

## Lynne Aspery

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**From:** Shirley Rance <Shirley.Rance@hse.gov.uk> on behalf of NSIP Applications <NSIP.Applications@hse.gov.uk>  
**Sent:** 04 May 2023 13:48  
**To:** Planning Admin  
**Cc:** HazSubConsent CEMHD5; NSIP Applications  
**Subject:** NSIP - R/2023/0300/DCO - EIA Consultation document - HSE Response  
**Attachments:** NSIP - EIA - H2 Teeside Project - HSE Response.pdf; eCon\_Health and Safety Executive (NSIP).docx

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Please see attached copy of HSEs response to the EIA Consultation document R/2023/0300/DCO.

Please be aware – it is detailed in the letter. HSEs response is solely based on Land Use Planning advice. There is no advice for Explosives, as HSE Explosive Unit requested further information and we have not received that for them to provide sufficient comments.

Sent on behalf of the NSIP Team

Shirley

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**From:** Development Management <planning\_admin@redcar-cleveland.gov.uk>  
**Sent:** 13 April 2023 11:37  
**To:** NSIP Applications <NSIP.Applications@hse.gov.uk>  
**Subject:** NSIP - R/2023/0300/DCO - EIA Consultation document

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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CEMHD Policy - Land Use Planning,  
NSIP Consultations,  
Building 1.2,  
Redgrave Court,  
Merton Road,  
Bootle, Merseyside  
L20 7HS.

HSE email: [NSIP.applications@hse.gov.uk](mailto:NSIP.applications@hse.gov.uk)

By email only - [planning\\_admin@redcar-cleveland.gov.uk](mailto:planning_admin@redcar-cleveland.gov.uk)

Dear Ms Griffiths

Date: 4 May 2023

**PROPOSED H2 TEESIDE PROJECT (the project)  
PROPOSAL BY H2 TEESIDE LTD (the applicant)  
INFRASTRUCTURE PLANNING (ENVIRONMENTAL IMPACT ASSESSMENT) REGULATIONS 2017 (as  
amended) REGULATIONS 10 and 11**

Thank you for your letter of 13 April 2023 regarding the information to be provided in an environmental statement relating to the above project. HSE does not comment on EIA Scoping Reports but the following information is likely to be useful to the applicant.

**HSE's land use planning advice**

**Will the proposed development fall within any of HSE's consultation distances?**

According to HSE's records, the proposed H2 Teesside Project, main proposed sites A & B, as specified in the AECOM Environmental Impact Assessment Scoping Report, April 2023, (EN070009-000037), (Appendix A, Figure 1, Site Location Plan) cross the Consultation Zones of two Major Accident Hazard (MAH) sites with the following operators:

- HSE Ref #1272 operated by South Tees Site Company Limited, Teesside Site, Steel House, Redcar TS10 5QW.
- HSE Ref #1875 operated by Fine Organics Limited, Seal Sands Road, Seal Sands, Middlesbrough, Cleveland TS2 1UB.

The rest of the proposed site boundary, primarily for the proposed hydrogen transport pipelines and connections as specified in the AECOM Environmental Impact Assessment Scoping Report, April 2023, (EN070009-000037), (Appendix A, Figure 1, Site Location Plan) cross the Consultation Zones of several Major Accident Hazard (MAH) sites primarily associated with the Wilton Complex.

The Applicant should make contact with all the MAH sites operators, to inform an assessment of whether or not the proposed development is vulnerable to a possible major accident.

There are also several major accident hazard pipelines both containing natural gas and non-natural gas within the Wilton Complex where the proposed development crosses.

The Applicant should make the necessary approaches to the relevant pipeline operators. There are three particular reasons for this:

- i) the pipeline operator may have a legal interest in developments in the vicinity of the pipeline. This may restrict developments within a certain proximity of the pipeline.
- ii) the standards to which the pipeline is designed and operated may restrict major traffic routes within a certain proximity of the pipeline. Consequently, there may be a need for the operator to modify the pipeline or its operation, if the development proceeds.
- iii) to establish the necessary measures required to alter/upgrade the pipeline to appropriate standards.

HSE's Land Use Planning advice would be dependent on the location of areas where people may be present. AECOM Environmental Impact Assessment Scoping Report, April 2023, (EN070009-000037), Section 3.14.2, states that '*operation workforce peak numbers will be a maximum of 85 people (staff). Operations staffing will be on a shift basis to be spread over a 24-hour period. Normally staff levels will be 40-50 peak during the week, however, during 28-day maintenance periods which are likely to occur approximately every four years, there would be up to 400 people*'. When we are consulted by the Applicant with further information under Section 42 of the Planning Act 2008, we can provide full advice.

### **Would Hazardous Substances Consent be needed?**

It is not clear whether the Applicant has considered the hazard classification of any chemicals that are proposed to be present at the development. Hazard classification is relevant to the potential for accidents. For example, hazardous substances planning consent is required to store or use any of the Categories of Substances or Named Hazardous Substances set out in Schedule 1 of The Planning (Hazardous Substances) Regulations 2015 as amended, if those hazardous substances will be present on, over or under the land at or above the controlled quantities. There is an addition rule in the Schedule for below-threshold substances. If hazardous substances planning consent is required, please consult HSE on the application.

### **Consideration of risk assessments**

Regulation 5(4) of the Infrastructure Planning (Environmental Impact Assessment) Regulations 2017 requires the assessment of significant effects to include, where relevant, the expected significant effects arising from the proposed development's vulnerability to major accidents. HSE's role on NSIPs is summarised in the following Advice Note 11 Annex on the Planning Inspectorate's website - Annex G – The Health and Safety Executive. This document includes consideration of risk assessments on page 3.

### **Explosives sites**

An email dated 27 April 2023 was sent requesting further information to provide more details of what is actually being developed at the location. This was requested by CEMHD7 Inspector of Explosives – Mr David Myrtle.

Unfortunately, we have had no response to this request and due to the response deadline date of 4/5/23, CEMHD7 are unable to assess this project and provide any comments.

### **Electrical Safety**

No comment from a planning perspective.

At this time, please send any further communication on this project directly to the HSE's designated e-mail account for NSIP applications at [nsip.applications@hse.gov.uk](mailto:nsip.applications@hse.gov.uk) . We are currently unable to accept hard copies, as our offices have limited access.

Yours sincerely

*Pp Shirley Rance*

Cathy Williams  
CEMHD4 NSIP Consultation Team