



Application by Net Zero Teesside Power Limited and Net Zero North Sea Storage Limited for the Net Zero Teesside Project

The Examining Authority's written questions and requests for information (ExQ1)

Issued on 19 May 2022.

The following table sets out the Examining Authority's (ExA's) first round of written questions and requests for information – ExQ1. Questions are set out using an issues-based framework derived from the Initial Assessment of Principal Issues provided as **Annex C** to the Rule 6 letter of 11 April 2022. Questions have been added to the framework of issues set out there as they have arisen from representations and to address the assessment of the application against relevant policies.

Column 2 of the table indicates which Interested Parties (IPs) and other persons each question is directed to. The ExA would be grateful if all persons named could answer all questions directed to them, providing a substantive response, or indicating that the question is not relevant to them for a reason. This does not prevent an answer being provided to a question by a person to whom it is not directed, should the question be relevant to their interests.

Each question has a unique reference number which starts with an alphabetical code and then has an issue number and a question number. For example, the first question on general matters is identified as GEN.1.1. When you are answering a question, please start your answer by quoting the unique reference number.

If you are responding to a small number of questions, answers in a letter will suffice. If you are answering a larger number of questions, it will assist the ExA if you use a table based on this one to set out your responses. An editable version of this table is available in [Microsoft Word](#).

On 28 April 2022 the Applicants submitted a formal change request in respect of the DCO application. Full details can be found on the [project page on the National Infrastructure Planning website](#) with [Examination Library](#) references AS-047 to AS-195. As the following written questions were largely prepared before the change request was submitted some of the references in the questions do not correspond with those in the documents submitted as part of the change request. Nevertheless, in responding, parties are asked to use the updated document references where appropriate.

Responses are due by Deadline 2: 9 June 2022.



Abbreviations used:

AELs	Associated Emission Levels
AOD	Above Ordnance Datum
AP(s)	Affected Person(s)
AS(s)	Additional Submission(s)
BoR	Book of Reference
BAT	Best Available Techniques
BEIS	Business, Energy and Industrial Strategy
CA	Compulsory Acquisition
CCGT	Combined Cycle Gas Turbine
CCC	Climate Change Committee
CCR	Carbon Capture Readiness
CCS	Carbon Capture and Storage
CCUS	Carbon Capture Usage and Storage
CEMP	Construction Environmental Management Plan
CHP	Combined Heat and Power
CO	Carbon monoxide
CO₂	Carbon dioxide
CIEEM	Chartered Institute of Ecology and Environmental Management
CHP	Combined Heat and Power
COMAH	Control of Major Accidents and Hazards
DAS	Design and Access Statement



DCO	Development Consent Order
dDCO	Draft Development Consent Order
EA	Environment Agency
EIA	Environmental Impact Assessment
EM	Explanatory Memorandum
ES	Environmental Statement
ExA	Examining Authority
HBC	Hartlepool Borough Council
HDD	Horizontal Direct Drilling
HE	Highways England
HGV	Heavy Goods Vehicle
HRA	Habitats Regulations Assessment
HRSG	Heat Recovery Steam Generator
HSE	Health and Safety Executive
IP(s)	Interested Party (Parties)
LCA	Landscape Character Assessment
LIR	Local Impact Report
LLFA	Lead Local Flood Authority
LVIA	Landscape and Visual Impact Assessment
LWS	Local Wildlife Site
m	metre
MMO	Marine Management Organisation
MBT	Micro-Bored Tunnels



MLWS	Mean Low Water Springs
MEA	mono-ethanolamine
NE	Natural England
NDMA	N-nitrosodimethylamine
NH₃	Ammonia
NO₂	Nitrogen dioxide
NO_x	Nitrogen oxides
NPPF	National Planning Policy Framework
NSIP	Nationally Significant infrastructure Project
NWL	Northumbrian Water Limited
NZT	Net Zero Teesside
NPSs	National Policy Statements
PC	Process contribution
PEC	Predicted environmental concentration
PM₁₀	Particulate matter less than 10 micrometres in diameter
PCC	Power Capture and Compression
PRoW	Public Rights of Way
R	Requirements
RCBC	Redcar and Cleveland Borough Council
RPAs	Relevant Planning Authorities
RR	Relevant Representation
SAC	Special Area of Conservation
SoCGs	Statements of Common Ground



SPA	Special Protection Area
SSSI	Site of Special Scientific Interest
STBC	Stockton-on-Tees Borough Council
STDC	South Tees Development Corporation
TPA	Tonnes per annum
WFD	Water Framework Directive
WSI	Written scheme of investigation
WwTW	Wastewater Treatment Works
ZTV	Zone of Theoretical Visibility

The Examination Library

References in these questions set out in square brackets (eg [APP-010]) are to documents catalogued in the Examination Library. The Examination Library can be obtained from the following link: <https://infrastructure.planninginspectorate.gov.uk/wp-content/ipc/uploads/projects/EN010103/EN010103-001182-NZT%20EL.pdf>

Citation of Questions

Questions in this table should be cited as follows:

Question reference: issue reference: question number, eg GEN.1.1 – refers to question 1 in this table.

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ExQ1: 19 May 2022**Responses due by Deadline 2: 9 June 2022**

ExQ1	Question to:	Question:
GENERAL AND CROSS-TOPIC QUESTIONS		
GEN.1.1	Applicants	Requirement (R)31 of the draft Development Consent Order (dDCO) [AS-004] provides a mechanism to prevent commencement (other than permitted preliminary work) until the undertaker provides evidence that the necessary consent required to enable the construction and operation of a site for the storage of CO₂ has been granted. Should the DCO provide for the storage facility to be constructed and operational prior to the Proposed Development becoming operational?
GEN.1.2	Applicants	The Proposed Development would connect into a future export pipeline and storage facility that would be subject to separate consents. The Hornsea Project Four Offshore Wind Farm DCO Application, which is in the Examination stage of the process, proposes wind turbines being located partly above the 'Endurance' saline aquifer which is proposed as the CO₂ storage destination. Consider and provide further details on the potential for these projects to conflict with each other and how any conflicts could be resolved.
GEN.1.3	Applicants	In paragraph 2.2.6 of the Planning Statement [APP-070] and other parts of the application documentation it states that Net Zero North Sea Storage will be responsible for the offshore elements of Net Zero Teesside (NZT) comprising the offshore section of the CO₂ export pipeline (to a suitable offshore geological CO₂ storage site under the North Sea, CO₂ injection wells and associated infrastructure. Paragraph 1.1.4 of the Carbon Capture Readiness (CCR) Assessment indicates that consent for the routing, construction and operation of the offshore pipeline is being progressed by Northern Endurance Partnership. Please clarify the responsibilities for obtaining the different consents.
GEN.1.4	National Grid Ventures	National Grid Ventures [RR-007] refers to the Humber Low Carbon Pipelines project. National Grid Ventures is asked to provide an update on the Humber Low Carbon Pipelines project and include the anticipated timescale for submission of the DCO application.
GEN.1.5	Applicants National Grid Ventures	National Grid Carbon is a National Grid Ventures company [RR-007]. National Grid Carbon is also part of NZT Storage (Funding Statement section 2.)

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ExQ1	Question to:	Question:
		The Applicants and National Grid Ventures are asked to explain the relationship between the two entities. Additionally, explain the relationship with National Grid Electricity Transmission PLC [RR-012] and National Grid Gas PLC [RR-013].
GEN.1.6	Applicants	No maximum height for the heat recovery steam generator (HRSG) stack is specified in Environmental Statement (ES) Chapter 4, Table 4-1. An anticipated maximum height of 110m Above Ordnance Datum (AOD) is annotated on the Power Capture and Compression (PCC) Site Elevation Plan but this is not identified as a document to be certified in Schedule 14 of the dDCO. No parameters are stated in ES Chapter 14. The EA [RR-024] stated that the Applicant should provide a worst-case prediction of the height, width and location of the HRSG stack with regard to the air quality assessment. Minimum and maximum parameters of the stack for the auxiliary boiler (if required) have not been stated and the stack is not annotated on the PCC Site Elevation Plan. No maximum width is stated for either stack. Their final locations are not fixed but are shown indicatively on ES Figure 4-1 and siting would be restricted to development areas shown for Work No. 1A and 1C on the Works' Plans. Can the Applicants confirm the minimum and maximum parameters (height and width) that have been used in the ES assessments for the heat recovery steam generator stack and auxiliary boiler stack?
GEN.1.7	Applicants	Can the Applicants confirm what the maximum width (inner diameter) of the main (absorber) stack is, as Schedule 15 of the dDCO states it is 6.5m but ES Chapter 8 describes the assessment using a parameter of 6.6m? If it is the former, does this have implications for the assessment of effects? Can the Applicants confirm the minimum width parameter for the main (absorber) stack that has been used in assessment in the ES and whether any sensitivity testing has been undertaken to understand the likely effects arising from the range of diameters?
GEN.1.8	Applicants	At various places within the application documents (including paragraph 5.2.3 of the ES [APP-087]) it is stated that the offshore works below Mean Low Water Springs (MLWS) are being progressed under separate consent. Should a new discharge pipeline need to be installed will the works extend below MLWS? If so, where has this been assessed in the ES?

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ExQ1	Question to:	Question:
GEN.1.9	Applicants	Chapter 5 of the ES [APP-087] provides an estimate of spoil from drilling, boring and tunnelling activities (paragraph 5.3.80) and refers to the spoil generated from enabling works and construction (paragraph 5.3.73), suggesting that the bulk of spoil generated will be used beneficially within the site. The Applicants are asked: i) To provide an estimate of the spoil generated during preparation and construction of the Proposed Development, broken down by the PCC Site and the wide Order land. ii) What volume of material required to build the PCC platform? Is it anticipated that material would need to be imported for this purpose? iii) How would any remaining spoil be used? iv) How much material is it anticipated will need to be removed from the site? What are the implications of this for the assessment of traffic and transport, and local capacity for treatment or re-use? v) Where have the visual effects of stockpiles been accounted for? vi) Given the industrial history of the site and the potential for contamination of the underlying ground, has the potential suitability of the spoil for re-use within the site been taken into consideration?
GEN.1.10	Applicants	Paragraph 6.3.5 of the Design and Access Statement (DAS) [APP-070] explains that early in the design process a five Combined Cycle Gas Turbine (CCGT) Train concept was developed for the Proposed Development and that following further discussions with the Department for Business Energy and Industrial Strategy (BEIS), the decision was taken to proceed with a three CCGT Train concept with a greater emphasis on industrial decarbonisation through the inclusion of a CO₂ gathering network. The Applicants are asked to further explain the reasoning for adopting a three CCGT Train concept rather than a five CCGT Train concept. Would it be possible to develop a five CCGT Train concept in the future?
GEN.1.11	Applicants South Tees Development Corporation (STDC)	The PCC Site and proposed laydown area currently contains residual large-scale plant and buildings associated with the former Redcar steelworks. Paragraph 5.2.6 of the ES [APP-087] identifies some above and below ground structures and redundant services associated with the former steelworks and earlier development on the site which are envisaged to be removed

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ExQ1	Question to:	Question:
		before the construction of the Proposed Development can commence. Paragraph 12.6.20 of the ES indicates that demolition and site clearance works would be subject to a separate planning application. Site clearance and remediation forms part of the authorised development set out in Schedule 1 of the dDCO. However, paragraph 4.2.7 of the ES [AS-019] states that existing infrastructure associated with the former Redcar Steelworks is expected to be removed by the landowner as part of the site preparation and remediation prior to the commencement of the Proposed Development. i) Have these works been included in the ES baseline? ii) When would demolition of the plant and structures take place? iii) What is the extent of the clearance and remediation? iv) Under what powers would they be removed? v) Provide an aerial view of structures currently in place / due to be demolished on overlaid with the Order Limits and layout plan of the PCC Site. vi) The Applicants and STDC are asked to clarify proposals for, including timing of, site preparation. vii) The Applicants and STDC are asked to comment on progress with regard to the handover of the site following clearance. Parties may wish to respond to this question together with question HE.1.5 in relation to heritage assets.
GEN.1.12	Applicants STDC	There are references to the site investigation and remediation being undertaken by the landowner in Chapter 10 (for example, in Tables 10-5 and Table 10-15 of the ES) [APP 092]. However, in its Relevant Representation [RR-035], STDC states that there is no agreement between the parties to carry out such works. i) Can both parties confirm the status of these discussions? ii) Can both parties confirm who would be responsible for liaising with the regulators and obtaining any necessary permits and licences? iii) Can both parties confirm who would be responsible for the risk assessment and any long term monitoring of the efficacy of any remedial works?

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ExQ1	Question to:	Question:
GEN.1.13	Applicants	Box 5.1 within Chapter 5 of the ES [APP-087] explains that Micro-Bored Tunnels (MBT) would be used for the Tees crossing for the gas connection and the outfall while Horizontal Directional Drilling (HDD) would be used for the CO ₂ gathering network crossing of the Tees. Why are different techniques proposed for the crossing of the Tees?
GEN.1.14	Applicants	Paragraph 7.3.14 of the DAS [APP-070] states that typical construction working widths for the pipelines and cables will vary from 5m to 35m dependent on the constraints present. Similarly, paragraph 5.3.24 of the ES [APP-087] states that the working width required for open cut pipeline construction is generally around 35 m which is the typical working width required to facilitate ease of construction but can be narrowed in places where other constraints exist. The Applicants are asked to provide further explanation for the variation from 5m to 35m and why 35m is seen as a generally appropriate width.
GEN.1.15	Applicants	Paragraph 5.8.1 of the Framework Construction Environmental Management Plan (CEMP) [APP-246] indicates that in addition to the Final CEMP, a suite of complementary environmental plans and procedures for the construction phase will be developed in accordance with draft DCO requirements, including a Site Waste Management Plan and a Waste Management Plan. Should the list of complementary plans and procedures be specified within the Framework CEMP? If not, why not?
GEN.1.16	Interested Parties (IPs)	Section 5.10 of the Framework CEMP [APP-246] describes how various tasks will be undertaken by the Environmental Site Officer and Environmental Manager / Project Manager. Are the local authorities and other regulatory bodies such as the EA content that the roles of different personnel with regard to checking and corrective action are appropriately defined?
GEN.1.17	Applicants	Some potential environmental impacts would rely on a series of management plans such as those referred to in R23 to 28 and R30. These would be approved, post-consent, by the RPA. The Applicants are asked to provide framework plans for the following documents which are referenced in requirements as well as any other management plans on which they will be reliant. i) Site security written scheme; ii) Fire prevention method statement;

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ExQ1	Question to:	Question:
		iii) Piling and penetrative foundation design method statement; and iv) Employment, skills and training plan. Alternatively, the Applicants are asked to explain where controls are provided elsewhere within the dDCO or why they are not required.
GEN.1.18	Applicants	Paragraph 5.3.118 of the ES [APP-087] states that construction works will be undertaken in accordance with the environmental commitments identified in Chapters 8 to 24 of the ES and having regard to relevant legislation as set out in the Commitments Register (Appendix 25A) [AS-033]. How would the Commitments Register be secured through the dDCO?
GEN.1.19	Applicants	Document 5.10 'Other Consents and Licences' [APP-077] refers to a number of other consents, licences and permits that would be required for the Proposed Development. The Applicants are asked to: i) Provide updates on progress with obtaining these consents, licences and permits throughout the Examination; and ii) Include a section providing an update on these consents, licences and permits in any emerging Statements of Common Ground (SoCG) that are being drafted with the relevant consenting authorities.
GEN.1.20	Applicants	The Other Consents and Licences [APP-077] document indicates that an application for a bespoke environmental permit for operation of the Proposed Development was in progress and scheduled to be submitted to the Environment Agency (EA) in mid-2021 and that discussions were on-going with the Health and Safety Executive about whether a control of major accidents and hazards (COMAH) licence would be required. Can the Applicants provide an update on the progress of these matters and any concerns identified by the relevant bodies?
GEN.1.21	Applicants All IPs	Paragraphs 4.2.11-4.2.20 of the Planning Statement [APP-070] discuss whether the DCO Application should be determined under s104 of the Planning Act 2008 (PA2008), s105 of PA2008 or both. It concludes at paragraph 4.2.20 that the Proposed Development should be determined under s104 for a number of reasons.

