to a cluster of local industries on Teesside and transporting it via a CO₂ transport pipeline to the Endurance saline aquifer under the North Sea. The Proposed Development will initially capture and transport up to 4Mt of CO₂ per annum, although the CO₂ transport pipeline has the capacity to accommodate up to 10Mt of CO₂ per annum thereby allowing for future expansion.
- 1.2.2 The Proposed Development comprises the following elements:
- **Work Number ('Work No.') 1** – a Combined Cycle Gas Turbine electricity generating station with an electrical output of up to 860 megawatts and post-combustion carbon capture plant (the '**Low Carbon Electricity Generating Station**');
 - **Work No. 2** – a natural gas supply connection and Above Ground Installations ('AGIs') (the '**Gas Connection Corridor**');
 - **Work No. 3** – an electricity grid connection (the '**Electrical Connection**');
 - **Work No. 4** – water supply connections (the '**Water Supply Connection Corridor**');
 - **Work No. 5** – waste water disposal connections (the '**Water Discharge Connection Corridor**');
 - **Work No. 6** – a CO₂ gathering network (including connections under the tidal River Tees) to collect and transport the captured CO₂ from industrial emitters (the industrial emitters using the gathering network will be responsible for consenting their own carbon capture plant and connections to the gathering network) (the '**CO₂ Gathering Network Corridor**');
 - **Work No. 7** – a high-pressure CO₂ compressor station to receive and compress the captured CO₂ from the Low Carbon Electricity Generating Station and the CO₂

Gathering Network before it is transported offshore (the '**HP Compressor Station**');

- **Work No. 8** – a dense phase CO₂ export pipeline for the onward transport of the captured and compressed CO₂ to the Endurance saline aquifer under the North Sea (the '**CO₂ Export Pipeline**');
- **Work No. 9** – temporary construction and laydown areas, including contractor compounds, construction staff welfare and vehicle parking for use during the construction phase of the Proposed Development (the '**Laydown Areas**'); and
- **Work No. 10** – access and highway improvement works (the '**Access and Highway Works**').

1.2.3 The electricity generating station, its post-combustion carbon capture plant and the CO₂ compressor station will be located on part of the South Tees Development Corporation (STDC) Teesworks area (on part of the former Redcar Steel Works Site). The CO₂ export pipeline will also start in this location before heading offshore. The generating station connections and the CO₂ gathering network will require corridors of land within the administrative areas of both Redcar and Cleveland and Stockton-on-Tees Borough Councils, including crossings beneath the River Tees.

1.3 The Purpose and Structure of this document

1.3.1 The purpose of this document is to summarise the Applicants' comments on the submissions made by Interested Parties at Deadline 8 (20 September 2022). The document is structured to provide comments on the following Interested Parties' Deadline 8 submissions:

- Section 2 – Environment Agency
- Section 3 – Marine Management Organisation
- Section 4 – Orsted Hornsea Project Four Limited
- Section 5 – South Tees Development Corporation

2.0 ENVIRONMENT AGENCY (“EA”)

2.1.1 The Deadline 8 submission by the EA [REP8-054] include comments on the Applicants' Deadline 7 submissions.

2.2 Applicants' Response

2.2.1 Response to comments on Deadline 7 Submission – 9.32 Applicants' Comments on Deadline 6 Submissions [REP7-009]: Further to the Applicants DCO submission at Deadline 8 [REP8-003], which included updated wording for Requirement 13, the Applicants discussed the EA's concerns on the wording of R13 at a meeting on 5th October. The EA have proposed some additional changes to R13 and will forward these directly to the Applicants for their consideration and review.

2.2.2 At the same meeting, the Applicants confirmed that interpretative reporting following the on-going supplementary ground investigation would involve the review and consideration of all the relevant factual data collected across the site to inform the risk assessment and to address the EA's comments on the GIR [REP2-043] [REP3-027] and its feedback dated 28th July 2022.

2.2.3 Response to comments on Deadline 7 Submission – 6.4.49 Environmental Statement: Volume III Appendix 25A: Commitments Register (Clean) Deadline 6 Submissions [REP7-002] [note page numbers in EA response refer to REP7-003 Appendix 25A: Commitments Register (Tracked)]:

Reference/Chapter	Page number [in REP7-003]	Reference	Applicants' Response
ES Chapter 9 – Surface Water, Flood Risk and Water Resources		An Environmental Permit from the Environment Agency is required.	Agreed
ES Chapter 5 -Construction Programme and Management, ES Appendix 5A – Framework CEMP & ES Chapter 10 - Geology, Hydrogeology and Contaminated Land	25-11, 25-31	Remediation of localised contamination within temporary laydown / compound areas caused by undertaker's activities as accommodated for by Requirements 13 and 25.	Agreed

