

Jane Parry

From: Richard Lomax <Richard.Lomax@hse.gov.uk>
Sent: 21 March 2023 14:20
To: Planning Admin
Subject: Planning Application R/2023/0179/SCP - FAO Mr A Miller
Attachments: eCon_Health and Safety Executive .docx; EIA scoping opinion Hygreen Hydrogen maps March 2023.docx

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Dear Mr Miller,

Thank you for your request for comments on the EIA Scoping Opinion for Hygreen Hydrogen Project on Land at the Foundry Site Teesworks (Ref R/2023/0179/SCP).

Town and Country Planning (Environmental Impact Assessment) Regulations 2017, Regulation 4(4) - the vulnerability of the proposed development to major accidents relevant to the development

- HSE's response is limited to our role in the land use planning system on the control of major industrial hazards involving hazardous substances.
- HSE is not responding in our regulatory role in the health and safety system

We have the following comments on the Scoping Opinion:

1. From the information provided it appears the development may store or process hazardous substances in quantities relevant to the potential for industrial major accidents with respect to The Planning (Hazardous Substances) Regulations 2015 and The Control of Major Accident Hazard (COMAH) Regulations 2015. Such major accidents are of low likelihood but could have significant effects on the population at the proposed development and on local populations.

The applicant should consider whether they need to apply for planning consent for the presence of hazardous substances under The Planning (Hazardous Substances) Regulations 2015.

If planning consent for hazardous substances is required, HSE is a statutory consultee for such planning consent applications. The assessment done by HSE is complex and underpins HSE's statutory advice to the planning authority. It is aimed at mitigating the effects of a major accident on the population around a major hazard site. Applicants should allow for 6-12 months to obtain a hazardous substances consent. In July 2012, as part of the government's response to the Penfold Review, HSE agreed to deliver its statutory advice within 13 to 26 weeks rather than the 21-28 days set out in legislation. This reflects the detailed assessment work needed and HSE continues to work to those agreed timeframes. HSE has introduced a queuing system where applications are dealt with on a first come first served basis.

If an application is required, applicants can be directed to <https://www.hse.gov.uk/landuseplanning/application-forms-hazardous-consent.htm> for help with putting the information relevant to HSE into a form format. Planning Authorities can consult HSE at this email address HazSubCon.cemhd5@hse.gov.uk

If consulted on planning consent for hazardous substances, HSE considers the compatibility of representative major accidents at the proposed development (from HSE's assessment of the hazardous substances planning application) with existing development in the vicinity. For example, in general, what would be of concern to HSE in the vicinity of a hazardous substances site proposal are: sensitive developments (hospitals, care homes, schools); dwelling units if close by or many; large populations of the general public.

If an application for hazardous substances consent is required, the compatibility with existing development in the vicinity should be considered by the applicant.

If hazardous substances planning consent is granted, early notification by the developer to HSE under the COMAH Regulations will most likely be required, depending on the specific circumstances.

2. The proposed development includes at least one pipeline conveying hydrogen. The provisions in Regulations 19 to 27 of the 1996 Pipeline Safety Regulations, including a requirement to notify HSE of a pipeline route before construction, apply to major accident hazard pipelines as defined in Schedule 2 of the Pipeline Safety Regulations.

3. The proposed development appears to intersect within HSE's land-use-planning consultation zones of a number of major accident hazard pipelines, including the CATS Pipeline PL774 operated by The Wood Group.

HSE suggests that an EIA should show that the operators of the pipelines have been consulted regarding the following issues or that these issues have been considered in the assessment:

- the development restricted area due to the pipeline
- ensuring the integrity of the pipeline and protecting the pipeline from development and operational works.

4. The proposed development is located within HSE's land-use-planning consultation zones for major hazard sites including the South Tees Site Co Ltd, Redcar and Fine Organics Ltd, Seal Sands.

This indicates the proposed development could be vulnerable to harmful effects from an industrial major accident at the nearby major accident hazard establishment.