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ExQ1	Question to:	Question:
		Reference is made to the Secretary of State's (SoS's) decision in respect of the Wheelabrator Kemsley K3 Generating Station ('WK3') and Wheelabrator Kemsley North Waste-to-Energy Facility ('WKN') Order (PINS Ref. EN010083). The case was subsequently considered by the High Court under the reference: EFW Group Ltd v Secretary of State for Business, Energy and Industrial Strategy [2021] EWHC 2697 (Admin). i) The Applicants are asked to comment on the High Court judgment and whether or not it changes their position in respect of the current application. ii) With reference to any other documents which may have relevance to this matter since submission of the application (including consultation drafts of the National Policy Statements (NPSs), do the Applicants consider that their comments in section 4.2 continue to apply to the Specified Elements of the Proposed Development, notably the CO₂ gathering network (Work no. 6), or is any there any change the ExA needs to be aware of? IPs are also invited to comment.
GEN.1.22	Applicants	Paragraph 6.7.2 of the ES [APP-088] notes that aspects of design that have been fixed in the dDCO include: i) The use of post combustion carbon capture technology; and ii) The inclusion of a high efficiency gas-fired generating station. The Applicants are asked to confirm where the dDCO confirms that both of these elements would be secured.
GEN.1.23	Applicants	The ES (paragraph 4.3.4 [APP-086] states that minimum carbon capture efficiency is 90%. How would the dDCO control this to ensure that the generating station is not operated at an efficiency of below 90%?
GEN.1.24	Applicants	Paragraph 4.1.4 of the CHP Assessment [APP-075] states that 'Due to the dispatchable nature of the facility, any heat available for a potential CHP design is likely to be intermittent, which would affect the viability of the CHP scheme.' Explain how the dispatchable nature of the facility would affect viability.

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ExQ1	Question to:	Question:
GEN.1.25	Applicants	The ES (paragraph 4.3.4) [APP-086] confirms that Low Carbon Electricity Generating Station can be run in unabated mode. In this situation CO₂ would be emitted to the atmosphere rather than captured. How often would this happen in normal, planned operation? How was this assessed? How does the dDCO control this to ensure that unabated operation does not happen more frequently or for longer periods than assessed?
GEN.1.26	Applicants	According to paragraph 6.1.2 of the CCR Assessment [APP-074] initial power Carbon Capture and Storage (CCS) projects will be selected as part of the proposed CCUS Cluster Sequencing process from October 2021, with bilateral negotiations to agree a Dispatchable Power Agreement. The Applicants are asked to provide an update on this process.
GEN.1.27	Applicants	Paragraph 5.10.6 of the Planning Statement [APP-070] references the Carbon Capture Usage and Storage (CCUS) Cluster Sequencing Consultation (February 2021). This sets out a potential two-phase process. The first phase would determine which cluster locations would be prioritised; the second phase would allocate CCUS programme support, including the CCS Infrastructure Fund and revenue support, to individual projects within the clusters. The Industrialisation Decarbonisation Strategy confirms that this approach will be refined in response to consultation feedback. Has there been there any progress on this matter since the application was submitted?
GEN.1.28	Applicants	The Planning Statement [APP-070] (paragraph 6.2.81) states that “it is considered that there is future potential to provide Teesworks with available waste heat as the peak heat demand lies within the Combined Heat and Power (CHP) envelope of the Proposed Development and the Teesworks area is adjacent to the PCC Site”. How would NZT provide Teesworks with available waste heat?
GEN.1.29	Applicants	Paragraph 6.2.99 of the Planning Statement [APP-070] notes that Table 21-13 compares the carbon intensity of the Proposed Development (both with and without carbon capture) with other forms of generation. Explain what is meant by carbon intensity and why it is important in this context.

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ExQ1	Question to:	Question:
GEN.1.30	Applicants	ES, paragraph 4.4.10 [APP-086] describes the chemicals likely to be used during operation of the Proposed Development, including amine based solvent, urea or ammonia solution, water treatment chemicals, nitrogen, lubricating oils, hydrogen for generator cooling and deoxygenation of product CO₂ stream and distillate fuel. It does not provide an estimation of the volume of chemicals that is likely to be required. The Applicants are asked to provide an estimate of the volumes of chemicals which are likely to be required.
GEN.1.31	Applicants	HP Compressor Plans Sheets 2 & 3 [APP-048 and APP-049] include as Item 20 – Future Expansion HP CO₂ Compressor Equipment. Explain how expansion would be secured. Has this element been assessed as part of the ES?
GEN.1.32	Applicants	Paragraph 6.2.30 of the Planning Statement [APP-070] comments on the criteria for the consideration of alternative locations. These include sufficient space for future expansion. The Applicants are asked to explain their approach to expansion and whether it would be covered by the dDCO.
GEN.1.33	Applicants	According to paragraph 5.3.1 of the CCR Assessment [APP-074] the volume of CO₂ anticipated to be captured during the lifetime of the Proposed Development is 50.7 million tonnes (2.0 million tonnes per annum (TPA) for a 25-year period for the power station). How does this figure relate to the capacity of the export pipeline which is up to 10Mt of CO₂ per annum with an initial intention to capture 4M TPA?
GEN.1.34	Applicants	At various points in the Application including the Applicants' covering letter [APP-001], the ES [APP-086] (paragraph 4.3.54) and the DAS [APP-071] reference is made to the Proposed Development initially capturing and transporting up to 4 million TPA of CO₂, although the CO₂ export pipeline has the capacity to accommodate up to 10 million TPA of CO₂ thereby allowing for future expansion. Will there be any changes to the CO₂ gathering network to accommodate this increase? Demonstrate where the capacity increase/ future expansion has been assessed in the ES. Should the amount of exported CO₂ be controlled through the DCO?

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ExQ1	Question to:	Question:
GEN.1.35	Applicants	Paragraph 5.4.1 of the CCR Assessment [APP-074] states that there are various options available for transporting CO₂ from point of capture to final geological storage, including on and offshore transportation by pipeline and offshore transportation by pipeline or shipping. The Applicants are asked to explain why offshore transportation by shipping was not taken forward for this project.
GEN.1.36	Applicants	According to paragraph 12.4.15 of the ES [APP-094] decommissioning may proceed to different timeframes within different parts of the Site, and in particular the compressor and CO₂ Gathering Network is likely to remain in operation after the PCC Site is decommissioned. How would the compressor and CO₂ Gathering Network operate in isolation from the generating station?
GEN.1.37	Applicants Redcar and Cleveland Borough Council (RCBC) Stockton-on-Tees Borough Council (STBC)	Table 3.1 of the Planning Statement [APP-070] and the Long and Short Lists of Developments Table 24-5 and Figures 24-2 and 24-3 [APP-106, APP-235 and APP-236] include a number of relevant development proposals in the vicinity of the Order Limits which were known as of March 2021. The Applicants are asked to: i) Update the tables and figures to include decisions made and relevant planning applications submitted since production of the Planning Statement; ii) Present the relevant proposals on an Ordnance Survey map base; iii) Confirm whether any such updates would affect the conclusions reached in the ES in particular with regard to in-combination effects. The Relevant Planning Authorities (RPAs) are asked to: i) Provide an update to the status of the referenced planning applications including whether a decision has been made and development timescales, in particular whether development has commenced; ii) List details of any additional relevant planning applications and Development Consent Orders (DCOs) which have been submitted since production of the Planning Statement (March 2021); and

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ExQ1	Question to:	Question:
		iii) Provide details of development at Teesworks (No's 3 and 5 to 10 inclusive of Table 3.1 and any others submitted since), including site location and layout plans, and (if available) officer reports and decision notices.
GEN.1.38	Sembcorp Utilities (UK) Ltd	Sembcorp Utilities (UK) Ltd [RR-034] refers to a number of proposed projects at Wilton International. i) Provide details of the proposed battery storage including its location and timescales for an application (DCO or Planning Application?) and construction; and ii) Provide further information as to how the proposed battery storage and other projects and existing business at Wilton International could be affected by the Proposed Development.
GEN.1.39	Anglo American Woodsmith Limited	The Proposed Development includes land within the Order Limits of the York Potash Harbour Facilities Order 2016. Table 3.1 of the Planning Statement [APP-070] and ES Chapter 24 [APP-106] Tables 24-5 to 24-16 list the York Potash Project as a relevant proposal. i) Confirm how you wish Anglo American Woodsmith Limited to be addressed in the Examination and draft Development Consent Order (dDCO). ii) Provide a brief summary of the current stage of construction of the Woodsmith Project (formerly the York Potash Project) and timescales for completion, in particular the site which overlaps the Order Limits of the Proposed Development; iii) Provide comment on the cumulative assessments in Tables 24-6 to 24-16 which specifically relate to the Woodsmith Project, in particular whether it has been scoped in or out appropriately; and iv) The ExA are aware of a Non-Material Change application to the York Potash Harbour Facilities Order 2016; please provide details and indicate if the Proposed Development would be affected in any way. You may wish to combine your answer with Question CA.1.9.
GEN.1.40	Applicants	The energy NPSs are currently under review by UK Government. Consultation on the revised drafts closed in November 2021. As yet there is no confirmed date for publication and designation of the updated energy NPSs. Can the Applicants comment on whether the draft NPSs for Energy (EN-1), Fossil Fuel Electricity Generating Infrastructure (EN-2), Gas Supply Infrastructure and Gas and Oil

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ExQ1	Question to:	Question:
		Pipelines (EN-4) and Electricity Networks Infrastructure (EN-5) introduce any environmental requirements that have not previously been considered in the ES?
GEN.1.41	Applicants STDC	The Applicants' covering letter [APP-001] notes that the site partly lies within the boundary of the Teesworks area that is controlled by STDC. The Applicants and STDC are asked to provide an overview of the powers of the STDC beyond its land ownership.
AIR QUALITY AND EMISSIONS		
AQ.1.1	Applicants Natural England (NE)	Paragraph 8.2.7 of the ES [APP-090] references the critical load criteria in Table 8B-13 of Appendix 8B [APP-248]. However, Table 8B-13 presents background deposition information. Confirm if Table 8B-19 of the ES [APP-248] is the correct list for these critical load criteria? NE, please confirm that you remain content with the source of critical load data described in paragraph 8.2.7 of the ES [APP-090] and the values identified for protected sites in Table 8B-19 of the ES [APP-248].
AQ.1.2	Applicants EA	Paragraph 8.2.10 of the ES [APP-090] states that the EA are preparing Best Available Techniques (BAT) guidance for post-combustion carbon dioxide capture plants using amine-based technologies, due to be published in mid-2021. Provide an update on the development of BAT guidance and BAT-Associated Emission Levels (AELs), and an assessment of the implications of this, if any, for the air quality assessment.
AQ.1.3	Applicants EA	Environmental Assessment Levels are referred to in paragraphs 8.2.14 and 8.2.15 of the ES [APP-090] for mono-ethanolamine (MEA) and N-nitrosodimethylamine (NDMA). Have these now been formally adopted?
AQ.1.4	EA	i) Is the EA satisfied with the approach taken to the modelling of amines described in Chapter 8 of the ES [APP-090] and Appendix 8C [APP-249]? ii) Is the EA content that the approach to modelling stack height and location described in paragraphs 8.2.40 and 8.2.43 of the ES [APP-090] is a reasonable 'worst case' scenario? iii) Is the EA content that the emissions from the plant can be satisfactorily controlled via the environmental permitting regimes?

ExQ1: 19 May 2022**Responses due by Deadline 2: 9 June 2022**

ExQ1	Question to:	Question:
AQ.1.5	EA/ NE RCBC STBC	It is stated that the construction phase is anticipated to last around 4 years (paragraph 8.13.17 of the ES) [APP-090] and emissions of nitrogen dioxide (NO₂) and particulate matter less than 10 micrometres in diameter (PM₁₀) will be generated during this period from on-site construction plant. The assessment encompasses a distance of 200 m from roads. Are EA/ NE content that 200 m is an appropriate distance for this assessment in the context of nearby protected sites? Do you have any other observations to make on Appendix 8A [APP-247]? RCBC and STBC are asked to confirm whether this is an appropriate distance for protection of ecological and human health receptors? Are there any other observations which RCBC and STBC wish to make on Appendix 8A [APP-247]?
AQ.1.6	Applicants	Baseline air quality monitoring was interrupted by the national lockdown caused by the pandemic according to ES paragraph 8.2.44 [APP-090]. In this context, please explain how data collected over the winter period between December 2019 and March 2020 are representative of a baseline level.
AQ.1.7	Applicants	Paragraph 8.3.36 of the ES [APP-090] states that emissions during start up and shut down would be higher than those assessed for the annual average. i) Please confirm if this is all emissions or just those relating to amines? ii) How do predicted emissions during these times compare to the proposed daily maximums? iii) The same paragraph also states that the gas flow rate will be lower and emissions therefore 'likely to be reasonably comparable' to the annual rate. Please provide further evidence to support this conclusion.
AQ.1.8	Applicants	A 'number' of auxiliary boilers are referred to in ES paragraph 8.3.37 [APP-090]. It is stated that best practice would be followed and their use limited. i) Further evidence, including the number of boilers, their locations, predicted usage and likely emissions, should be provided to substantiate the position that they will not give rise to significant impacts in combination with other sources of air emissions from the site.

ExQ1	Question to:	Question:
		ii) Please also include the locations of the emergency diesel generators and any 'point of use' generators.
AQ.1.9	Applicants	Paragraph 8.5.8 of the ES [APP-090] states that emissions from the CCGT stack when the plant is run in unabated mode have not been assessed because they would have a lower impact than emission from the carbon capture absorber. In the same section it is stated that the unabated emission would be at a higher temperature than from the absorber, resulting in greater dispersion. i) Please explain why emissions of nitrogen oxides (NO_x), carbon monoxide (CO) and ammonia (NH₃) would be higher from the carbon capture absorber than those from the CCGT running in unabated mode? ii) What consequences would this have for the visibility of the plume?
AQ.1.10	Applicants	Paragraph 8.6.22 of the ES [APP-090] states that the annual average NO_x levels at the Teesmouth and Cleveland Coast Ramsar, Special Protection Area (SPA) and Site of Special Scientific Interest (SSSI) are 67.3% and therefore close to the 70% critical level threshold. i) What is the likely margin of error associated with the model? How much confidence is there that the threshold would not be exceeded? ii) The sensitivity testing in Annex A of Appendix 8B [APP-248] is noted. This suggests that the model is sensitive to surface roughness and meteorological data. How much confidence is there in the chosen input parameters? Table 8B-1 of Appendix 8B [APP-248] states that meteorological data are for 2015-2019 at Durham Tees. Please provide an assessment of how representative this location is likely to be given that it is described as a flat airfield in an agricultural area approximately 22 km southwest of the site and inland. This should include consideration of the validity of use of the wind roses for the airport presented in Diagram 8B-1 [APP-248]. iii) It is also stated in ES paragraph 8.7.3 of Appendix B [APP-248] that 'additional' regional data indicate the wind speeds at the site could be higher and the direction 'less scattered' leading to a narrower zone of emission of contaminants. What is the origin of these data? Where are these data presented and how are they incorporated in the assessments? iv) Please clearly list the other potential sources of NO_x both on the site and in the area and confirm whether or not this could cause the critical level threshold to be exceeded if

ExQ1	Question to:	Question:
		assessed cumulatively. This should include all process emissions, traffic emissions and any other emissions from the site, such as from the auxiliary boilers. v) The daily NO_x concentration is above the 10% screening criteria. Although described in paragraph 8.6.24 of the ES [APP-090] as 'unlikely' to be exceeded, as a precautionary approach should be applied to a site protected under the Habitat Regulations, the error associated with this modelling should be presented to demonstrate (or not) that there is no likelihood of significant effects.
AQ.1.11	Applicants	Table 8A-21 of Appendix 8A [APP-247] presents the results of the Construction Traffic Impact Assessment for Coatham Marsh. Please explain how the change in NO_x from construction traffic has been assessed cumulatively with other sources of NO_x during construction and the significance of these results on the SSSI.
AQ.1.12	Applicants	Cumulative impacts of emissions from other developments in the area are not considered significant 'given the distance' of a number of these (paragraph 8.2.13 of Appendix 8B of the ES [APP-248]). Please provide a map of the sites considered and a full explanation of how they have been scoped out based on distance. This should include consideration of potential emissions from proposed future development in the area.
AQ.1.13	Applicants EA/ NE RCBC STBC	The assessment of cumulative effects described in Annex B of Appendix 8B [APP-248] suggests that the predicted environmental concentration (PEC) would increase to 72% of the critical load and would therefore exceed the threshold for significance for NO_x at Teesmouth and Cleveland Coast SPA, SSSI and Ramsar. Paragraph 8.6.17 of Appendix 8B [APP-248] states that emissions would be regarded as insignificant if less than 70% of the critical level. The Applicants are asked how can this be resolved with the conclusion that 72% is not significant in Annex B? EA/ NE/ RCBC/ STBC are asked to comment on the Applicants' conclusion that because the predicted NO_x concentration remains below the critical level it is not significant.
AQ.1.14	EA/ NE RCBC	Paragraph 8.6.18 of Appendix 8B [APP-248] states that the impact of stack emissions can be regarded as insignificant at sites of local importance if the long and short term Process Contribution is less than 100% of the critical level.

