



Andy McDonald

Business Manager, CATS  
Finance Midstream



BP Exploration Operating Company Ltd  
1 Wellheads Avenue  
Dyce  
Aberdeen AB21 7PB

20 October 2015

The Planning Inspectorate  
3/18 Eagle Wing  
Temple Quay House  
2 The Square  
BRISTOL  
BS1 6PN

Direct +44 1224 835265  
Main +44 1224 832000  
[www.bp.com](http://www.bp.com)

Dear Sirs,

## **APPLICATION FOR THE YORK POTACH HARBOUR FACILITIES DEVELOPMENT CONSENT ORDER**

We refer to our previous letters dated 21 August 2015 and 21 September 2015.

In our letter dated 21 September 2015 we confirmed that CATS Parties are of the opinion that the southern conveyor belt route should not be approved due to the significant safety issues that this route would give rise to, and the fact the applicants have identified an alternative that, whilst not their preference, was evidently acceptable to them.

Having undertaken further analysis, CATS Parties' position on this has not changed.

However, subject to the necessary protective provisions, CATS Parties were potentially supportive of the northern route.

Since 21 September, whilst carrying out further technical due diligence, the CATS Operator has identified a material error in the application documents mapping of the CATS pipeline in relation to the northern route.

This error can be seen in "Doc 3.3K – Conveyor Route Plans Northern Route – Sheet 3" (appendix 1) that was published on the Planning Inspectorate website on 7<sup>th</sup> April 2015. The applicant has incorrectly indicated the position of the CATS pipeline dog-leg on the east side of the Northumbrian Water site. This drawing indicates that the CATS pipeline crosses beneath the northern conveyor route between the conveyor footings at locations 1,840m and 1,883m. The actual position of the CATS pipeline is such that the pipeline would cross beneath the northern conveyor route close to conveyor footing location 2,149m on "Doc – 3.3L - Conveyor Route Plans Northern Route – Sheet 4" (appendix 2), also published on 7<sup>th</sup> April 2015. If our understanding is correct, this means that the conveyor's northern route will actually run directly over the CATS pipeline for a distance of approximately 200 metres to 300 metres.

BP Exploration Operating Company Ltd  
Registered in England & Wales No. 305943  
Registered Office: Chertsey Road, Sunbury on  
Thames, Middlesex, TW16 7BP

CATS North Sea Limited  
a company registered in England and Wales  
under registered number 9250798  
with its registered address at Chertsey Road  
Sunbury on Thames  
Middlesex  
TW16 7BP

ARCO British Ltd  
Inc. with limited liability in  
Delaware, USA, No. 722013007  
Branch Reg. In England No. BR001713  
Reg. Branch Address: Chertsey Road,  
Sunbury on Thames, Middlesex,  
TW16 7BP

Live: 32768644 v 1

This has a significant impact on safety risk associated with the northern route. Our previous understanding was that the proposed conveyor transport system northern route would require a single crossing of the CATS pipeline. We now believe that the conveyor's northern route will actually run directly over the CATS pipeline for a distance of approximately 200 metres to 300 metres.

We raised this issue with the applicant on Thursday, 15<sup>th</sup> October, but given the potential impact this will have on the safety risk associated with the proposed development, we feel duty bound to bring this matter to your attention.

We have asked the applicant to confirm that our understanding is correct. Assuming that is the case they will no doubt update the Examining Authority of the position.

Given the recently identified error in the applicant's documents, we have confirmed to the applicants that we require to reserve our position as to the implications of this change.

If it is the case that the northern route will run directly over the CATS pipeline for a significantly longer length than shown in the application, then we would request that the applicant amends the proposed northern route to remove or significantly reduce the requirement for the conveyor transport system to run directly over the CATS pipeline.

If the applicant is unable or unwilling to amend the proposed northern route, then we reserve our right to amend our position as stated in our letter of 21<sup>st</sup> September 2015 that the northern route could be made acceptable subject to acceptable protective provisions. We would be happy to address any queries the Examining Authority may have in this regard.

We should take this opportunity to note that we have been actively discussing the protective provisions proposed by the applicant and, prior to uncovering the error noted above in relation to the northern route, we were confident of reaching agreement on these protective provisions with the applicant which would have resulted in us being able to remove our objection to the northern route.