ES Chapter 10 - Geology, Hydro-geology and Contaminated Land	25-29	Ground investigation should be specified in accordance with UK Specification for Ground Investigation 2022. As part of Ground investigation, a minimum of three monitoring rounds (level and quality) should be undertaken.	Agreed for additional ground investigation works
ES Chapter 10 - Geology, Hydro-geology and Contaminated Land	25-29	Following phasing of ground investigation, an interpretative ground investigation including Quantitative Risk Assessment (QRA) in line with CIRIA C552 (and Detailed Quantitative Risk Assessment if required) should be prepared. This should take into account all factual ground investigation information.	Agreed for additional ground investigation works
ES Chapter 10 - Geology, Hydro-geology and Contaminated Land	25-29	As part of ground investigation, finger printing of the different types of slag encountered, will be undertaken to confirm the full chemical signature of these materials.	The Applicants agree to this request in relation to samples of slag to be taken by the Applicants during Teesworks remediation works only. These changes are included in the revised Framework CEMP
ES Chapter 10 - Geology, Hydro-geology and Contaminated Land	25-31, 25-32	The Materials Management Plan will consider excavated materials and suitability of these materials for reuse.	Agreed

	and 25-33		
ES Appendix Framework CEMP 5A	25-59	The CEMP and final CEMP needs to include the preparation and inclusion of a groundwater monitoring plan and land quality monitoring plan (as referenced in 25-32).	Agreed for groundwater monitoring plan. See note below on land quality monitoring plan.
ES Appendices Framework CEMP, 9C - WFD Assessment 5A -	25-64	Reference to Land Contamination Risk Management Guidance (this has replaced CLR 11).	Agreed

2.2.4 The EA's comment on Page 25-32 in Appendix 25A in relation to Requirement 16: Construction Environmental Management Plan, states that this "makes reference to a groundwater quality monitoring plan and a 'land quality monitoring plan' as part of the Construction Environmental Management Plan (CEMP). We would welcome clarity on the scope of this land quality monitoring plan, and how it relates to Requirement 13". The inclusion of a reference to a land quality monitoring plan in Appendix 25A is a mistake. The original reference in Chapter 10: Contaminated Land and Groundwater [APP-092] is to a requirement for a land quality monitoring plan during operation of the Proposed Development under the Environmental Permit. Under the Environmental Permit, land and water quality are monitored through a Site Protection and Monitoring Plan (SPMP). This was communicated to the EA at the meeting on the 5th of October. Consequently, the EA have withdrawn their objection to the wording of Requirement 16.

3.0 MARINE MANAGEMENT ORGANISATION (“MMO”)

3.1.1 The Deadline 8 submission by the MMO [REP8-055] include comments on the Applicants' Deadline 7 submissions.

3.2 Applicants' Response

3.2.1 Paragraph 1.1.1 – the EA has been inserted as a consultee on condition 23 (UXO clearance methodology) of the Deemed Marine Licence (DML) included in the DCO submitted at Deadline 8 [REP8-003]. The Applicants will include Natural England as a consultee in the finalised DCO submission (scheduled for Deadline 12 on 1 November 2022). The Applicants do not consider it necessary to include the wording “and any other stakeholder the MMO deems necessary”. The MMO has discretion already to consult any other stakeholder it considers necessary as part of the discharge of a DML condition.

3.2.2 Paragraph 1.1.2 – the Applicants have made substantial updates to Condition 23 (UXO clearance methodology) in the DML included in the DCO submitted at Deadline 8 [REP8-003]. These fully addressed the requested amendments submitted by the MMO in its Deadline 7 response [REP7-013]. The Examining Authority is directed to its response to the MMO at pages 6 - 11 of the Applicants' Comments on Deadline 7 Submissions [REP8-049].

3.2.3 The Applicants note the comments regarding the methodologies, and will update the wording of Condition 23 in both DMLs so that submission of the clearance methodology takes place after the identification of UXOs or magnetic anomalies. The Applicants will provide draft wording to the MMO for consideration, and will update the DMLs in the next version of the Draft DCO (at Deadline 12).

4.0 ORSTED HORNSEA PROJECT FOUR LIMITED (“ORSTED”)

4.1.1 The Deadline 8 submission by the Orsted [REP8-056] includes comments on the Applicants' Deadline 7 submissions.

4.2 Applicants' Response

4.2.1 The Applicants have no further response at this time. The Applicants have previously outlined their position on matters concerning Orsted in the following submissions:

- Applicants' Comments on Deadline 7 Submissions [REP8-049]
- Applicants' Comments on Deadline 6 Submissions [REP7-009]
- Applicants' Response to the ExA's Second Written Questions [REP6-121]
- Applicants' Responses to Deadline 5 Submissions [REP6-122]
- Position Statement Orsted Hornsea Project [REP5-022]
- Written Summary of ISH3 [REP5-025]
- Applicants response to Orsted HP4 D3 Submission [REP4-030]
- Applicants comments on Written Representations [REP3-012]
- Applicants' Response to the Examining Authority's Written Questions [REP2-016]
- Applicants' Comments on Deadline 1 Submissions [REP2-060]
- Written Summary of Oral Submission for Issue Specific Hearing 1 (ISH1) [REP1-035]
- Written Summary of Oral Submission for Issue Specific Hearing 2 (ISH2) [REP1-036]
- Applicants' Comments on Relevant Representations [REP1-045]

5.0 SOUTH TEES DEVELOPMENT CORPORATION (“STDC”)

5.1.1 The Deadline 8 submission by the STDC [REP8-057] includes comments on the Applicants' Deadline 7 submissions.

5.2 Applicants' Response

5.2.1 With regards to the transfer of powers under article 8, the Applicants position remains that notification within 10 working days of the transfer is reasonable and proportionate. The Applicants would point out that most development consent orders include no provision to notify landowners regarding the transfer of DCO powers.

5.2.2 The Applicants have no further comment on STDC's comments on the procedural decision to accept the Applicants' changes submitted on 23 August 2022.