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ExQ1	Question to:	Question:
	STBC	Do the named parties have any comments to make on this threshold?
AQ.1.15	Applicants	Paragraph 8.3.13 of ES Appendix 8C [APP-249] states that temperature is key to reducing amine emissions. i) How has the likely range of temperatures and implications for the dispersion of amines been taken into account? ii) How is it ensured that the maximum operating temperature is kept as low as possible?
AQ.1.16	EA/NE RCBC STBC UK Health Security Agency	Appendix 8B [APP-248] describes the approach taken to the assessment of the effects of the development on air quality during the operational phase. Do the named parties you have any additional comments that you would like to bring to the ExA's attention regarding the overall approach?
BIODIVERSITY AND HABITATS REGULATIONS ASSESSMENT		
BIO.1.1	Applicants	Sections 12.2, 13.2, 14.2 and 15.2 of the ES [APP-094 to APP-097] set out the legislation and planning policy context relating to the scope of terrestrial ecology, aquatic ecology, and nature conservation, marine ecology and nature conservation and ornithology respectively. The Applicants are asked to provide details of any relevant legislation and/ or policy context relating to ecology matters which has emerged since the application was submitted.
BIO.1.2	Applicants IPs	Table 12.3 of the ES [APP-094] summarises the ecological field surveys completed, with further detail provided in Appendix 12 C [APP-301 to APP-304]. Are the Applicants and IPs content that all terrestrial ecology surveys remain valid given their age?
BIO.1.3	Applicants	Paragraph 12.5.9 of the ES [APP-094] states that precautionary working methods will be adopted to manage any residual risk of protected and invasive species being encountered in order to address residual issues associated with great crested newt and common lizard. On that basis, why was great crested newt scoped out from further assessment as described in Table 12.5?
BIO.1.4	Applicants	It is stated in paragraph 12.5.5 of the ES [APP-094] that as far as possible, the routes of connection corridors utilise existing infrastructure, including the extensive existing network of

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ExQ1	Question to:	Question:
		pipeline racks available to accommodate the CO₂ Gathering Network. This approach minimises the excavations and construction activities required and therefore the potential for disturbance of species and habitats. Explain how the connection corridors been configured to avoid sensitive terrestrial habitats where they do not follow the existing network of pipeline racks.
BIO.1.5	Applicants IPs	Paragraph 13.3.29 of the ES [APP-095] states that for some waterbodies scoped into the assessment no detailed surveys could be undertaken as access was not available, but assessments were undertaken based on habitats and comparable waterbodies and the potential for works to affect the ponds. The Applicants are asked to explain why this alternative approach was acceptable. IPs are asked to comment on this alternative approach.
BIO.1.6	Applicants	Within Chapter 14 of the ES [APP-096] (paragraph 14.2.12) it is stated that the Environment Bill, expected to be passed into law in 2021, sets out to achieve the commitments outlined in the Governments' 25-Year Environment Plan, and mandates biodiversity net gain for development (housing and commercial), although this does not currently apply to Nationally Significant Infrastructure Projects (NSIPs). The Applicants are asked to provide an update on the effect of the Environment Act and its implications across all areas of ecology including in relation to the issue of biodiversity net gain.
BIO.1.7	Applicants	Table 14.1 of the ES [APP-096] describes the water discharge connection in terms of either utilising the existing outfall or replacing it. What is the timescale for a decision on whether to maintain or replace the outfall?
BIO.1.8	Applicants	According to paragraph 14.5.3 of the ES [APP-096], activities that generate impulsive underwater sound within the marine environment (i.e. geophysical survey works and unexploded ordnance detonation) shall not be undertaken at night. How would this be secured through the DCO?
BIO.1.9	Applicants	According to paragraphs 14.9.18 and 14.9.21 of the ES [APP-096] it is considered unlikely that dredging operations associated with cumulative developments would occur concurrently while

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ExQ1	Question to:	Question:
		piling activities associated with the construction of cumulative developments are also unlikely to occur simultaneously. On what basis have the Applicants considered that for each of these activities there would be no simultaneous occurrence?
BIO.1.10	Applicants	The Landscaping and Biodiversity Plan [APP-067] appears to cover issues described as being within Figure 1 of the Landscape and Biodiversity Strategy [APP-079]. Confirm the status of the Landscaping and Biodiversity Plan and indicate how it would be secured through the DCO.
BIO.1.11	Applicants NE	Paragraph 4.3.1 of the Landscape and Biodiversity Strategy [APP-079] recognises that at the time of the application's submission there was no requirement for protected species licences. Is this still the position?
BIO.1.12	Applicants	Paragraph 4.4.3 of the Landscape and Biodiversity Strategy [APP-079] indicates that 'pre-construction surveys would be undertaken in accordance with the relevant DCO Requirements'. Which dDCO Requirement covers this matter? If it is R15 (which covers protected species) what about other habitats eg invasive species?
BIO.1.13	Applicants	The Landscape and Biodiversity Strategy [APP-079] (paragraph 4.5.9) refers to an Invasive Species Management Plan indicating that its submission and approval will be secured by a Requirement of the dDCO. Where is this secured?
BIO.1.14	Applicants	Section 4.6 of the Landscape and Biodiversity Strategy [APP-079] addresses tree works. Demonstrate where all of these controls including the preparation of an Arboricultural Method Statement are secured through the dDCO.
BIO.1.15	Applicants	Paragraph 4.6.3 of the Landscape and Biodiversity Strategy [APP-079] refers to 'this Landscaping and Biodiversity Management and Enhancement Plan'. Please clarify the title of the document.

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ExQ1	Question to:	Question:
BIO.1.16	Applicants IPs	It is stated in the Landscape and Biodiversity Strategy [APP-079] (paragraph 4.8.1) that habitats that would be temporarily lost or damaged during construction would be reinstated on a like-for-like basis in accordance with the requirements of the relevant landowner. Should this be secured through the dDCO? Does specifying the need to do this through the final CEMP address it adequately? IPs are also invited to respond to this question.
BIO.1.17	Applicants	Section 5 of the Landscape and Biodiversity Strategy [APP-079] addresses biodiversity no net loss and net gain. Bearing in mind that the Landscape and Biodiversity Strategy is to be a certified document, in the light of the enactment of the Environment Act please update section 5 (including footnote 1).
BIO.1.18	Applicants	Paragraph 5.1.6 of the Landscape and Biodiversity Strategy [APP-079] states that 'the indicative locations where the proposed enhancement measures will be provided are shown on Figure 1 (Areas 1 to 8)'. The Applicants are asked to provide Figure 1 within the Landscape and Biodiversity Strategy; (this appears to be provided as Landscaping and Biodiversity Plan [APP-067]).
BIO.1.19	Applicants	It is stated that the indicative site layout includes an indicative location for a storm water attenuation pond with the intention being that the design of the pond will be agreed later as a Requirement of the DCO (paragraph 5.5.1. of the Landscape and Biodiversity Strategy [APP-079]). Demonstrate where and how this is secured in the dDCO.
BIO.1.20	RCBC STDC/ Teesworks Estate Management Company	A brief monitoring report will be prepared in each year and provided to RCBC and the Teesworks Estate Management Company as a record of compliance (paragraph 6.1.4 of the Landscape and Biodiversity Strategy [APP-079]). Are relevant parties content with this approach?
BIO.1.21	Applicants	The assessment methodology for marine ecology follows standard guidelines from the Chartered Institute of Ecology and Environmental Management (CIEEM): Guidelines for Ecological Impact Assessment in the UK and Ireland: Terrestrial, Freshwater and Coastal and Marine (2019). A detailed methodology is presented in ES Appendix 12B: Ecological Impact Assessment Methods. It is noted the CIEEM guidelines were updated in 2022.

ExQ1: 19 May 2022**Responses due by Deadline 2: 9 June 2022**

ExQ1	Question to:	Question:
		Can the Applicants explain whether the updates introduced by the 2022 CIEEM guidelines would (if followed) result in any difference to the conclusions reached in the assessments undertaken for marine ecology based on the 2019 guidance?
BIO.1.22	Applicants	A combined Phase I and II intertidal benthic survey was undertaken in October 2019 in order to characterise the intertidal habitats and species present within the vicinity of the Proposed Development. Sampling consisted of a number of core and grab samples from intertidal, and subtidal areas. Following consultation with the Marine Management Organisation (MMO) and Cefas, a further six core samples were taken in February 2021 in the intertidal zone of Coatham Sands during low tide. Can the Applicants explain if the locations of the six further core samples taken in February 2021 for benthic ecology were agreed with MMO and Cefas?
BIO.1.23	Applicants	The methodology for assessment of benthic ecology is detailed in ES Appendix 14D Subtidal Benthic Ecology [APP-320]. The subtidal benthic ecology surveys were undertaken in December 2019. The sampling stations were shown to the MMO prior to the surveys being undertaken. The locations of the surveys are shown on Figure 14D-1 of Appendix 14A. They are also shown together with the study area for benthic ecology on Figure 14-1: Benthic Survey Study Area and Sampling Locations [APP-167]. Can the Applicants explain why sampling for benthic ecology was not undertaken in the vicinity of where the HDD is proposed to commence?
BIO.1.24	Applicants	Section 14.2 of ES Chapter 14 [APP-096] describes the legislative and policy framework used to guide assessment work. It references the NPSs and the National Planning Policy Framework (NPPF). Paragraph 14.2.4 refers to NPS for Energy (EN-1) and summarises requirements from the NPS of relevance to the assessment. It is highlighted that paragraph 5.15 of the NPS relates specifically to water quality and resources and it therefore relevant to assessments on marine ecology. The UK MPS is also relevant to this project, as discussed in paragraph 14.2.45 of ES. Can the Applicants explain whether the formal adoption of The North East Marine Plan has any implications for the assessment of effects and where necessary provide updates to the assessments for marine ecology and nature conservation? Also see Question PPL.1.10.

ExQ1: 19 May 2022**Responses due by Deadline 2: 9 June 2022**

ExQ1	Question to:	Question:
BIO.1.25	Applicants	The marine ecology assessment covers impacts during construction, operation and decommissioning. Section 14.5 of the ES [APP-096] states that a Surface Water Maintenance and Management Plan will be developed which will provide information relating to access and maintenance of Sustainable Drainage Systems and surface water features proposed. Can the Applicants explain the type of maintenance activities which are anticipated in the marine ecology study area and the impacts that could arise as a result?
BIO.1.26	Applicants	ES Chapter 14 [APP-096] states that an Indicative Lighting Strategy [APP-078] has been prepared which demonstrates how lighting impacts ecological features. However, the Indicative Lighting Strategy only identifies designated sites and cross references are made to terrestrial ecology and ornithology, no reference is made to marine ecology. The Indicative Lighting Strategy does not contain any information regarding effects from lighting on plankton, marine mammals, fish or shellfish. Can the Applicants provide information regarding the impacts from lighting on marine ecology that are anticipated during construction, operation and maintenance on marine ecology?
BIO.1.27	Applicants	ES Chapter 14 [APP-096] refers to Chapter 11: Noise and Vibration for impacts from vibration. However, no reference is made in ES Chapter 11 [APP-093] to impacts on fish or marine mammals from vibration created during construction, with the text referring back to Chapter 14. Can the Applicants outline the construction activities, such as use of HDD and pin piles which may create vibration and explain the impacts on marine ecology, including any potentially significant impacts.
BIO.1.28	Applicants	Paragraphs 14.6.43 to 14.6.46 of ES Chapter 14 [APP-096] discuss impacts from sediment deposition on subtidal habitats and communities. It is stated that water-based mud may be released but would not be expected to occur wider than 250 metres from the point source. Can the Applicants clarify the nature of the habitat which exists within 250 metres of the source of drilling from the micro boring machine in Tees Bay? What impacts would water based mud have on these habitats?
BIO.1.29	Applicants	With regard to non-impulsive sound sources, paragraph 14.6.95 of the ES [APP-096] states that 'It is also likely that South Gare Breakwater may act as an acoustic shield to underwater sound which propagates from these construction activities'. No information is provided to explain this statement.

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ExQ1	Question to:	Question:
		Can the Applicants justify their assumptions regarding the statement of paragraph 14.6.95 of ES Chapter 14 [APP-096] that 'It is also likely that South Gare Breakwater may act as an acoustic shield to underwater sound which propagates from these construction activities'?
BIO.1.30	Applicants	ES Chapter 14 [APP-096] states that the volume of marine traffic is not yet known. No specific information appears to be provided in Chapter 14 regarding vessel movements, including those required specifically for the offshore construction activities. Can the Applicants outline the number and type of vessel movements which will be required during construction?
BIO.1.31	Applicants	Section 14.3 of ES Chapter 14 [APP-096] discusses the approach of the assessment methodology for marine ecology and how the significance criteria have been determined. It states that "A robust yet reasonable worst-case assessment of the impact pathways of the Proposed Development on marine ecology, using the 'Rochdale Envelope' approach" Paragraph 14.3.5 of ES Chapter 14 [APP-096] explains that the preferred direction of HDD is offshore to onshore and that a worst-case scenario would be HDD in an onshore to offshore direction. Can the Applicants explain why HDD in an onshore to offshore direction is considered worst case?
BIO.1.32	Applicants	A limitation has been identified regarding the assessment of effects of changes in the airborne soundscape on seals during the construction, commissioning and operational phases. It is stated that worst-case activities have been included within the assessments. Can the Applicants respond to comments raised in the RR from the MMO [RR-037] regarding the potential for effects from noise on migratory fish such as salmon.
BIO.1.33	IPs	The ExA notes that the MMO has queried why the Tees South Bank Quarry has not been included in Table 24-12 of ES Chapter 24: Cumulative and Combined Effects Do IPs consider that any other developments should be considered in the marine ecology assessment of cumulative and combined effects and if so why?
BIO.1.34	Applicants	The EA has requested that if any dredging is to take place, that it should avoid the peak migration times for fish species, 1 July – 1 September. Can the Applicants comment on the implications of this working restriction for the Proposed Development?

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ExQ1	Question to:	Question:
BIO.1.35	Applicants	Can the Applicants explain why there is no reference to a Marine Method Statement (as set out in Section 12 of the Deemed Marine Licence) within ES Chapter 14: Marine Ecology and Nature Conservation?
BIO.1.36	Applicants	Can the Applicants explain whether effects from HDD use outside of standard working hours or for continuous use have been assessed in relation to effects on marine ecology?
BIO.1.37	Applicants	Table 5A-8 of ES Appendix 5A: Framework CEMP [APP-246] contains details of mitigation measures which are required. With regard to monitoring, it is stated that this will be confirmed in the Final CEMP. Can the Applicants outline the kind of monitoring that is proposed to be included in the Final CEMP, with regards to marine ecology?
BIO.1.38	Applicants	Detailed information regarding vessel movements is not yet known, including those which will be required during construction. It is possible that after vessel movements have been established, monitoring may need to take place to ensure there are no adverse effects to marine mammals. Can the Applicants explain if it will conduct vessel monitoring when carrying out the offshore works?
BIO.1.39	Applicants	Could the Applicants provide a draft or outline of the marine pollution contingency plan, which is identified in Condition 11(1)(a) of Schedules 10 and 11 Deemed Marine Licence (Project A and B) of the dDCO [AS-004]?
HABITATS REGULATIONS ASSESSMENT (HRA) REPORT		
BIO.1.40	Applicants	It is noted that the HRA report [AS-194/195] (notably Table 7.1) concludes that in-combination effects would not arise in relation to the York Potash Harbour Facilities and Dogger Bank Teesside A/ Sofia Offshore Wind Farm as the mitigation measures for the Proposed Development would fully address all effects on European sites. The Applicants are requested to identify the evidence which has been relied on to reach the conclusion there would be no residual effects which could lead to in-combination effects.
BIO.1.41	NE	NE is requested to confirm if they agree with the conclusions of the in-combination assessment presented in section 7 of the Applicants' revised HRA Report [AS-194].