HSE's advice on the granting of planning permission for relevant development in zones set by HSE considers the issue of such accidents in the vicinity affecting people at the proposed development. That HSE advice can be obtained by the planning authority by using HSE's Land Use Planning Advice web app <https://pa.hsl.gov.uk/>.

HSE offers pre-application advice to developers for a fee. That is via developer use of the web app or use of our pre-application advice service.

HSE's Land-use-planning Advice team is available to help with queries lupenquiries@hse.gov.uk

5. The development is not located within a safeguarding zone of an explosives site licensed under the Explosives Regulations 2014 or the Dangerous Goods in Harbour Area Regulations 2016.

6. If there is a major accident hazard establishment with no HSE consultation zones, in the vicinity of the proposed development, and you are concerned that the proposed development might increase the risk or consequences of a major accident at the existing establishment then please directly consult the operator of the establishment, as appropriate.

7. General health and safety at work

HSE realises that Environmental Risk Assessments are not expected to include general health and safety at work however we take this opportunity to point out that it may be beneficial for employer(s) to undertake a risk assessment as early as possible to satisfy themselves that their design and operation will meet requirements of relevant health and safety legislation as the project progresses.

We hope that this helps take your assessment of the Scoping Opinion forward.

Kind regards

Richard Lomax

Land Use Planning Advice team

Chemicals Explosives Microbiological Hazards Division 5B



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0203 0283092

Please send enquiries on Land Use Planning to lupenquiries@hse.gov.uk

HSE's Land Use Planning web app is at <https://pa.hsl.gov.uk/>

Please note that aspects of this service may incur a fee for business users.

From: Development Management <planning_admin@redcar-cleveland.gov.uk>

Sent: 07 March 2023 14:59

To: LUP enquiries <LUPenquiries@hse.gov.uk>

Subject: Planning ApplicationR/2023/0179/SCP

Please find attached a letter from the Development Management section of Redcar and Cleveland Borough Council in connection with the above planning application. If you have any difficulties opening the attachment, please contact a member of the team on 01642 774774. Kind Regards Development Management Redcar and Cleveland Borough Council Redcar & Cleveland House Kirkleatham Street Redcar Yorkshire TS10 1RT Tel: (01642) 774774 Website: <http://www.redcar-cleveland.gov.uk> Follow us on Twitter: @redcarcleveland Like us on Facebook: facebook.com/redcarcleveland