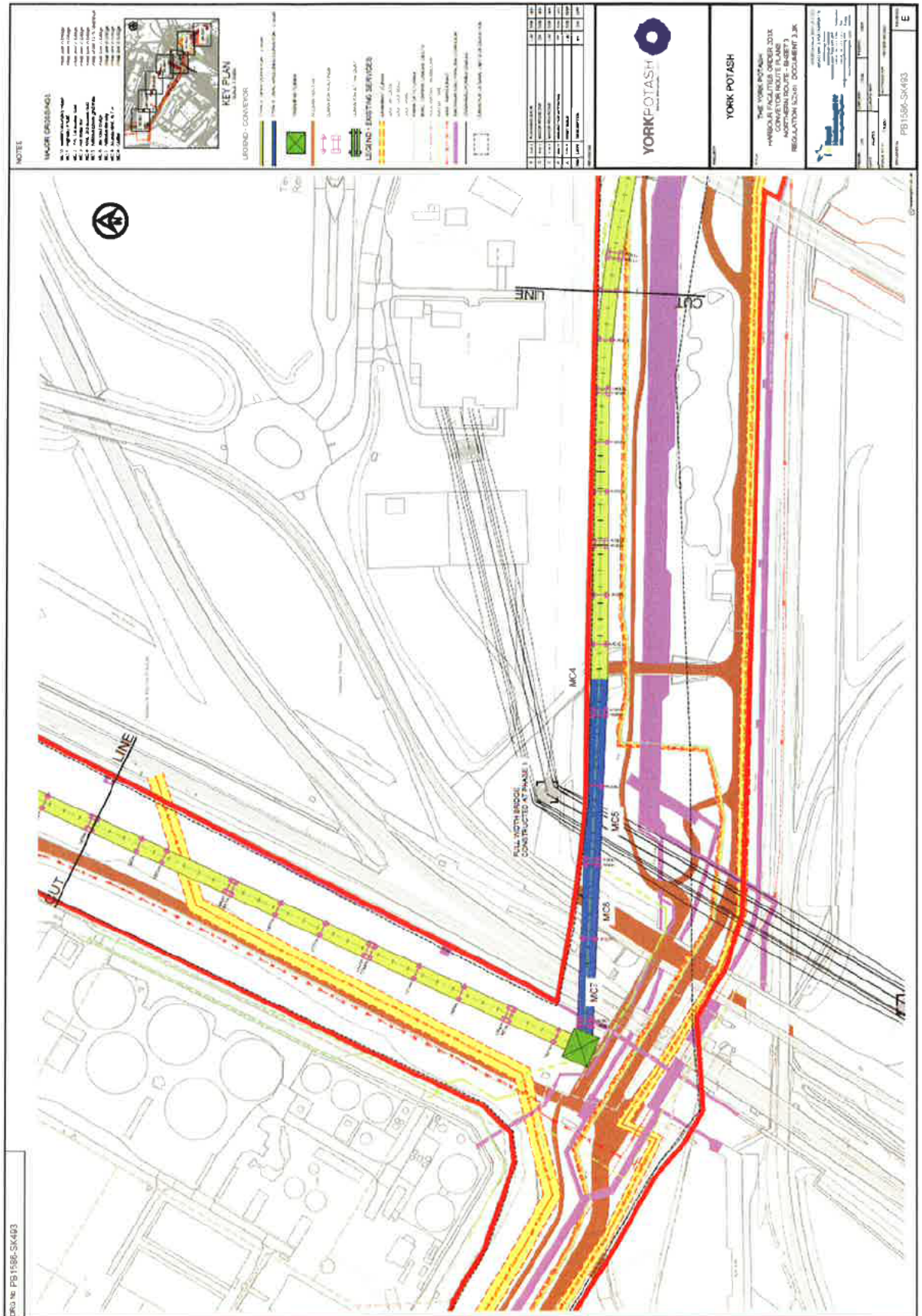
In relation to the southern route, we will continue to work with the applicant in an attempt to add any protective provisions that we believe will reduce the significant safety risks associated with this route. However, our assessment is that it will not be possible to reduce the risk sufficiently to a point that would allow us to remove our objection to this route. We do accept that this decision is ultimately out of our hands, so we will be raising this with our regulator, Health and Safety Executive (HSE), to ensure that they are aware of our position on this prior to the final decision on the DCO being made. If you would like to receive further details relating to the type of incident that we are seeking to avoid, we would be happy to provide this information to you.

Yours sincerely

A black rectangular box used to redact the signature of Andy McDonald.

Andy McDonald

**For and on behalf of CATS North Sea Limited, in its capacity as CATS Operator**





**Doc 3.3L – Conveyor Route Plans Northern Route – Sheet 4**