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ExQ1	Question to:	Question:
BIO.1.42	Applicants	The ExA notes that NE has identified the potential for likely significant effects on the Teesmouth and Cleveland Coast SPA/ Ramsar site as a result of rock armouring around the proposed outfall [RR-026]. The Applicants are requested to provide an updated version of the HRA Report which addresses this point
BIO.1.43	Applicants	The revised HRA Report [AS-194/195] states that likely significant effects from temporary habitat loss within the Teesmouth and Cleveland Coast SPA/ Ramsar site will be avoided through the use of HDD. The Applicants are requested to explain whether these measures constitute mitigation for the effects on the SPA/ Ramsar site and if so, why this matter has not been considered in relation to potential adverse effects on the integrity of the SPA/ Ramsar site?
BIO.1.44	Applicants	The revised HRA Report [AS-194/195] does not identify any likely significant effects from visual disturbance for the Teesmouth and Cleveland Coast SPA/ Ramsar site. However, paragraph 6.1.18 of the report refers to mitigation for visual disturbance from the effects of the HDD bore under the Tees for the CO₂ gathering network. Could the Applicants confirm if they consider that likely significant effects would arise from visual disturbance to the bird populations of the SPA/ Ramsar site in the event that an HDD bore is required to cross the Tees?
BIO.1.45	NE	NE is requested to confirm if they agree with the Applicants' conclusions regarding the effects of the proposed changes on European sites from all phases of the development, as presented in the revised HRA Report [AS-194/195].
BIO.1.46	NE	The ExA notes the concerns expressed by NE in relation to potential adverse effects on the integrity of Teesmouth and Cleveland Coast SPA/ Ramsar site from increased nutrient and pollutant loading as a result of water discharges from the Proposed Development. Discharges from the Proposed Development could not proceed unless an environmental permit (which would also be subject to HRA) is issued by the EA. Given this additional control, NE is requested to explain why it considers it necessary for the DCO examination to also address this point?

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ExQ1	Question to:	Question:
BIO.1.47	Applicants	Given that an assessment of the effects of discharging water into the Tees Bay during operation has not been undertaken, could the Applicants explain why they are confident that the discharges from the Proposed Development would not affect the qualifying features of the Teesmouth and Cleveland Coast SPA/ Ramsar site?
BIO.1.48	NE	NE is requested to clarify the correct qualifying features of the Northumbria Coast SPA. The SPA citation lists the Arctic tern (<i>Sterna paradisaea</i>) as a qualifying feature, but the conservation objectives do not. Could NE advise on this point and confirm if the applicant has identified the correct features in their HRA Report?
BIO.1.49	NE	Could NE confirm if it is appropriate to use the conservation objectives for the Teesmouth and Cleveland Coast and Northumbria Coast SPAs in the assessment of the Ramsar sites which share the same qualifying features and boundaries?
BIO.1.50	Applicants	In the event that the vantage point monitoring referred to in para 6.1.12 of the revised HRA report [AS-194/195] shows that birds are being disturbed, what action would then be taken to address the effects of the disturbance?
BIO.1.51	Applicants	The ExA notes that the drainage system for the operational phase of the Proposed Development would be designed at the DCO post-consent stage. The Applicants are requested to explain why it is confident that an adequate drainage system can be designed with reference to appropriate supporting evidence.
BIO.1.52	Applicants	Para 6.1.47 of the HRA Report [AS-194] identifies the mitigation measures for water quality effects that would protect the integrity of the Teesmouth and Cleveland Coast SPA/ Ramsar site. One of these measures is the minimisation of surface water or groundwater into the ponds on Coatham Dunes during construction and decommissioning. The Applicants are requested to explain how delivery of this measure has been secured in the dDCO.
BIO.1.53	Applicants	The air quality assessment in ES Chapter 8 [APP-090] has identified a potential air quality impact on coastal habitats including sand dune and saltmarsh habitat for which the Teesmouth and Cleveland Coast Ramsar and SSSI and the Teesmouth National Nature Reserve are designated, and which support the interest features of the SPA. However, paragraph 9.7.143

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ExQ1	Question to:	Question:
		of Appendix 9C [APP-254] and 6.1.28 of the HRA report [AS-018] states that frequent tidal washing would rapidly disperse nitrogen deposits rendering any potential effects negligible. What is the extent of the tidal washing compared to the protected area? If some of the area is not regularly inundated, what are the implications for the extent of the effects on the protected sites?
CLIMATE CHANGE		
CC.1.1	Applicants	Paragraph 5.6.2 of the Planning Statement [APP-070] refers to the latest Climate Change Committee (CCC) progress report in 2020. A further progress report was presented to Parliament on 25 June 2021. What are the implications of the progress report for the Proposed Development?
CC.1.2	Applicants	Page 181 of the CCC progress report in 2020 states that 'UK industry can be decarbonised to near-zero emissions without offshoring and that government must implement an approach to incentivise industries to reduce emissions through energy and resource efficiency, fuel switching and CCS, amongst other measures.' The Applicants are asked to comment on the statement above in the context of the Proposed Development.
CC.1.3	Applicants	It is stated in paragraph 4.3.21 of the ES [AS-019] that the carbon capture plant will be designed to capture up to approximately 95% of the CO ₂ emitted from the CCGT equating to 1.7- 2 million tonnes of CO ₂ annually. The minimum capture efficiency will be 90%. What are the constraints on achieving greater efficiency?
CC.1.4	Applicants	Paragraph 7.4.32 of the ES [APP-089] states that the Proposed Development would contribute to the achievement of carbon budgets. Explain the extent to which the Proposed Development would contribute to decarbonisation of the industrial sector and meeting national carbon budgets.
CC.1.5	Applicants	Is it intended to undertake a cumulative impact assessment of life-cycle carbon emissions for the Proposed Development and NZT project as a whole? If not, please justify why this is not being done.

ExQ1	Question to:	Question:
COMBINED AND CUMULATIVE EFFECTS		
The ExA does not wish to ask any further questions on this topic at this point in the Examination.		
COMPULSORY ACQUISITION AND TEMPORARY POSSESSION		
CA.1.1	Affected Persons (APs)	Are any APs aware of any inaccuracies in the Book of Reference (BoR) [AS-139], Statement of Reasons (SoR) [AS-141] or Land Plans [AS-146]? If so, please set out what these are and provide the correct details.
CA.1.2	Applicants	Please will the Applicants ensure that the BoR [AS-139], SoR [AS-141] and Land Plans [AS-146] are: i) kept fully up to date with any changes and the latest versions submitted at each Deadline, starting from Deadline 2 (with a final version of these documents submitted at Deadline 11), shown in the Examination timetable together with an explanation of the reasons for each change; ii) supplied in two versions at each Deadline, starting at Deadline 2 (with a final version of these documents submitted at Deadline 11), the first being the up-to-date clean copy and the second showing tracked changes from the previous version; and iii) supplied with unique revision numbers that are updated consecutively from the application versions, clearly indicated within the body of each document and included within the electronic filename; and the dDCO, is updated accordingly, including Schedules 9 and 12.
CA.1.3	Applicants	Part 2 of the BoR [AS-139] lists 'Category 3' persons. The Applicants are asked to: i) provide further detail/ justification of how you have identified such Category 3 parties for the purposes of the BoR; ii) clarify if there are there any other persons who might be entitled to make a relevant claim if the DCO were to be made and fully implemented and should therefore be added as Category 3 parties to the BoR?

ExQ1: 19 May 2022**Responses due by Deadline 2: 9 June 2022**

ExQ1	Question to:	Question:
		This could include, but not be limited to, those that have provided representations on, or have interests in: • noise, vibration, smell, fumes, smoke or artificial lighting; • the effect of construction or operation of the Proposed Development on property values or rental incomes; • concerns about subsidence or settlement; • claims that someone would need to be temporarily or permanently relocated; • impacts on a business; • loss of rights, eg to a parking space or access to a private property; • concerns about project financing; • claims that there are viable alternatives; or • blight.
CA.1.4	RCBC STBC	Are the RPAs in their role as the Local Planning Authority and the Highway Authority aware of: i) any reasonable alternatives to CA or TP sought by the Applicant; and ii) any areas of land or rights that the Applicant is seeking the powers to acquire that they consider would not be needed?
CA.1.5	Applicants	Are any land or rights acquisitions required in addition to those sought through the dDCO before the Proposed Development could become operational?
CA.1.6	Applicants	The Applicants are asked i) To clarify how you have had regard to the Equalities Act 2010 in relation to the powers sought? ii) Have any AP's been identified as having protected characteristics? If so, what regard has been given to them?
CA.1.7	All Affected Persons (APs)	A number of RRs and Additional Submissions (ASs) [including but not limited to RR-001, RR-010, RR-012, RR-013, RR-014, RR-016, RR-017, RR-018, RR-019, RR-021, RR-022, RR-028, RR-030, RR-031, RR-032, RR-033, RR-034, RR-038 and AS-046] set out comments in relation to CA and TP.

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ExQ1	Question to:	Question:
		Over and above what has already been submitted in the RR's, are any APs aware of: i) any reasonable alternatives to any CA or TP sought by the Applicant; or ii) any areas of land or rights that the Applicant is seeking the powers to acquire that they consider are not needed?
CA.1.8	Air Products (Chemicals) Teesside Ltd Anglo American Woodsmith Limited CATS North Sea Ltd CF Fertilisers UK Ltd Exolum Seal Sands Ltd Huntsman Polyurethanes (UK) Ltd Ineos Nitriles (UK) Ltd Ineos UK SNS Ltd North Tees Land Ltd (and North Tees Ltd and North Tees Rail Ltd) National Grid Electricity Transmission plc National Grid Gas plc Northern Powergrid (Northeast) plc Northumbrian Water Limited (NWL) NPL Waste Management Ltd PD Teesport Ltd Redcar Bulk Terminal Ltd	A number of APs in their RRs and ASs [including but not limited to RR-001, RR-010, RR-012, RR-013, RR-014, RR-016, RR-017, RR-018, RR-019, RR-021, RR-022, RR-028, RR-030, RR-031, RR-032, RR-033, RR-034, RR-038 and AS-046] set out comments in relation to CA and TP however in numerous instances it is unclear where their operations or rights are located. Please could the APs listed and any others who have commented: i) supply a plan, overlaid with the NZT Order land, showing the location of their operations and plots affected; and ii) where possible, identify the general use of each affected plot.

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ExQ1	Question to:	Question:
	SABIC Sembcorp Utilities (UK) Ltd	
CA.1.9	Anglo American Woodsmith Limited	The Proposed Development includes land within the Order Limits of the York Potash DCO and the RR from Anglo American Woodsmith Limited [RR-014] highlights that limited information has so far been made available in order to progress the necessary Protective Provisions. Has the key information referred to now been made available to you, and if so can you provide further comments as necessary. You may wish to combine your answer with Question GEN.1.39. Also see question CA.1.8.
CA.1.10	CATS North Sea Ltd	RR-017 section 4 refers to plot 112, and section 7 refers to protective provisions in part 5 of Schedule 12 of the dDCO. CATS North Sea Ltd is asked to clarify how the acquisition of this plot could harm its current and future operations. In answering please provide further information to justify your comments regarding protective provisions – in what way are they inadequate and what are the risks? Also see question CA.1.8.
CA.1.11	INEOS Nitriles (UK) Ltd	RR-019 section 4 refers to protective provisions in part 8 of Schedule 12 of the dDCO, and paragraph 2.6 refers to the proposed temporary construction compound and effects on plots 122 and 123. Paragraph 5.2 acknowledges that discussions are ongoing and the concerns identified should be capable of being addressed through protective provisions and requirements. Can you: i) Provide an update on discussions with the Applicants on the above matters; ii) Provide any suggested amendments to the wording of the relevant protective provisions; iii) Provide a further explanation as to how the proposed construction compound would significantly affect your operations, and what alternatives have been offered to the Applicants; and iv) Provide further comment regarding a time limit for decommissioning and why the matter needs to be within protective provisions. Also see question CA.1.8.

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ExQ1	Question to:	Question:
CA.1.12	INEOS UK SNS Limited	RR-010 refers to the Breagh offshore gas field and onshore pipeline to Teesside Gas Processing Plan. It states that as currently drafted the draft DCO could significantly affect the rights held by INEOS and ONE-Dyas UK Limited. Can you: i) Clarify how the proposed creation of new rights for NZT might affect your operations; ii) Confirm if any of the Protective Provisions set out in Part 1 of Schedule 12 of the dDCO are relevant to you as a gas undertaker; iii) If Part 1 of Schedule 12 is insufficient and you require a bespoke Protective Provision please explain the reasons why. Also see question CA.1.8.
CA.1.13	Redcar Bulk Terminal Limited (RBT)	Section 5 of RBT's RR [RR-001] refers to alternatives to the Applicants' preferred offloading solution at the terminal. Can you: i) Provide information on your suggested alternatives and confirm if they have they previously been put to the Applicants; and ii) Provide comments on the Protective Provisions for RBT set out in Part 14 of Schedule 12 of the dDCO. Also see question CA.1.8.
CA.1.14	CF Fertilisers UK Limited	CF Fertilisers UK Limited [RR-018] refer to a potential new natural gas pipeline to their manufacturing facility at Billingham and the gas processing sites in the vicinity of plot 112, and notes at paragraph 3.3. that the current Protective Provisions for CF Fertilisers set out at Part 6 of Schedule 12 of the draft DCO do not explicitly provide for capacity to be retained within the pipeline corridor for this development or for the developments to be properly coordinated. Can you: i) Provide a plan of the route of the potential new natural gas pipeline in relation to the Order Limits; and ii) Provide an update of discussions with the Applicants regarding proposed amendments to Protective Provisions and requirements; and iii) Provide further details of your operations in terms of supply and production of CO₂; is waste CO₂ created; could it use CO₂ generated by the proposed development? Also see question CA.1.8.

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ExQ1	Question to:	Question:
CA.1.15	Air Products (Chemicals) Teesside Limited Air Products Renewable Energy Limited Air Products Public Company Limited	Three separate RRs have been received from different divisions of Air Products plc [RR-021, 021a, 021b] setting out objections to the Protective Provisions. Can you: i) Clarify the reasons for the submission of three separate RRs and the nature of the different divisions of Air Products, and confirm if Schedule 12 of the draft DCO should refer to all such listed companies or if the title of Part 4 is acceptable; and ii) If you remain unsatisfied with the wording of the Protective Provisions set out in Part 4 of Schedule 12 of the draft DCO please provide a suggested alternative wording. Also see question CA.1.8.
CA.1.16	Network Rail Infrastructure Limited	RR-027 sets out that Network Rail would like the DCO to include their standard protective provisions. Can Network Rail: i) Confirm if Part 10 of Schedule 12 of the draft DCO meets your requirements in terms of Protective Provisions.
CA.1.17	National Grid Electricity Transmission plc (NGET) The Applicants	The NGET RR [RR-012] refers to a requirement for Protective Provisions to ensure that NGET's interests are adequately protected and to ensure compliance with relevant safety standards. It is also stated that a number of plots where NGET have fibre cable assets have not been referenced in the BoR [AS-139]. Can NGET: i) Provide comments on the Protective Provisions set out in Part 3 of Schedule 12 of the dDCO. Can the Applicants: i) Include the plots where NGET has fibre cable assets in the updated BoR.
CA.1.18	Northern Powergrid (Northeast) plc	RR-030 indicates that Northern Powergrid require further information to enable them to adequately assess the impact of the Proposed Development on their network. Can you: i) Confirm if you now have the information you need to make a further assessment; and ii) Provide further comments as necessary on whether the Protective Provisions set out in Part 11 of Schedule 12 would be satisfactory.