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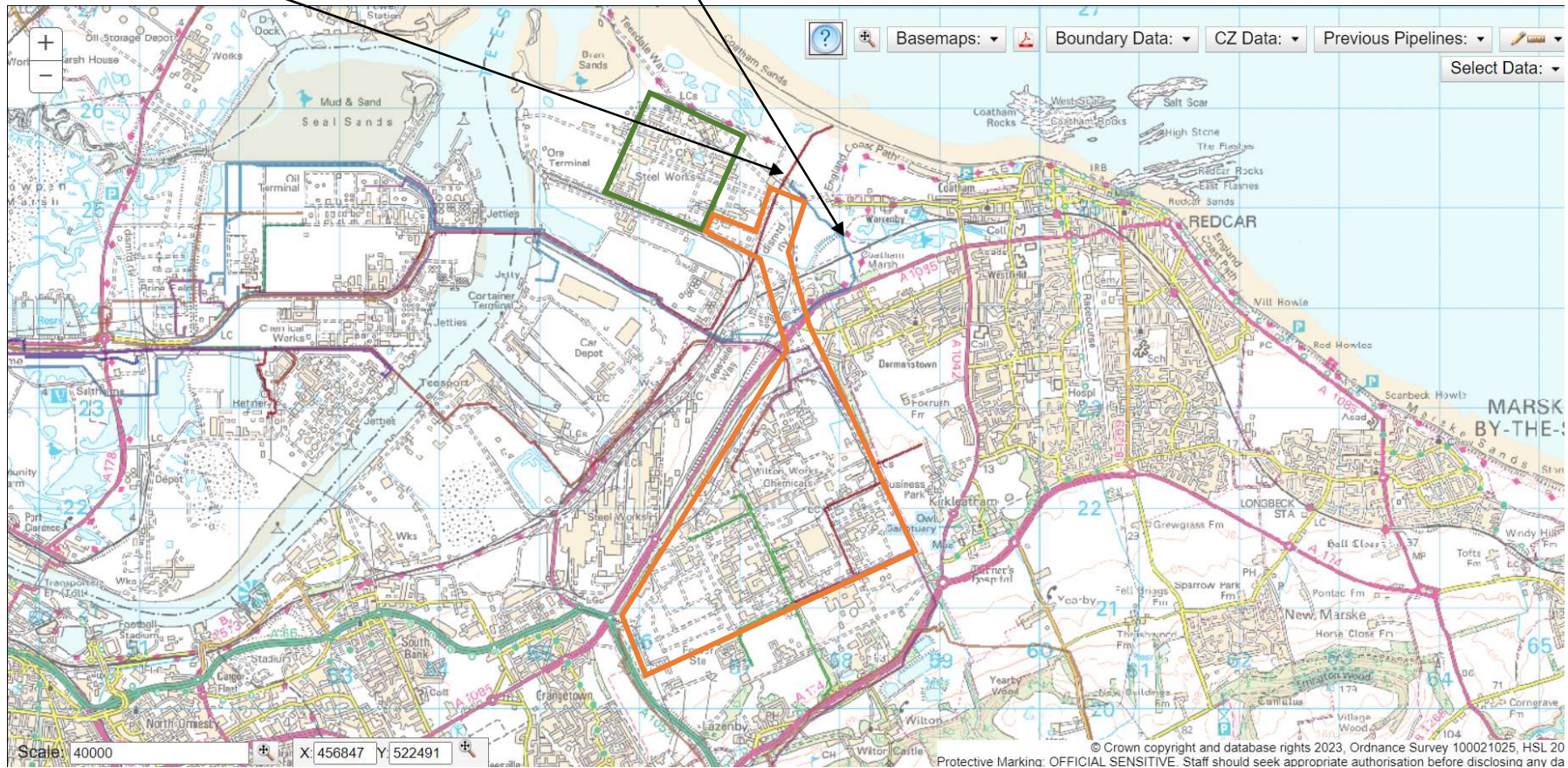
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Redcar & Cleveland Borough Council, Redcar & Cleveland House, Kirkleatham Street, Redcar, TS10 1RT, Tel: 01642 774 774, Website: www.redcar-cleveland.gov.uk

Hygreen Hydrogen maps March 2023

CZ mapper – MH pipelines

CATS Pipeline PL774 Breagh A Export pipeline to TGPP



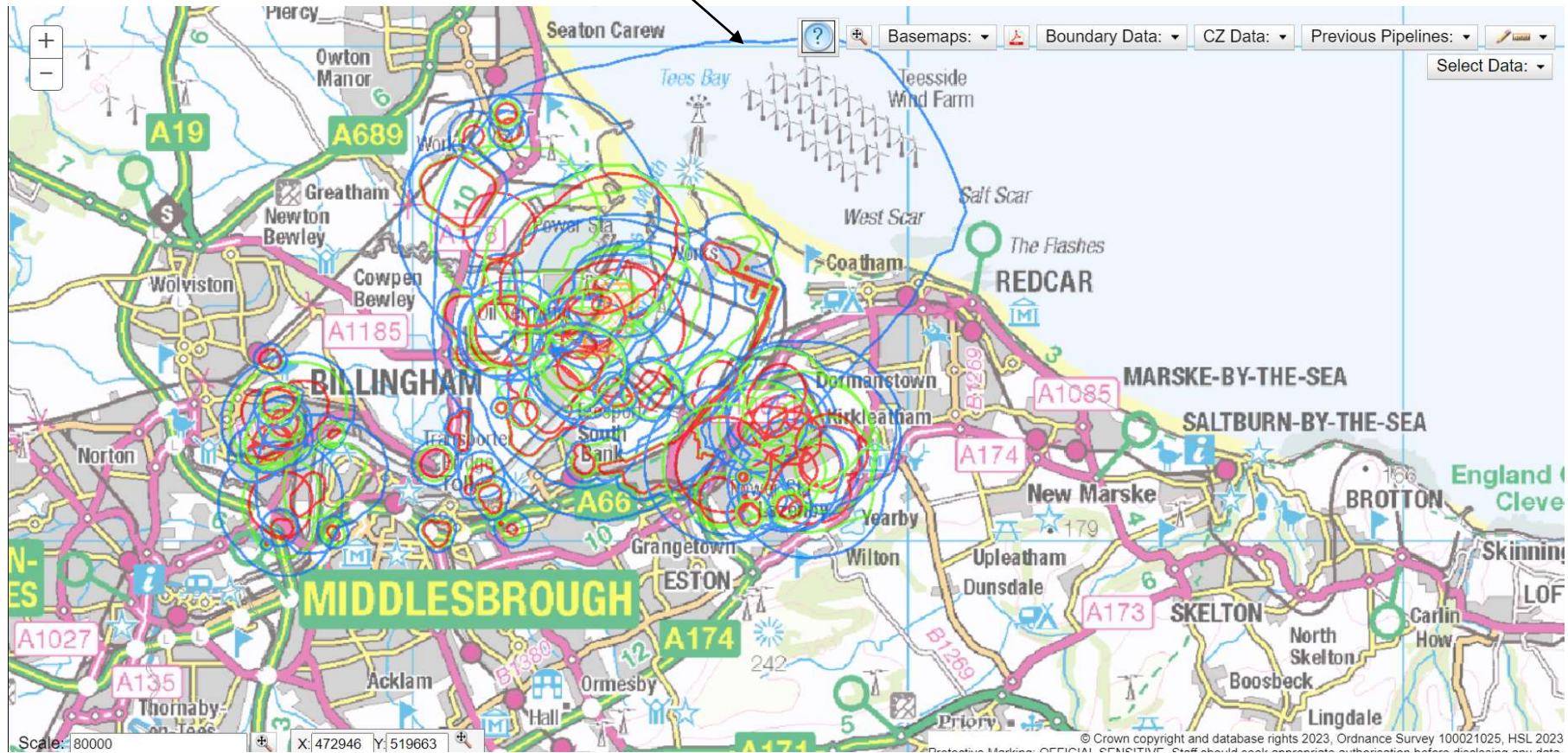
CZ mapper – MH CZs

CZ for H1272 (South Tees Site Co Ltd)