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ExQ1	Question to:	Question:
CA.1.19	NWL	NWL's RR [RR-031] states that your technical team is assessing the impact on the access routes to their sewage works and discussions are ongoing with the Applicants regarding a number of details. Can NWL: i) Provide an update following your assessment and ongoing discussions; and ii) Provide details of your own set of Protective Provisions and reasoning for why those indicated by the Applicants in the dDCO are unsatisfactory and provide any suggested amendments. Also see question CA.1.8.
	North Tees Land Limited North Tees Limited North Tees Rail Limited	RR-016 / RR-022 paragraph 1 refers to the site boundary being more than 40 times larger than the project requires, paragraphs 5 and 10 refer to the multi-use service corridor, and paragraphs 2 and 6 suggest that current landholdings would be blighted. Can you: i) Clarify how the '40 times' figure was calculated; ii) Indicate the specific plots where you consider the order land is excessive; iii) Provide a summary of your current operations and future development plans and indicate how you consider that they would be blighted by the Proposed Development; and iv) Having regard to the protective provisions set out in Schedule 12 of the dDCO, could you clarify why you consider the rights would give rise to an unregulated pipe with no basis for control and protection? Also see question CA.1.8.
CA.1.20	PD Teesport Limited The Applicants	RR-033 refers to PD Teesport's status as a harbour authority and statutory undertaker, works to the Northern Gateway Container Terminal and access to South Gare break amongst other matters. Could PD Teesport Limited: i) Provide details of the Northern Gateway Container terminal – a location plan and approved layout plans, and an update on commencement of works; ii) Clarify why you consider the acquisition of plot 112 is unnecessary and identify the alternative vacant plot of land, with an explanation of why this would be preferable;

ExQ1: 19 May 2022**Responses due by Deadline 2: 9 June 2022**

ExQ1	Question to:	Question:
		iii) Provide reasoning as to why the Protective Provisions for PD Teesport set out in part 13 of Schedule 12 of the dDCO are unsuitable and provide an alternative wording and/or an update of any discussions with the Applicants on this matter; and iv) Confirm if there are any revisions to your comments regarding plots 224-225 following the changes submitted on 28 April. Also see question CA.1.8. Can the Applicants: i) Clarify the situation regarding the rights of access to Redcar Bulk Terminal, given that PD Teesport state at paragraph 2.16 that they appear not to have been recorded in the BoR.
CA.1.21	Sembcorp Utilities (UK) Ltd	RR-034 refers to concerns relating to Sembcorp's pipeline corridors amongst other matters. Can Sembcorp: i) Clarify which of Sembcorp's pipeline corridors affected (indicate them on a plan), and the occupiers which might be affected; ii) Provide further information as to why you consider the Proposed Development's easement corridors for the Order Limits are substantially wider than required; iii) Explain further your comment '<i>Compulsory acquisition of rights by Net Zero Teesside will inevitably disrupt the carefully constructed legal provisions that exist between Sembcorp and its pipeline customers</i>'; iv) Explain further your comments regarding a 'compelling case: <i>'given the economic importance of Wilton International, there can be no compelling case for powers of compulsory acquisition over any part of it, whether of land or rights in land. Nor can there be a compelling case for the compulsory acquisition of rights nor a right to extinguish existing easements in pipeline corridors where this will negatively impact Wilton International or limit its future development</i>'; v) Provide an update on your negotiations with the Applicants to acquire easement rights as opposed to powers of commercial acquisition; and vi) Provide comments on Part 16 of Schedule 12 of the dDCO (Protective Provisions).
CA.1.22	SABIC UK Petrochemicals Limited	RR-038 refers to SABIC's facilities at Wilton International and North Tees.

ExQ1	Question to:	Question:
		Can SABIC: i) Identify on a plan the location of SABIC's facilities at Wilton International and North Tees together with the quoted Link Line corridors, in relation to the Order Limits and provide a list of plot numbers affected; ii) Explain further how you consider the Proposed Development may affect your operations; and iii) Provide comment on Part 15 of Schedule 12 of the draft DCO (Protective Provisions).
CA.1.23	STDC South Tees Development Limited Teesworks Limited	STDC [RR-035] comments on a range of land and CA issues. Could STDC/ South Tees Development Limited / Teesworks Limited provide a response to the following: i) Paragraph 4.3 indicates that you do not consider that the Applicants have gone far enough in reducing the extent of utility corridors – can you specify which plots this concern relates to and provide further detail of your objection? ii) Paragraph 4.3 also states that the Applicants has treated the Teesworks area differently to elsewhere within the Order Limits – could you provide further justification for these comments? iii) Paragraph 4.5 relates to a lack of detail and paragraphs 4.19 to 4.23 refer to the Applicants' programme. Could you provide further information as to how this might hinder STDC's future development plans and the full benefits of the Freeport designation from being realised? iv) Have the updated land plans [AS-146] and related documents submitted with the change request dated 28 April addressed any of your requirements in section 4.10 of your RR? If any of your stated requirements are outstanding, please explain which and why. v) Paragraphs 4.12-4.15 refer to streets and the parking area and alternatives including a park and ride are suggested. Please provide further detail on why this is a specific concern, provide an update on a park and ride location and any discussions with the Applicants on this matter. vi) Paragraph 4.18.1 refers to Plots 274 and 279 – please provide further information regarding the third party dispute and whether this has been resolved.

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ExQ1	Question to:	Question:
		vii) Paragraph 4.18.3 refers to Plots 290 and 291. Please provide further detail as to why you consider these plots should be removed and your suggestion for reasonable alternatives. viii) Paragraphs 4.18.4 to 4.18.7 refer to Plots 540 a/b/c and 393 a/b - please provide an update regarding the working group and modelling which was expected to be completed in January 2022.
CA.1.24	All APs	Do any APs have any concerns that they have not yet raised about the legitimacy, proportionality or necessity of the CA or TP powers sought by the Applicant that would affect land that they own or have an interest in?
CA.1.25	Applicants	Paragraph 1.2.1 of the Funding Statement [APP-009] states that “in line with the CCUS business models published by BEIS in December 2020, there will be separate entities who will be responsible for: electricity generation with post-combustion carbon capture (including the gas, water and electricity connections); CO₂ gathering (from industrial emitters), CO₂ compression and CO₂ export and storage; and industrial (including hydrogen production) carbon capture and connections to the CO₂ gathering network.” Paragraph 2.2.1 of the Planning Statement [APP-070] also references the CCUS business models published by BEIS in December 2020. The Applicants are asked to provide an overview of the CCUS business models and an explanation as to why the separate entities were set up as they were.
CA.1.26	Applicants	Paragraph 4.1.2 of the Funding Statement [APP-009] states that “Innovate UK is part-funding the project up until a Final Investment Decision is taken under the Industrial Strategy Challenge Fund Phase 2: Deployment competition. Innovate UK support covers from March 2021.” Can you provide further clarification to include: i) Information on the scope of the Industrial Strategy Challenge Fund Phase 2: Deployment competition; and ii) Timescales for a decision.

ExQ1	Question to:	Question:
DESIGN, LANDSCAPE AND VISUAL		
DLV.1.1	The Applicants	Section 4 of the DAS [AS-190] refers to the policy context in terms of design. Have you considered: i) the National Model Design Code January 2021; and ii) the National Infrastructure Commission Design Principles for National Infrastructure NIC design The Applicants are asked to: iii) confirm the relevance of the documents to the Proposed Development; and iv) demonstrate how these principles have been taken into account in design work to date and how they will be used in future design work with particular reference to the PCC Site.
DLV.1.2	Applicants	Paragraphs 1.1.11 to 1.1.24 and sections 4.5 to 4.6. of the DAS [AS-190] refer to the South Tees Regeneration Master Plan, the South Tees Area Supplementary Planning Document (SPD) and the Teesworks Design Guide. Please explain how the design of the Proposed Development would be consistent with the aims of the Masterplan, SPD and Design Guide and provide reference to the relevant extracts of the documents (you may wish to combine your answer with Question PPL.1.3).
DLV.1.3	The Applicants	The DAS [AS-190] contains limited information regarding final design of the PCC site (Work no. 1) and options for materiality. It cross refers to relevant design principles in local planning policy that will be considered in developing the detailed design, but it is not listed as document to be certified in the dDCO [AS-004]. Design Review is an independent and impartial process for evaluating the quality of major infrastructure projects. It seeks to ensure the highest possible quality of development and is specifically referenced in the NPPF. Can the Applicants: i) Explain how the design quality of the proposed buildings and structures that has been assumed for the purposes of the assessment of landscape and visual effects in ES Chapter 17 [APP-099] will be secured through the dDCO [AS-135]; ii) Provide an explanation and summary of the design review process undertaken by its design team for the PCC site prior to submission of the application;

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ExQ1	Question to:	Question:
		iii) Should the DAS [AS-190] be listed as a Document to be Certified in Schedule 14 of the dDCO? Can RCBC and STBC provide comment: iv) Does the information in the DAS provide a sufficient basis to guide detailed design development? v) Is R3(1) of the dDCO sufficient to secure the detailed design of the structures within the PCC site (Work no.1)? vi) Do the RPAs have the necessary experience and expertise to take on the design approval post-consent, or would an external design review be necessary? If so, please could the RPAs indicate what additional support you believe would be required and from whom such support should come.
DLV.1.4	Applicants RCBC STBC	No specific requirement for monitoring of the quality of the materials and finishes during construction is identified in the dDCO [AS-135], DAS [APP-190], ES Chapter 17 [APP-099] or ES Volume 3, Appendix 25A [APP-347]. Can the Applicant: i) Explain what process would be in place for monitoring the quality of materials and finishes as the proposed buildings and structures are constructed to ensure that the design quality envisaged in ES Chapter 17 [APP-099] is attained? Can RCBC and STBC: ii) Provide comment on the need to have a mechanism in place for monitoring of materials and finish quality during the construction period?
DLV.1.5	Applicants RCBC	Paragraph 4.5.2 of the DAS [AS-190] quotes policy STC1 and the intention to “realise an exemplar world class industrial business park”. How would the Proposed Development contribute to achieving that objective?
DLV.1.6	Applicants	The Landscape Institute published TGN 02-21 ‘Assessing landscape value outside national designations’ in May 2021. It provides guidance supplementary to GVLIA3 about how to make judgments on value of a landscape outside of national designations.

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ExQ1	Question to:	Question:
		Can the Applicants comment on any implications for the assessment in ES Chapter 17 [APP-099] from the publication of TGN 02-21.
DLV.1.7	Applicants RCBC STBC Hartlepool Borough Council (HBC)	ES Chapter 17 [APP-099] section 17.4 and ES Appendix 17A [APP-335] set out the baseline conditions, including an assessment of landscape and seascape character. The baseline is informed by local Landscape Character Assessments (LCAs) prepared by RCBC, STBC and HBC. The Applicants are asked to: i) Provide a copy of relevant extracts of the Redcar and Cleveland LCA, the Stockton-on-Tees LCA, the Hartlepool LCA, and the North East Marine Character Areas. ii) Review the baseline since the Landscape and Visual Impact Assessment (LVIA) and viewpoints were produced and provide an update to the description of the landscape character baseline to reflect any changes since the publication of the LCAs to the extent necessary to provide a robust position to undertake the impact assessment. For example, it is noted that the description of the East Billingham to Teesmouth landscape character area within STBC's LCA references SSSI at Seal Sands and Cowpen Marsh, which have subsequently been incorporated into the Teesmouth and Cleveland Coast SSSI and/ or been partially de-notified; iii) Has any significant demolition and/ or new buildings or infrastructure taken place since the viewpoint visuals were produced? iv) Confirm whether photography of the night-time baseline taken place? v) If so, are revised and/or additional visuals of the viewpoints required? The RPAs are requested to confirm: i) If they are satisfied with the assessment of the baseline conditions including the description of the site and its setting as set out in paragraphs 17.4.34 to 17.4.41 of Chapter 17 [APP-099]; and ii) Are any amendments needed to reflect changes since it was produced, including demolition and new buildings or infrastructure??
DLV.1.8	RCBC STBC	A range of viewpoints are listed at Table 17-1 of ES Chapter 17 [APP-099] and illustrated in Figures 17-7 to 17-30 [APP-181 to APP-228], the locations of which are shown at Figure 17-6 [AS-123].

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ExQ1	Question to:	Question:
	HBC MMO	i) Did RCBC, STBC and HBC all agree the viewpoints at pre-application stage? ii) Are the authorities satisfied with the list of viewpoints listed in Table 17-1? iii) Are the authorities satisfied with the quality of the visuals provided? iv) Do the authorities consider them to be representative of locations for sensitive receptors including tourists and recreational users? v) Should night-time visuals of certain viewpoints be produced? vi) Further to the above, can you suggest any additional viewpoints (including any outside of the study area) and/ or amendments to the existing viewpoints necessary? MMO: vii) Are any viewpoints of the seascape necessary? If so, from where? Could all RPAs: viii) Provide any comments they have on the conclusions of the assessment of likely significant effects arising landscape and visual impacts as presented in section 17.6 of ES Chapter 17 [APP-099].
DLV.1.9	Applicants	The maximum height parameters for the main components proposed on the PCC Site are described in ES Chapter 4 [AS-019], Table 4-1 and Schedule 15 of the dDCO [AS-135]. The maximum height in metres AOD is consistent in both documents but the dDCO does not state what the final assumed ground level is (identified as 13m AOD in the ES). According to paragraph 4.3.83 of the ES [AS-019] the existing ground levels at the proposed location of the PCC Site are approximately 4m to 8m AOD. Ground elevations post site clearance and remediation are anticipated to be a maximum of 13m AOD for the development platform. Can the Applicants: i) Demonstrate how this increase in levels has been addressed in the LVIA; and ii) Explain what final ground level is assumed at the PCC Site; and iii) Clarify how matters of ground levels would be secured in the dDCO?

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ExQ1	Question to:	Question:
DLV.1.10	Applicants	ES Figure 17-4 [AS-121] states that the zone of theoretical visibility (ZTV) is based on information and assumptions for the PCC Site, which reflect the maximum development parameters. Can the Applicants clarify whether similar information about the proposed new and extended substation at Tod Point has been used in the ZTV mapping to inform the likely extent of impacts and identification of receptors? Should any other proposed structures be included in the mapping and if not why not?
DLV.1.11	Applicants	ES chapter 17 [APP-099] paragraph 17.3.21 states that the assessment is based on the largest possible dimensions for the Proposed Development and stack heights of up to 128m AOD for the absorber stack and up to 110m AOD for the heat recovery steam generator (HRSG) stack. A set of photomontages is also provided at ES Volume 2 Figures 17-21, 17-24, 17-27 and 17-30 [APP-219 to APP-228], which show one delivery scenario, with the absorber and HRSG stacks at maximum height. Can the Applicants explain what consideration has been given to the possibility that absorber and HRSG stacks of reduced height, but increased width, could result in worse visual effects than stacks at the established maximum height and are additional photomontages required?
DLV.1.12	Applicants	The baseline for vegetation cover is described in ES Chapter 17, paragraphs 17.4.24 to 17.4.26 [APP-099]. Explain how this has been established and confirm whether there are any trees or vegetation within the connection corridors of particular value or importance as a landscape feature.
DLV.1.13	Applicants	Paragraph 17.3.23 of ES Chapter 17 [APP-099] refers to the removal of vegetation within the electrical connection corridor during construction. Can the Applicants confirm whether the reinstatement of vegetation would be secured through the Landscape and Biodiversity Strategy [APP-079] and, if so, clarify where it is provided for in that document. Should this mitigation measure also be referenced in ES Appendix 25A [APP-347] as a commitment?

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ExQ1	Question to:	Question:
DLV.1.14	Applicants	The Commitments Register at ES Volume 3 Appendix 25A [APP-347] includes commitments to a detailed lighting scheme, and identifies that measures will be secured through R3 and R6 of the dDCO. A requirement to consider and address lighting impacts on sensitive ecological receptors as part of the scheme is identified, but this is not extended to landscape and visual receptors. Can the Applicants confirm whether ES Volume 3 Appendix 25A should be updated in respect of the commitment to submission and approval of a detailed external lighting scheme (in accordance with R6 of the dDCO [AS-135]) to ensure that includes confirmation that the principles identified in ES Chapter 17 [APP-099] and the Indicative Lighting Strategy [APP-078] have been incorporated to minimise impacts to visual receptors and that the predicted effects are no worse than those identified in ES Chapter 17.
DLV.1.15	Applicants	ES Chapter 17 [APP-099] paragraph 17.7.5 states that no additional mitigation is identified in respect of the moderate adverse visual effects to receptors at viewpoints 5, 7 and 8 due to the proximity to the Proposed Development and the scale of the structures. Reference is made to NPS EN-2 (section 2.65), which states that it is not possible to eliminate visual impacts associated with a fossil fuel generation stations and mitigation is therefore to reduce visual intrusion of the buildings on the landscape and minimise impact on visual amenity as far as reasonably practicable. Can the Applicants explain whether there is potential to further reduce the significant adverse effect concluded in Chapter 17 [APP-099] for visual receptors at viewpoint 7 during operation through the use of landscaping and planting.
DLV.1.16	Applicants HBC	Viewpoints 1 and 2 show views from the promenade at Seaton Carew [APP-184 to APP-186 and APP-217 to APP-219]. i) Are the Applicants and HBC satisfied that the viewpoints are representative of typical views of sensitive receptors along the seafront? ii) Did HBC agree these viewpoints in advance of submission of the Application? iii) Is there a need for any additional viewpoints from the Hartlepool area, and outside of the 5km ZTV?
DLV.1.17	Applicants RCBC	The ZTV and potential viewpoints plan at Figure 17-4 [AS-121] indicates that views of the PCC would be possible from Saltburn-by-the-Sea and the surrounding high ground, which is on the

ExQ1	Question to:	Question:
		edge of the landscape study area. The ExA noted on their USI [EV1-001] that there are clear views of the existing steel works structures from the seafront and the pier. No part of this area is indicated on Figure 17-4 as a potential viewpoint location. The Landscape Character Plan at figure 17-3 [AS-120] indicates that this is on the boundary of a number of different national and local LCAs as well as the North Yorkshire Coastal Waters marine character area. Can the Applicants: i) Explain why the Saltburn-by-the-Sea area was not considered as a potential viewpoint? Can RCBC: ii) Provide comment whether a viewpoint is necessary from this area, and if so, from what location.
DEVELOPMENT CONSENT ORDER		
The ExA does not wish to ask any further questions on this topic at this point in the Examination.		
GEOLOGY, HYDROGEOLOGY AND LAND CONTAMINATION		
GH.1.1	Applicants EA RCBC STBC	Chapter 10 of the ES [APP-092] states that ground investigation will take place in Q2/Q3 of either 2021 or 2022. Annex A of Appendix 10A [APP-292] shows the proposed preliminary exploratory hole locations. i) The Applicants are asked to confirm the scope and timetable for the ground investigations, risk assessments and any remediation required. ii) Requirement 13 of the dDCO does not allow commencement of the development until a scheme to deal with contamination has been approved. How does the timetable in (i) relate to the proposed date for commencement of construction on the site? iii) Should ground investigation results not be available prior to the close of the Examination, what certainty can the ExA have that subsequent assessment would not demonstrate that the site is unsuitable for the Proposed Development? iv) Are the EA and LPAs content with the proposed locations and scope of the preliminary investigation outlined in Annex A of Appendix 10A [APP-292]?