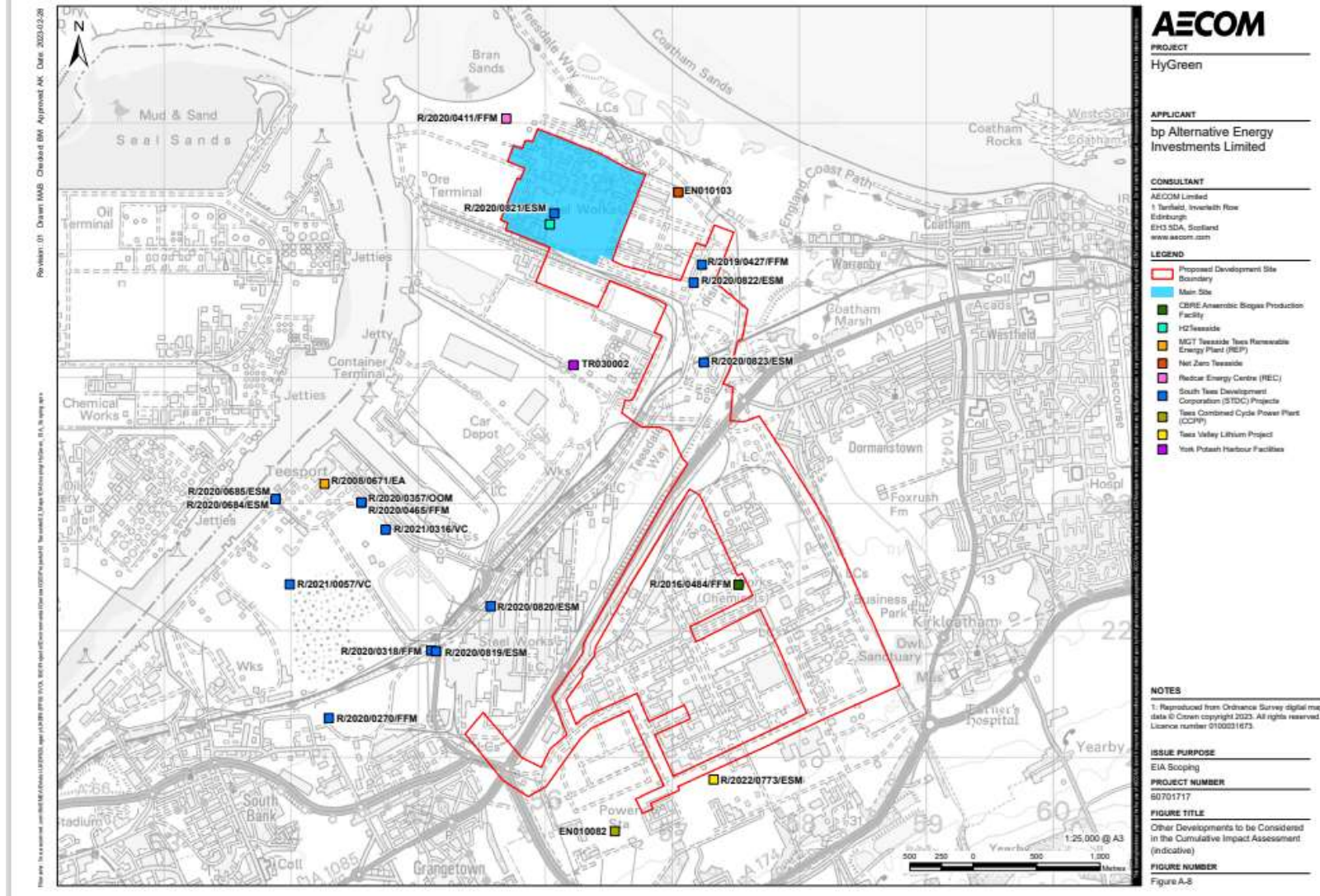
CZ for H1875 (Fine Organics Ltd)



CZ for H1875 (Fine Organics Ltd)



EIA Scoping Report P145



Hydrogen Export Pipeline Corridor

- 2.1.16 The proposed offtakers for the hydrogen produced by the Proposed Development are situated at the Wilton International industrial complex, British Steel's Lackenby Steelworks and in Grangetown. These are all situated in areas of former and current industrial land. Future third-party hydrogen storage facilities are expected to be constructed, including potentially within these areas, but these do not form part of the Proposed Development.
- 2.1.17 Three options for the hydrogen network connecting the Main Site to the offtakers are proposed at this stage of the Proposed Development. These options initially



follow a broadly similar route to that of the Electrical and Water Connection Corridors to the substation.

- 2.1.18 Option 1 is an approximately 8.9 km pipeline network, which from Tod Point follows the A1085 Trunk Road north-east to south-west to Grangetown roundabout, and connects from here to the existing service corridors within the Wilton International industrial cluster. This corridor therefore crosses areas of linear informal vegetation at the verges of the road network, before entering into industrial land.
- 2.1.19 Option 2 is an approximately 9.4 km pipeline network, which from Tod Point crosses the A1085 Trunk Road and the Tees Valley railway line to enter directly into the Wilton International industrial cluster from its northern side.
- 2.1.20 Option 3 is an approximately 10.0 km pipeline network, which from Tod Point crosses the A1085 Trunk Road and the Tees Valley railway line then diverts eastwards to follow existing service corridors along the eastern boundary of the Wilton International industrial cluster, before entering the Wilton International industrial cluster at the south of its eastern side.
- 2.1.21 These potential options are considered in this EIA Scoping Report. The viability of each option will be confirmed with the respective landowners at future stages of the design.

6.0 POTENTIALLY SIGNIFICANT ENVIRONMENTAL EFFECTS

P99

Major Accidents and Natural Disasters Key receptors (Appendix A).