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ExQ1	Question to:	Question:
GH.1.2	Applicants	A decision has not yet been made regarding the construction and foundations of the Proposed Development, and reference is made in paragraph 10.6.1 of the ES [APP-092] to a future Foundation Options Report, including a potential need for piling. These decisions will have implications for <i>inter alia</i> environmental risk assessments, noise, waste management and timing of the project. Please provide an update on the timetable for the publication of the Foundations Options Report and the date by which a final decision on foundations will be made?
GH1.3	Applicants EA RCBC STBC	Paragraph 10.6.4 [APP-092] states that assessment of the significance of impacts will take into account the principles of assessment in CIRIA Report C552 (2001) and the EA's Guiding Principles for Land Contamination (2010). Appendix 10C [APP-294] and Table 10A-28 of Appendix 10A [APP-293] contain an environmental risk assessment. i) The Applicants are asked to explain how the risk assessments take into account the EA's Guiding Principles for Land Contamination. ii) Please could all parties confirm that these are the most up to date and appropriate approaches for undertaking an assessment of the risks to controlled waters and human health iii) If this is not the case, then the Applicants should justify why it has taken this approach.
GH1.4	Applicants	Paragraph 10.10.37 of Appendix 10A [APP-293] presents the methodology for the preliminary risk assessment. In addition, Section 10.8.1 of the ES [APP-092] states that only risk classified as moderate or higher will require further investigation and mitigation measures. The requirement in NPS EN-1 is that statutory environmental quality limits are taken into account. i) Can the Applicants explain how statutory environmental limits are incorporated in this methodology? As an example, where hazardous substances have previously been found in groundwater above environmental limits, it should be explained how the likelihood of this occurring has been judged as 'low' and the consequence 'minor', and why this should not in principle be further investigated or remediated. ii) Can the Applicants also explain why groundwater and surface water have been considered as potential receptors for some sources of contamination and not others in Appendix 10C [APP-294]?

ExQ1	Question to:	Question:
		iii) Can the Applicants expand on why the risk to flora and fauna from contamination has been assessed as minimal because there are 'limited pathways for contact with contaminated soil' in Section 10.10.43 of the ES [APP-292]?
GH1.5	Applicants	i) Please confirm that a Hydrogeological Impact Assessment will be provided, as requested by the EA in its RR [RR-024]? ii) Provide the information requested by the EA, including cross sections, confirmation that tables and figures in Chapter 12 have been checked for consistency, and confirm that the interaction between groundwater and the River Tees will be considered. iii) A map showing the approximate locations of the previous investigations on or near the site referred to in Section 10.6 of Appendix 10A the ES [APP-292] and an assessment of the likelihood and consequences of introducing pathways between the superficial material and underlying Sherwood Sandstone should also be provided. iv) Please confirm that water in the dune slacks and users of the foreshore in the SSSI/SPA will be accounted for in the assessment of risks or provide justification for not assessing this receptor.
GH1.6	Applicants	Paragraph 10.6.70 of ES Appendix 10A [APP-292] states that services are likely to be affected by differential movement and recommends that allowance is made to install flexible connections for water and gas lines to accommodate ground movement. How will this be secured through the DCO to ensure protection of infrastructure, safety and the environment?
GH1.7	Applicants RCBC STBC	Paragraph 10.4.17 of the ES [APP-092] states that 7 nearby mineral sites are 'highly unlikely' to resume extraction and 2 sites may require new planning permission. i) Can the Applicants provide the evidence for this conclusion and a map showing the location of all of these sites? ii) Do the local authorities agree with this assessment of the future of these sites?
GH1.8	Applicants	Paragraph 10.4.19 of ES [APP-092] indicates that there are safeguarded mineral deposits beneath the Site. i) Please confirm whether or not the Proposed Development would result in the loss of access to these deposits?

ExQ1	Question to:	Question:
		ii) Can the Applicants confirm how the Proposed Development meets the requirements of Policy MWC4 of the Tees Valley Joint Minerals and Waste Development Plan Core Strategy DPD (September 2011)? iii) Please provide the map of mineral safeguarding areas referred to as Appendix A in Section 10.4.19 of the ES [APP-092]?
HISTORIC ENVIRONMENT		
HE.1.1	Applicants	ES Chapter 18 Archaeology and Cultural Heritage [APP-100] paragraph 18.3.13 refers to a number of sources used for the assessment including the results of previous archaeological and geotechnical investigations. Section 18.7 refers to a Written Scheme of Investigation (WSI) which will be approved by the local authority and this is set out in R14 of the dDCO [AS-135]. The Applicants are asked to: i) Indicate the location of the assessed previous investigations in relation to the Order Limits; and ii) Provide an outline of the WSI for both onshore and marine archaeology.
HE.1.2	Historic England MMO RCBC HBC	ES Chapter 19 [APP-101] relates to marine heritage. It notes at Table 19-7 that there are two known undesignated heritage assets (shipwrecks) within the site boundary and at paragraphs 19.4.26 to 19.4.32 refers to a range of potential historic environment receptors. Confirmation is sought from Historic England, the MMO, RCBC and HBC (archaeology): i) Whether or not the Applicants' assessment is accurate, and whether there are likely to be any additional previously unrecorded heritage assets; ii) If the mitigation and enhancement measures set out in section 19.7 of the ES [APP-101] (including a pre-construction geoarchaeological assessment) would be appropriate; and iii) Whether R14 of the dDCO could be applicable to marine heritage assets as well as terrestrial archaeology, and any suggested amendments to wording.
HE.1.3	Historic England RCBC	ES Chapter 18 Archaeology and Cultural Heritage [APP-100] section 18.6 refers to likely impacts and effects on a number of non-designated heritage assets within the Order Limits. ES Figure 18-2 [APP-230] indicates the location of non-designated heritage assets within the 1km

ExQ1	Question to:	Question:
	STBC HBC	study area. ES Appendix 18B [APP-339] at Table 18.5 includes a gazetteer of these non-designated heritage assets. Historic England, RCBC, STBC and HBC (archaeology) are asked to confirm: i) Is the 1km study area sufficient? ii) Do Figure 18-2 and ES Appendix 18B provide an accurate and up-to-date record of non-designated heritage assets within the site and 1km study area? Are there any others that should be added? iii) Is the Applicants' assessment of impacts to the non-designated heritage assets within the site boundary at section 18.6 of the ES acceptable? iv) Would R14 of the dDCO be appropriate in safeguarding any known and unknown archaeological features, and if not please suggest amendments to the wording?
HE.1.4	Historic England RCBC STBC HBC	ES Chapter 18 Archaeology and Cultural Heritage [APP-100] paragraph 18.3.11 notes that a 5km study area has been applied for designated heritage assets, and a 1km search area for non-designated assets. These are illustrated in ES Figures 18-1 [APP-229] and 18-2 [APP-230]. ES Appendix 18B [APP-339] includes a gazetteer of the heritage assets. Section 18.6 of APP-100 sets out that there are no designated heritage assets within the Order Limits and refers to likely impacts and effects on a number of non-designated heritage assets within the site. RPAs and Historic England are asked to respond to the following: i) Whether the 1km and 5km study areas are sufficient; ii) Whether Figures 18-1, 19-2 and Appendix 18B provide an accurate and up-to-date record of heritage assets within the site and study areas; iii) If not, are there any other heritage assets that should be added?; iv) Whether the Applicants' assessment of impacts to the assets within the site boundary at section 18.6 of the ES is sufficient. In particular, paragraphs 18.6.14 to 18.6.24 relating to setting of nearby designated heritage assets. Has their significance been adequately identified, and has the effect on their setting and significance been adequately assessed?; and v) Would R14 of the dDCO be appropriate in safeguarding any known and unknown archaeological features? If not, please suggest amendments to the wording.

ExQ1	Question to:	Question:
HE.1.5	RCBC Historic England Applicants	The Redcar blast furnace is identified on Figure 18-2 [APP-230]. The structure and associated steel works infrastructure is assessed in ES Chapter 18 paragraph 18.6.2 [APP-100]. Paragraphs 18.8.3 and 18.8.4 of the Cultural Heritage Baseline Report [APP-338] state that <i>'Standing structures associated with Redcar blast furnace and ancillary buildings are present within the proposed Site boundary. The buildings are indicative of the region's industrial heritage and are of local and possibly regional interest'</i>, and that the structures are well-preserved and provide a functional setting to the furnace structure as well as being a well-known landmark of value to the local community through their historical associations and contribution to local identity. The former steel works are noted in the Stage 2 consultation responses from Save our Steel Heritage Group dated 14.09.20 and Historic England dated 15.09.20 [APP-068]. Historic England identify the former steel works as a key heritage issue, and that it would be appropriate for consideration to be given to the retention of its key features as part of the Proposed Development and recording prior to demolition. RCBC's Climate Change group in their pre-application consultation response dated 18.09.20 refers to ensuring the heritage legacy of steel making, as well as the South Tees Area SPD, principle STDC8 – Preserving Heritage Assets. Can the Applicants: i) Identify the location of the blast furnace in relation to the Order Limits around the PCC Site; ii) Confirm if the blast furnace and any other associated former steel works infrastructure are considered to be non-designated heritage assets; iii) If considered to be non-designated heritage assets, provide an assessment of their significance or signpost where this can be found in the submitted documents; iv) Provide an update on the timescales for demolition and clearance of the Redcar blast furnace and associated infrastructure; and v) Confirm whether pre-demolition recording has taken place/ will take place as suggested by Historic England in their pre-application consultation response [APP-068]. The Applicants may wish to answer this question together with GEN.1.11. Can Historic England and RCBC:

ExQ1: 19 May 2022**Responses due by Deadline 2: 9 June 2022**

ExQ1	Question to:	Question:
		vi) Provide comment on whether the blast furnace and/or any other associated former steel works infrastructure are considered to be non-designated heritage assets; vii) If considered to be non-designated heritage assets, provide an assessment of their significance; viii) Provide comment on whether pre-demolition recording has been agreed and carried out (or whether it should take place and on which particular elements of the former steel works); and ix) Provide further detail of any conflict with national and local policy including the South Tees Area SPD.
HE.1.6	RCBC HBC Applicants	ES Figure 18-1 [APP-229] shows conservation areas at Coatham, Kirkleatham, Yearby, Wilton and Seaton Carew which are proximate to the PCC Site. Could RCBC and HBC: i) provide a map of each of the conservation areas and a copy of any conservation area appraisals and management plans, if available. ii) If no conservation area appraisals are available, provide an assessment of their significance. Could the Applicants: iii) provide an assessment of the effect of the Proposed Development on the setting of each of the conservation areas.
MAJOR ACCIDENTS AND NATURAL DISASTERS		
MA.1.1	Applicants	Section 22.3.18 of ES Chapter 22 [APP-104] states that decommissioning has not been included in the assessment because not enough is yet known about it, but 'it is likely' that the hazards would be similar to the construction and operation phase. i) Please provide evidence to support this statement. ii) What certainty can the ExA have that, at least in principle, the inherent features of the design would be sufficient to prevent, control and mitigate major accidents during this phase?

ExQ1: 19 May 2022**Responses due by Deadline 2: 9 June 2022**

ExQ1	Question to:	Question:
MA.1.2	Applicants	The EA are quoted as requesting that the cumulative effects of minor events is addressed in Table 22-1 of Chapter 22 of the ES [APP-104]. Can you signpost where the ES addresses this?
MA.1.3	Applicants	While it is appreciated that detailed design is still to be undertaken, please explain how the following would be secured via the DCO: i) the design of the development and emergency action plans to mitigate risks associated with low temperatures referred to in Table 22-1 of Chapter 22 of the ES [APP-104]; ii) the commitment in paragraph 22.7.9 of ES [APP-104] to incorporate embedded mitigation into the CO₂ gathering network; iii) the measures required to mitigate the following construction stage risks listed in Table 22-2 [APP-104] to as low as reasonably practicable' (ALARP) or to a tolerable level: C-4 (security measures), C-5 (ground collapse site investigations), C-8 (vigilance and security measures relating to aircraft-risk), C-9 (staff shortages)
MA.1.4	Applicants	It is stated in Table 11-1 of ES Chapter 22 [APP-104] that the design is not sufficiently progressed to allow for provision of a detailed firewater containment system. However, in Table 22-1 of the ES [APP-2014] the EA is quoted as requesting that the EIA contains a worst-case estimation of firewater runoff production, including for remediation following a fire, and demonstrate that a solution to containment, treatment and/ or removal can be met on the site. Can further details be provided to demonstrate that such a solution is at least in principle achievable?
MA.1.5	Applicants	Section 22.4.4 of ES Chapter 22 [APP-104] states that the geology underlying the Site is of no to low risk of hazards from ground stability. The Geotechnical Risk Register in Appendix 10D of the ES [APP-295] states that the risks from geological hazards are potentially severe. Scenario O-13 of Table 22-3 [APP-104] records that earthquakes have occurred in the area, including a magnitude 3.1 earthquake on 23 January 2020. i) Please explain this apparent contradiction.

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ExQ1	Question to:	Question:
		ii) Section 22.4.5 [APP-104] states that ‘according to Chapter 10’, the geology underlying the site is of no to very low risk of seismic hazards. Where is information about seismicity contained in Chapter 10?
MA.1.6	Applicants	The risks from loss of water supply or the discharge corridors has not been considered because ‘there are no specific risks’ according to paragraph 22.6.4 of the ES [APP-104]. i) Please provide more information for the basis of this decision. ii) How likely is it that they could be interrupted? iii) What are the implications for the safe operation of the project if the water supply or discharge are unavailable, including for firefighting?
MA.1.7	Applicants	Why has the effect of staff shortages, including those caused by a pandemic, not been considered during the operational phase?
MA.1.8	Applicants	i) Has the Civil Aviation Authority been consulted as recommended in scenario reference C-8 of Table 22-2 [APP-104]? ii) Please explain where the vigilance and security systems associated with such scenarios are secured
MA.1.9	Applicants	Section 22.7 [APP-104] refers to proposed use of dense phase CO ₂ dispersion modelling to understand the potential hazards of a major release, and that the outcomes of this modelling would be incorporated into the design of the Proposed Development. i) Can the Applicants provide further explanation as to what the modelling will comprise? ii) What progress has been made on this modelling? iii) Explain how incorporation of the outcomes of the modelling into the design of the Proposed Development are secured by the DCO? iv) What are the potential implications of the modelling for the conclusions of the assessment in ES Chapter 22?
MA.1.10	Applicants	Please explain how the effects of loss of containment of other gaseous hazardous substances, including amines, stored at the site during operation have been assessed?
MA.1.11	Applicants	In its RR [RR-017], CATS North Sea Limited raised concerns regarding safety issues around its pipeline, Beach Valve Station and associated infrastructure in relation to pipeline and cable

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ExQ1	Question to:	Question:
		crossings, and sterile zones. INEOS Nitriles (UK) Limited [RR-019] have raised concerns regarding access to their infrastructure for inspection and leak detection. What alternatives have been considered in regard to these two sites?
MA.1.12	Applicants	Paragraph 4.4.23 of the ES [AS-019] states that a Major Accident Prevention Document will be produced during the design process and that the HSE will be consulted on this. i) Provide an update on progress and consultation on this document. ii) How is its application secured through the DCO?
MA.1.13	UK Health Security Agency	Can the UK Health Security Agency comment on the Applicants' approach to assessment of major accidents as set out in ES Chapter 22 [APP-104] in the context of the Proposed Development comprising elements of novel technology. Does the UK Health Security Agency consider that the Applicants has identified and assessed the potential risks associated with the carbon capture, transport and storage component?
MA.1.14	Applicants	ES Chapter 22 [APP-104] (paragraph 22.3.10) states that an assessment of the credible worst case for major accidents and natural disasters has been made, assuming standard industry approaches to managing risk will be used because safety and control systems have not yet been designed. Could the Applicants explain what assumptions have been made in the assessment about the design of, and safety and control systems for, any novel technology and/ or processes used within the Proposed Development, where current industry standards are not yet in place, and the level of confidence in these assumptions for the purpose of reaching a conclusion of no significant effects?
MA.1.15	STDC	In ES Chapter 22 [APP-104] the Applicants explain that there is a former gas pipeline crossing the PCC Site which is subject to a COMAH licence and that the operator of this pipeline, South Tees Site Company (part of STDC) has confirmed its intention to decommission the former steelworks infrastructure and make an application to revoke the COMAH licence. Can STDC comment on the status of the COMAH licence and decommissioning activity, and any implications for the Proposed Development?

ExQ1	Question to:	Question:
NOISE AND VIBRATION		
NV.1.1	RCBC Applicants	ES Chapter 11 [APP-093] paragraph 11.4.2 states that the baseline data are considered 'conservative' due to Covid-19 restrictions at the time of surveys. Paragraph 11.4.14 refers to the future baseline. Can the Applicants: i) Confirm if any further surveys been carried out since restrictions were lifted, or are any planned? ii) Explain what type of activities and sound levels will/would have increased once covid restrictions were lifted and would subsequently affect the baseline data? Can RCBC: i) Provide comments on whether the baseline data and monitoring locations are reasonable and representative; and ii) Provide comments on whether further surveys should be undertaken now restrictions have been lifted.
NV.1.2	Applicants	ES Chapter 11 [APP-093] Table 11-17 shows the sound survey results carried out in a range of monitoring locations, during Covid-19 restrictions. Can the Applicants comment on whether industrial process/ port/ shipping noises during the pandemic differed from those pre- or post-pandemic? i.e. did such activities continue as normal.
NV.1.3	RCBC Applicants	Redcar Beach Caravan Park is noted at paragraphs 20.4.25 and 20.6.27 of ES Chapter 20 [APP-102] as a popular tourism destination and is located over 1km from the PCC Site. Cleveland Golf Links is located directly east of the PCC Site. The ExA noted an additional caravan park nearby at York Road in Coatham on their unaccompanied site visit [EV1-001]. This caravan park is close to the PCC Site but does not appear to have been specifically noted in the ES in terms of noise effects. Can RCBC and the Applicants provide comment: i) Does the location of NSR2 [AS-103] correspond with the caravan park at Coatham; ii) Is there any residential use of these units and/or any planning conditions limiting them to holiday occupation? Provide a copy of such conditions if available; and

ExQ1: 19 May 2022**Responses due by Deadline 2: 9 June 2022**

ExQ1	Question to:	Question:
		iii) Have noise effects on tourists and recreational users been appropriately considered in Chapter 11 of the ES, including those at the nearby caravan parks, golf course, beach and other recreational facilities, and if not should they?
NV.1.4	Applicants	Paragraph 5.3.103 of Chapter 5 of the ES [APP-087] relating to construction management states that “a noise monitor will be installed at the boundary of the Site, with a day-time and night-time noise limit to be used during construction, as agreed with RCBC and STBC”. On what basis is monitoring expected to be required?
NV.1.5	Applicants	Paragraph 11.3.21 of ES chapter 11 [APP-093] states construction noise at the PCC site and construction activities away from the PCC are assessed separately because the types of plant and activities are likely to be different, and construction will extent over a greater area. i) Explain why the types of plant for construction and associated activities are likely to be different between the two areas. ii) Explain why the noise generated during construction of both areas should not be considered cumulatively.
NV.1.6	Applicants	Paragraph 11.3.22 of ES chapter 11 [APP-093] states that the ‘ABC’ method was chosen for residential receptors. Please justify this choice of methodology.
NV.1.7	Applicants	The noise propagation model relies on a digital terrain model (paragraph 11.3.54 of [APP-093]. Given that there is considerable uncertainty regarding the final layout and topography of the site: i) How sensitive is the model to the digital terrain model at a site scale? ii) What are the key topographical changes that will affect the noise at receptors?
NV.1.8	Applicants	The noise generated by trenchless technologies and open cut trenches to install the water supply and discharge corridors have been scoped out on the basis of distance to receptors (paragraph 11.6.22 of the ES [APP-093]). Please provide further justification of this given the proximity of Marsh Farm House and the nearby caravan parks.

ExQ1	Question to:	Question:
PLANNING POLICY AND LEGISLATION		
PPL.1.1	RCBC STBC	Table 6.4 at section 6 of the Planning Statement [APP-070] lists the relevant development plan policies. Can RCBC and STBC: i) Provide to the Examination full copies of any Development Plan policies that have or will be referred to in any submissions. ii) Confirm whether there been any relevant updates to the statutory Development Plan since the compilation of the application documents? iii) Provide copies of any relevant Supplementary Planning Documents. iv) Confirm whether there are any relevant made or emerging neighbourhood plans that the ExA should be aware of, and if so provide details. v) Confirm whether the Applicants' policy analysis set out in Table 6.4 of the Planning Statement [APP-070] is acceptable?
PPL.1.2	Applicants	Figures 3.1 and 3.3 of the Planning Statement [APP-070] shows the Policies Maps of the Local Plans for RCBC and STBC. The Applicants are asked to: i) Provide the same for HBC; and ii) Reproduce the plans separately and to overlay the Order Limits on each.
PPL.1.3	Applicants	Paragraphs 1.1.11 to 1.1.24 and sections 4.5 to 4.6. of the DAS [AS-190] refer to the South Tees Regeneration Master Plan, the South Tees Area Supplementary Planning Document and the Teesworks Design Guide. The Applicants are asked to: i) Provide a copy of each of these named documents; and ii) Confirm their status and relevance to the Proposed Development as a NSIP. Also see Question DLV.1.2.
PPL.1.4	Applicants RCBC STBC	The current 2021 version of the NPPF has been published since the application documents were produced.

ExQ1: 19 May 2022**Responses due by Deadline 2: 9 June 2022**

ExQ1	Question to:	Question:
		Can the Applicants and RPAs confirm whether there would be any implications for the application arising from the July 2021 revision of the NPPF?
PPL.1.5	Applicants	The Planning Statement and the ES refer to the suite of energy NPSs. i) Is there a differentiation between those NPSs which you consider the Proposed Development to be 'in accordance with' and those that may be (in part) 'important and relevant'? ii) And to which elements of the Proposed Development are they applicable? Please provide a summary.
PPL.1.6	Applicants RCBC STBC	In September 2021, as part of a review of the energy NPSs, the Government published draft NPSs EN-1 to EN-5 for consultation. i) Do these change the analysis of policy set out in the application documents, particularly the Planning Statement and the relevant sections of the ES? If so, are revised versions required for the Examination? ii) In particular, is there any information within them which is important and relevant to the SoS's decision on applications for Carbon Capture infrastructure?
PPL.1.7	Applicants RCBC STBC	Are there any other new documents, updates or changes to Government Policy or Guidance relevant to the determination of this application that have occurred since it was submitted? If yes what are these changes and what are the implications, if any, for the application?
PPL.1.8	Applicants RCBC STBC	The Environment Act passed into law on 9 November 2021. While many of its provisions await detail and implementation, does this have any implications for the application documentation submitted for the Proposed Development?
PPL.1.9	RCBC STBC All IPs	Section 3 of the Project Need Statement [APP-069] refers to the UK energy and climate change policy. i) Do you have any observations on the Applicants' analysis of energy and climate change policy? ii) Do you have any comments relating to other new documents or updates or changes to relevant Government Policy or Guidance on climate change which is relevant to the determination of this application that has been published since submission?

ExQ1: 19 May 2022**Responses due by Deadline 2: 9 June 2022**

ExQ1	Question to:	Question:
PPL.1.10	Applicants	The North East Marine Plan was adopted by the Secretary of State on 23 June 2021, prior to the application being made. The MMO have provided comments in their RR [RR-037]. The marine assessments at section 4.4 of the Planning Statement [APP-070] and within the ES [including APP-096, APP-101], do not acknowledge this and were undertaken in the broader and less specific policy context provided by the UK Marine Policy Statement. Please provide an assessment of the Proposed Development against the North East Marine Plan. You may wish to answer this question in conjunction with question BIO1.1.24.
POPULATION AND HUMAN HEALTH		
The ExA does not wish to ask any further questions on this topic at this point in the Examination.		
SOCIO-ECONOMICS AND TOURISM INCLUDING MARINE USERS		
SET.1.1	RCBC STBC UK Health Security Agency	ES chapter 20 [APP-102] at paragraphs 20.3.10 to 20.3.16 defines a Study Area for the socio-economic assessment. i) Is the extent of the Local Super Output Areas and Travel to Work Areas identified in the document reasonable or does it need to be drawn wider? ii) Is the assessment of socio-economic baseline conditions set out at section 20.4 [APP-102] acceptable or does anything further need to be included?
SET.1.2	Applicants	Section 20.6 of ES Chapter 20 [APP-102] and Appendix 20A (Economics Benefits Report) [APP-340] each set out the estimated employment opportunities arising from the Proposed Development. Construction employment summarised in Table 20-6 [APP-1-2] is based on a number of factors including the anticipated construction timescales. These are noted in Table 5.1 of ES Chapter 5 [APP-087] and paragraph 20.6.2 of ES Chapter 20 [APP-102] as between late 2022 and 2026. Section 2.1 of the Economics Benefits Report [APP-340] indicates the construction period to be from 2024 to 2028.

ExQ1: 19 May 2022**Responses due by Deadline 2: 9 June 2022**

ExQ1	Question to:	Question:
		Tables 20-6 and 20-7 of APP-102 indicate total net employment during construction to be 2,440 and 130 in operation, whereas paragraph 2.1 of APP-340 specifies 4,500 direct jobs annually during the construction phase and 900 during operation. The Applicants are asked to: i) Provide clarification and an update in terms of construction timescales; and ii) Clarify why there are significant differences in employment figures noted between the two documents, and if necessary, provide an update to the figures.
SET.1.3	RCBC STBC	Further to the question above, section 20.6 of ES Chapter 20 [APP-102] and Appendix 20A (Economics Benefits Report) [APP-340] set out the estimated employment opportunities arising from the Proposed Development. i) Provide comments on the estimated employment figures. Are they reasonable having regard to the assumptions on the TTWA, displacement, and multiplier of 1.85 (paragraph 20.6.10 and footnote 1)? ii) Is the assessment of employment reasonable when compared to other major and infrastructure projects which you are aware of in the area?
SET.1.4	Applicants RCBC STBC	Appendix 20A (the Economics Benefits Report) [APP-340] at section 5 refers to skills and labour gaps in the Tees Valley labour market, especially during the construction phase. 'Upskilling' is recommended in the report including targeted interventions with the opportunity to partner with local education providers. R30 of the dDCO includes provision for an employment, skills and training plan. Can the Applicants: i) Provide an update on any 'targeted interventions' carried out so far, as recommended in the Economic Benefits Report [APP-340]. RCBC and STBC: i) Are the recommendations for upskilling and targeted interventions and the wording of R30 reasonable?

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ExQ1	Question to:	Question:
		ii) What activities are currently being undertaken/ planned by the local authorities in this respect?
SET.1.5	MMO BSAC 43 Teesside 43 PD Teesport Maritime Coastguard Agency The Corporation of Trinity House of Deptford Strond	Paragraphs 20.4.26 to 20.5.7 and 20.6.29 to 20.6.41 of ES Chapter 20 [APP-102] and the Navigational Risk Assessment at Appendix 20B [APP-341 to APP-343] set out the marine baseline and risk assessments for marine users. Identified parties are asked: i) Whether or not the scope of the assessments is appropriate; and ii) If not, what further assessment is required to address any outstanding concerns regarding marine users?
SET.1.6	RCBC STBC HBC	A range of tourism and recreational destinations and activities in the area are set out at paragraphs 20.4.23 to 20.4.25 of ES Chapter 20 [APP-102]. Paragraph 20.6.28 and Table 20-8 summarise potential impacts on tourism to be negligible adverse during the construction phase. i) Do paragraphs 20.4.23 to 20.4.25 of the ES adequately describe the baseline so that effects on tourism and recreational users can be fully assessed? Are there other destinations which have been omitted that might be affected, in particular by the PCC Site? ii) Should tourism and recreational destinations north of the Tees be assessed? iii) If any additional tourism and recreational destinations are identified, please provide a plan to show their locations. iv) Is the Applicants' assessment that potential impacts on tourism would be negligible adverse during the construction phase only reasonable? Should any effects during operation be considered?
SET.1.7	Applicants	A limited range of tourism and recreational destinations and activities in the area are set out at paragraphs 20.4.23 to 20.4.25 of ES Chapter 20 [APP-102]. Paragraph 20.6.28 and Table 20-8 indicate a negligible adverse effect on tourism during the construction phase only. ES Chapter 24 [APP-106] (paragraphs 24.5.130 to 24.5.140 and paragraphs 24.6.8 to 24.6.20) does not include an assessment of cumulative effects specifically on tourism, aside from reference to marine users.

ExQ1: 19 May 2022**Responses due by Deadline 2: 9 June 2022**

ExQ1	Question to:	Question:
		i) What is the distinction between tourism amenities and wider locally used amenities as mentioned in paragraph 20.6.26? ii) Is the range of destinations and activities listed at paragraphs 20.4.23 to 20.4.25 exhaustive of those which might be affected by the PCC Site? Does it include users of Public Rights of Way (PRoW) including the England Coast Path and Teesdale Way? iii) If there are others, provide details (including a map to show their location); iv) Would the negligible adverse impact identified in paragraph 20.6.28 be on any particular tourism or recreational destination(s) or all those listed? v) Have the effects on tourism and recreation (including PRoW users) during operation been assessed? If not, why not? vi) Provide an assessment of cumulative effects on the listed destinations.
SET.1.8	RCBC STBC	R29 of the dDCO [AS-135] relates to the establishment of a local liaison group. Could the RPAs: i) Provide comment on this requirement in terms of whether it would meet the aims of keeping the community informed of the construction; ii) Confirm whether they would take an active role in such a group; and iii) Provide examples of where such groups have been established successfully for other major developments in the locality.
SET.1.9	Applicants	The baseline local health profiles are updated annually. Confirm that the most up-to-date profiles have been used in Chapter 23 of the ES [APP-105] and, if not, if use of these would change the outcomes significantly?
TRAFFIC AND TRANSPORT		
TT.1.1	Applicants Sembcorp Utilities (UK) Ltd Anglo-American Woodsmith Project	It would be necessary to travel through Sembcorp operated routes and Anglo-American managed land to access the Natural Gas Connection and CO ₂ Gathering Network south of the River Tees. Figure 16-2 [APP-173] also shows that this would be the access for HGVs to and from the site. Please could all identified parties provide an update on whether this access is likely to be granted?

ExQ1: 19 May 2022**Responses due by Deadline 2: 9 June 2022**

ExQ1	Question to:	Question:
TT.1.2	Applicants	STDC do not support HGV and construction traffic access via the A1053 Tees Dock Road because it relies upon the opening of an SDTC owned gated access [RR-035]. i) An assessment of the feasibility of alternative access points for this purpose should be provided. ii) Please explain how any delay caused by this controlled access point has been taken into account in the traffic assessment.
TT.1.3	Applicants	Confirm that the dates for the assessment scenarios referred to in paragraphs 16.3.14 and 16.4.16 of the ES [APP-098] are still valid and, if not, whether updated assessments will be provided. If peak construction is likely to be after 2024, how does this affect the growth factors for the baseline assessment and the subsequent impact of traffic generated on the local network?
TT.1.4	Highways England Highways Authorities	The methodology, baseline data and assessment of for assessment of the potential effects of the Proposed Development on traffic and transport are set out in Chapter 16 [APP-098]. Highways England and the Highways Authorities are asked: i) Whether the methodology, baseline data and assessment are acceptable? ii) Whether junction surveys at MCC1, MCC2, MCC3 over one day are sufficient to provide a reliable measure of baseline conditions? iii) Is Highways England now satisfied with the junction capacity assessments in the vicinity of the site? iv) Paragraph 16.4.18 of the ES [APP-098] states that a quantitative assessment of operational traffic, which would include a predicted 200 additional staff for approximately 3 months during outages, has not been undertaken. Are Highways England and the Highways Authorities satisfied with this approach?
TT.1.5	Highways England Highways Authorities	Are Highways England and the Highways Authorities content that Chapter 16 [APP-098] and associated framework plans form an appropriate basis for the 'Construction traffic management plan' and 'Construction workers travel plan' as written? If not, please provide details of your concerns.
TT.1.6	Applicants	Paragraph 5.3.93 of Chapter 5 [APP-087] states that Abnormal Indivisible Loads will need to be transported along a section of Tees Dock Road.