- 6.1.222 This area of Teesside includes installations regulated by the Control of Major Accident Hazard (COMAH) Regulations 2015 and major accident hazard pipelines regulated by the Pipelines Safety Regulations (PSR) 1996. The study area may be refined during later stages of assessment, as information on the location and risks associated with particular hazards is developed.
- 6.1.223 The COMAH Regulations may be applicable to the Proposed Development and will be determined via a calculation to be carried out in accordance with the methodology contained within Schedule 1, Part 3 of the Regulations, commonly referred to as an aggregation calculation. This calculation is required as there is no single dangerous substances which will be present in a quantity equal to or above the relevant COMAH qualifying quantities. The aggregation calculation incorporates the contribution of all dangerous substances present on the site which are listed in

March 2023

99

bp Alternative Energy Investments Limited
HyGreen Hydrogen Project: Application for a Scoping Opinion



Parts 1 and 2 of Schedule 1 of COMAH to determine whether the Regulations will apply to the establishment.

- 6.1.224 The following data sources have been utilised to inform the scoping baseline:
- National Risk Register of Civil Emergencies (Cabinet Office, 2017);
 - BGS Geolindex Onshore (BGS, 2022);
 - Health and Safety Executive's (HSE's) COMAH 2015 Public Information Search (HSE, 2015);and

P100

- 6.1.227 Teesside has a temperate oceanic climate typical of the UK. Past earthquakes (of maximum magnitude 3.1) have been recorded in the study area since 1994 but none of these were classified by the BGS as significant. As described in the sub-section on Surface Water, Flood Risk and Water Resources, there are areas of the Proposed Development Site within Flood Zones 1, 2, and 3, with respect to tidal/fluvial flood risk due to its position on the estuary.

Infrastructure and Industrial Sites

- 6.1.228 The Teesside area is a significant industrial hub, with the chemical industry operating in this location for over a hundred years. Chemical facilities still make up a proportion of sites in the area along with oil and gas facilities and the nearby Hartlepool nuclear power station.
- 6.1.229 There are currently a number of COMAH regulated sites within the Study Area with operations in the following categories:
- bulk and fine chemical installations, with operations (including manufacture/production, disposal, storage/warehousing and distribution);
 - fuel installations, including refining and storage/ distribution;
 - waste storage, treatment and disposal sites;
 - water and sewage collection, supply and treatment; and
 - power generation, supply and distribution.
- 6.1.230 Due to the nature of industry in Teesside, there is an existing network of buried pipelines present in the vicinity of the Proposed Development, including major hazard pipelines regulated in accordance with the PSR (1996).
- 6.1.231 In the vicinity of the Proposed Development there is also significant infrastructure associated with the transmission and distribution of energy including high voltage (HV) 400 kV overhead power lines.

March 2023

100

P104

containment systems will be installed as part of the proposed development, which will prevent this material from reaching the environment.

- 6.1.248 The pipeline corridors associated with the Proposed Development will contain hydrogen (H₂) delivered to off-takers within the Teesside industrial area. The technology used for the manufacture of hydrogen (H₂) from electrolysis of water is well established and the equipment to be used will be designed and constructed to precise industry standards. The Production Facility will be subject to rigorous safety and be required to comply with environmental regulations.
- 6.1.249 The operators of facilities to produce and transport hydrogen are required to demonstrate integrity via the submission of Safety Case documentation. For the Proposed Development, a Safety Case will be required for the Hydrogen Export Pipeline Corridor and may be required for the Production Facility pending the outcome of the COMAH applicability aggregation calculation.
- 6.1.250 The Proposed Development will be regulated through consents and licences such as Hazardous Substances Consent, Pipelines Safety Regulations, COMAH, and Environmental Permitting Regulations. These regulatory regimes will demand appropriate systems, controls and management procedures to safeguard workers, and off-site receptors including the public and the environment. There is a very low risk of failure to occur which could result in a loss of containment of hazardous

March 2023

104

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HyGreen Hydrogen Project: Application for a Scoping Opinion



substances, however if this were to happen, credible and worst-case major accident scenarios have been identified for assessment as part of the EIA.