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ExQ1	Question to:	Question:
		Explain how this has been accounted for in the traffic assessment?
TT.1.7	Applicants Highways England Highways Authorities	Confirm that the list of other 'committed developments', and additional traffic generated referred to in paragraphs 16.4.23, 16.4.24 and Table 16-10 [APP-098] are up to date and that it is still appropriate to omit the developments in Table 16-A-44 of Appendix 16A.
TT.1.8	Applicants	How is the Decommissioning Traffic Management Plan referred to in paragraph 16.5.4 of the ES [APP-098] secured through the DCO?
TT.1.9	Applicants	Section 16.10 of the ES [APP-098] concludes that all residual traffic and transportation effects are 'negligible adverse'. However, the effects during construction are described as 'minor adverse' in Section 16.6, including those associated with severance, pedestrian amenity, and fear and intimidation. How are these statements compatible?
TT.1.10	Applicants	Please provide a clear list of the crossings that would need to be closed and an assessment of the effect of closing these crossings on the flow of traffic and transport. This should include a clear map of the affected locations and an assessment of the effect on PRowS.
TT.1.11	Applicants	Paragraph 5.3.85 of the ES [APP-087] indicates that 'options for the reopening and re-use of the closed Redcar British Steel railway station will be discussed with both Teesworks and Network Rail but do not form part of the DCO application'. When will a decision on this be taken and why would it not be secured by the dDCO?
TT.1.12	Applicants PD Ports	Paragraph 5.3.94 of the ES [APP-087] states that it is assumed that PD Ports, as the Port Authority could adopt Ships Agency and take responsibility for the transport and delivery of abnormal indivisible loads (including navigational risk) through existing port procedures. Has there been any discussion between the parties on this matter? If agreement is reached, how would this be secured? If agreement is not reached what are the implications?
TT.1.13	Applicants	Can the Applicants explain what assumptions have been made in establishing construction and operation phase traffic movements and the expected volumes of waste, imported fill and chemicals that will be transported to and from the Proposed Development, including: i) Waste arising from the demolition of structures and buildings associated with the former steelworks, in the event that this activity is undertaken under the DCO;

ExQ1	Question to:	Question:
		ii) Imported fill required to achieve the development platform (maximum of 13m AOD) at the PCC site and Tod Point substation site; and, iii) Chemicals to be used during operation of the Proposed Development, as described at ES Chapter 4 [AS-019], paragraph 4.4.10. iv) Confirm that this has been taken into account in the assessment of HGV movements and if it has not, provide an assessment of this on traffic and the transport networks.
WATER ENVIRONMENT		
WE.1.1	Applicants NWL	Section 9.5 of the ES [APP-091] outlines that the Proposed Development would have a significant demand for water. i) The Applicants are asked to provide an estimate of the likely water volumes required during construction, operation and decommissioning. ii) Has agreement been reached with NWL to provide this water? iii) Can the Applicants confirm whether there is an alternative proposal for water supply in the event that agreement is not reached with Northumbrian Water Limited and, if so, explain what the alternative is and whether it has been assessed within the ES? It is noted that paragraph 9.6.66 of ES Volume 1, Chapter 9 [APP-091] refers to abstraction from the Tees Estuary but it is unclear whether this has been assessed in full.
WE.1.2	Applicants NWL	Information is provided in Section 9.5 of the ES [APP-091] regarding potential discharges from the site. The Applicants are asked to provide an estimate of the likely volume of discharge from the site at all stages and the likely composition of this. Has NWL confirmed that Bran Sands and/or Marske-by-the-Sea Wastewater Treatment Works (WwTW) have capacity to treat the discharges?
WE.1.3	Applicants	Paragraph 9.4.6 of the ES [APP-091] states that the nearest weather station with historical data is located at Stockton on Tees. The Applicants are asked to:

ExQ1: 19 May 2022**Responses due by Deadline 2: 9 June 2022**

ExQ1	Question to:	Question:
		i) Confirm whether there are closer weather stations? If so, please justify not including the data from these. ii) Provide an assessment of how representative the data from this weather station are likely to be, given that it is 5 km away from the PCC Site and inland. What difference could this make to the results?
WE.1.4	RCBC STBC	Confirm whether the plans and projects used in the assessment of cumulative effects on the water environment, identified in paragraph 9.9.1 of ES Chapter 9 [APP-091] are acceptable.
WE.1.5	Applicants	Appendix 9C [ES-254] contains the Water Framework Directive (WFD) Assessment. Please provide a clear plan of the WFD waterbodies.
WE.1.6	Applicants	The EA [RR-024] identifies that the application documents do not include measures to enhance or restore any waterbodies. i) Explain how this has been taken into consideration ii) Demonstrate that the Proposed Development would not jeopardise the delivery of mitigation measures aiming to attain WFD objectives, including Dissolved Inorganic Nitrogen (DIN) in the Tees estuary transitional waterbody. iii) Section 9.7.141 onwards of ES Appendix 9C [APP-254] considers atmospheric deposition impacts. Explain how these would affect WFD waterbodies and nearby water features, including Pond 14. iv) The EA suggests that waterbody quality could be improved if wastewater destined for Dabholm Gut, including that from beyond the site, was diverted to Tees Bay via the discharge pipeline. What consideration has been given to this concept?
WE.1.7	Applicants	Section 9.4.16 of the ES [APP-091] states that data for Pond 14 were only collected over the winter of 2019/2020. i) Given the short monitoring period, are these data considered a reliable baseline for water quality? ii) How do the data demonstrate that the ponds are predominantly rainwater fed with little influence from tidal variation and groundwater all year round?
WE.1.8	Applicants	All ponds in the dunes have been discounted from the assessment apart from Pond 14 because they are fully vegetated wetlands (paragraph 9.4.16 of ES [APP-091]).

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ExQ1	Question to:	Question:
		What evidence is there that these are not receiving groundwater from the site or that they would not be sensitive to air emissions?
WE.1.9	Applicants	It is suggested in paragraph 9.4.155 of the ES [APP-091] that the other ponds in the dunes could be opened up to increase biodiversity net gain. What implications would this have for the assessment of the effects of the project on the water environment?
WE.1.10	Applicants	Explain how statutory environmental limits and the requirements of the WFD are incorporated in the methodology for assessing the significance of effects described in Section 9.3.12 [APP-091]?
WE.1.11	Applicants	Section 9.4 of the ES [APP-091] quotes the Strategic Flood Risk Assessment (RCBC, 2016). Provide a clear diagram of the Strategic Flood Risk Assessment mapping, marking the boundary of the site and the access routes.
WE.1.12	Applicants	Section 9.4 of the ES [APP-091] describes the baseline conditions, including topography. Provide a topography map of the site as existing and as proposed at a resolution sufficient to interpret the findings of the Flood Risk Assessment, such as the reference in paragraph 9.4.133 [APP-091] to ponding.
WE.1.13	Applicants	Paragraph 9.4.116 of the ES [APP-091] states that there would be 'medium' risk of overtopping flood defences at 0.1% AEP (annual exceedance probability) where site is below 5.74m AOD. The Applicants are asked to provide a map of the location of the proposed construction platform above 7.5m AOD and the areas likely to remain below 5.74m AOD.
WE.1.14	Applicants EA Lead Local Flood Authorities (LLFAs)	Paragraph 9.4.21 of the ES [APP-091] states that parts of the site are in Flood Zones 2 and 3 and a sequential test has been undertaken, as described in paragraphs 9.6.16 to 9.6.31 of Appendix 9A of the ES [APP-250]. Paragraph 9.6.21 of the ES [APP-250] states that all of the alternative sites listed are entirely in Flood Zone 1. Although reasons are given why the current site is preferable overall, this section does not explain why the other sites were not viable alternatives in the context of the flood risk. i) Please provide an update to the flood risk assessment in light of the change request. Do any Above Ground Installations or work areas remain within Flood Zones 2 and 3?

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ExQ1	Question to:	Question:
		ii) Explain why the current site is preferable in the context of the sequential test and how the sequential test is passed. iii) The assessment should clearly separate out the components of the sequential and exception tests. iv) With regard to test 3 of the exception test (project safety), are the EA and LLFAs content that the development has been demonstrated as safe for its lifetime and that the Flood Emergency Response Plan is appropriate?
WE.1.15	Applicants	Figure 9-4 of the ES [APP-133] is supposed to show flood defences according to paragraph 9.4.104 of the ES [APP-091]. Please illustrate these more clearly on Figure 9-4.
WE.1.16	Applicants	Fluvial climate change allowances in Table 9A-11 of Appendix 9A [APP-250] are based on the Northumbria River Basin district. The EA revised the climate change allowances in July 2021. Please confirm whether the revised allowances have implications for the design of the Proposed Development and the assessment of flood risk in Chapter 9 [APP-091].
WE.1.17	Applicants	Data for extreme wave heights and wind events are provided in Section 9.4 of the ES [APP-091]. Where have these been used in the assessment, including as part of a cumulative event?
WE.1.18	Applicants	Paragraph 9.4.112 of the ES [APP-091] states that the EA has modelled tidal peak waters for tidal Tees area for a number of scenarios to inform the FRA. Could the Applicants explain why the updated climate change allowances for sea level rise published by the EA in July 2020 have only been applied at two locations used in the model, and not all seven as described in Table 9A-16 of ES Volume 3, Appendix 9A [APP-250]?
WE.1.19	Applicants	The ExA remains uncertain regarding the timescales for the development. As an example, at ISH1 it was explained to the ExA that the 25-year life for the CCGT was indicative, but that the lifetime of the plant could be longer. i) Please provide an indication of how long the CCGT and carbon capture facility could potentially be in use.

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ExQ1	Question to:	Question:
		ii) What implications does a longer lifetime have for the assessment of risks from flooding?
WE.1.20	Applicants	Paragraph 9.4.128 [APP-091] states that the EA's 'Areas Susceptible to Groundwater Flooding' map indicates that more than 75% of both Council areas is at risk of groundwater emergence. i) How is it concluded in paragraph 9.4.129 of APP-091 that only the area north of the Tees is susceptible? ii) Has climate change been accounted for when calculating future groundwater levels? iii) What implications does groundwater flooding have for the FRA? iv) What implications do groundwater flooding or rising groundwater levels (if any) have for re-mobilisation of contamination beneath the site and mitigation of this?
WE.1.21	Applicants EA LLFAs	Paragraph 9.9.31 of the Flood Risk Assessment [APP-250] concludes that the access to and from the PCC Site would be flooded during higher return period events. It is proposed that members of staff either remain within the PCC Site area or are evacuated via the northern gate onto South Gare Road. i) Are the EA and LLFAs satisfied with this solution? ii) How is access to the north secured? iii) Does this route remain above the worst-case cumulative flood levels?
WE.1.22	Applicants	Paragraph 4.3.32 of the Chapter 4 of the ES [AS-019] describes the options for wastewater treatment. When will a decision be taken about which option to adopt?
WE.1.23	Applicants	The dDCO [AS-135] Part 4, 17(1) sets out supplemental powers for the use of any watercourse, public sewer or drain for the drainage of water in connection with the carrying out or maintenance of the Proposed Development. Could the Applicants explain how the potential effects to surface water quality arising from these powers have been assessed within ES Chapter 9 [APP-091]?

ExQ1: 19 May 2022**Responses due by Deadline 2: 9 June 2022**

ExQ1	Question to:	Question:
WE.1.24	Applicants	Table 9-3 [APP-091] does not explain how the magnitude of impact for hydromorphology is ascertained and the guidance used for the assessment (ie DMRB LA 113) does not address this matter. Could the Applicants explain the criteria used in the assessment for hydromorphology and how they have been derived.
WE.1.25	Applicants	Can the Applicants clarify the reference at paragraph 9.4.4 of Appendix 9C [APP-254] to potential indirect effects to more distant receptors through increased demand on potable water supplies and foul water treatment? As part of this, please confirm whether there are any additional receptors of relevance and illustrate their location on a plan as relevant.
WE.1.26	Applicants NWL	Can the Applicants and NWL provide an update on the status of the agreement for treatment of foul water arising from the construction and operation of the Proposed Development? Can NWL comment on the capacity of the consent limits for additional foul water at Marske-by-the-Sea?
WE.1.27	Applicants	Could the Applicants explain why data in respect of past pollution incidents has only been obtained for a 250m radius from the Proposed Development, given that the study area for the assessment in ES Chapter 9 [APP-091] has been set at 1km?
WE.1.28	Applicants	Can the Applicants explain why it considers there is sufficient information to conclude that effects to surface water quality from mobilisation of contamination in fine sediment during construction are neutral to slight adverse (not significant) noting the requirement for further ground investigation and quantitative risk assessment in paragraph 9.6.3 of ES Chapter 9 [APP-091]. Please could the Applicant explain any additional measures that would be in place to manage potential impacts of fine sediment to water quality in the Tees Bay arising from the construction of the new discharge outfall (if required). Can the Applicants comment on the EA's [RR-024] request for a hazardous substance assessment and updates to the water quality model and ES Appendix 14E [APP-321].
WE.1.29	Applicants	Can the Applicants explain why it considers there is sufficient clarity in the available information about operational effluent discharges to conclude a slight adverse (not significant)

ExQ1: 19 May 2022**Responses due by Deadline 2: 9 June 2022**

ExQ1	Question to:	Question:
		effect to water quality in Tees Bay during operation, noting the potential requirement for further assessment as Page 19 of 43 described in ES Chapter 9, paragraph 9.6.55 [APP-091]?
WE.1.30	Applicants	Changes to WFD status form part of the criteria for establishing magnitude of impact as described in Table 9-3. The EA [RR-024] has identified areas where it considers that documents of relevance to the WFD assessment need to be updated, following which there could also be implications for the conclusions on significant effects to surface water quality during construction and operation in ES Volume 1, Chapter 9. NE [RR-026] has also requested additional modelling. Please undertake the following updates and submit revised documents to the Examination: i) an update to ES Appendix 14E [APP-321] to include an assessment of the impacts to WFD water bodies from effluent ii) an update to ES Appendix 9C [APP-254] in respect of impacts to groundwater following completion of the qualitative risk assessment and remediation strategy iii) an update to ES Appendix 24C Statement of Combined Effects [AS-032] that includes a water quality model to assess the combined effects of effluent discharge and atmospheric deposition to the Tees Bay Coastal WFD waterbody iv) modelling of the effects on the Tees Bay Coastal WFD waterbody from effluent waters created during operation of the generating station with post-combustion carbon capture discharge of nutrients and pollutants and confirmation of the implications for the nutrient status of the waterbody v) an update to the description of effect significance in ES Chapter 9 [APP-091] and ES Chapter 24 [APP-106] as necessary.
WE.1.31	Applicants	Paragraph 9.3.28 of ES Chapter 9 [APP-091] states that the worst-case scenario assumes no change or refurbishment to the existing outfall, but paragraph 9.5.13 states that, although the condition of the existing outfall is unconfirmed, any works would be less than the installation of a new outfall. Could the Applicants explain this apparent discrepancy and the information on which these assumptions are based?

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ExQ1	Question to:	Question:
WE.1.32	Applicants	Can the Applicants confirm how the design parameters for the proposed new outfall and associated scour protection (of no more than 100m ²) used in the assessment of the water environment in ES Chapter 9 [APP-091] would be secured through the draft DCO [AS-004]?
WE.1.33	Applicants	Could the Applicants explain the proposed approach to mitigation of the potential short term, temporary impact to Redcar Coatham Bathing Water as identified at paragraph 9.6.13 of ES Chapter 9 [APP-091] and how this would be secured in the Development Consent Order. For example, how would the turbidity be identified, what would be the trigger point for no bathing, how would this be agreed with the Environment Agency and communicated to potential bathers?
WE.1.34	Applicants	Could the Applicants clarify whether measures outlined in section 9.5 of ES Chapter 9 [APP-091] are considered sufficient to mitigate the potential localised temporary moderate adverse effect to Tees Bay and Belasis Beck arising from accidental chemical spillage during construction to slight adverse (not significant) residual effect, or whether additional mitigation is required (and, if so, what it would comprise)?