Rebecca Shadlock
H2 TEESSIDE LIMITED
Chertsey Road,
Sunbury on Thames,
Middlesex,
TW16 7BP

Date: 07/08/2024

Dear Rebecca

We need more information about your application and underpayment of application charge

Application reference: EPR/AP3328SQ/A001
Operator: H2 TEESSIDE LIMITED
Facility: H2Teesside, Land at & in vicinity of former Redcar Steel Works, Redcar & in Stockton-on-Tees, Teesside, TS10 5QW

Thank you for your application received on 14/06/2024. The following is to confirm our conversations of 29/07/2024 and follow up meeting of 06/08/2024.

Missing information

We need to ask you for some missing information before we can do any more work on your application. Please provide us with more information in response to following questions and comments:

1. Reference: Application Form Part A1 6a (**contact details of Relevant Person**). Provide the contact details, including phone number and email address as a minimum, of at least one (or more) Company Director(s) or Company Secretarie(s).
   Notes: the contact details will be used to serve official notices, when required during the determination of the application.

2. Reference: Application Form Part B3 3a (**Regulated activities**).
   Notes: You have identified an activity Section 5.4,Part A (1)(a)(ii) Disposal of non-hazardous waste with a capacity exceeding 50 tonnes per day involving physico-chemical treatment.
   However, the Application Supporting Statement document also refers to biological treatment plant that will most likely consist of a different Section 5.4 A(1)(a)(i) activity, compared to the physico-chemical activity that you have already identified.
   Furthermore, the application document Appendix 9B: Water Quality Modelling Report (Plate 9B-2: Main Site Nitrogen Balance) refers to a denitrification process in both the ETP and Biological Treatment Plant, which makes us understand the ETP also consists of a biological treatment.
   However, the process description of the water and effluent treatment activities is not detailed enough to confirm the regulated activities, including number of treatment lines, types of activities and whether these are for recovery or

disposal of wastewater. Furthermore multiple disposal options are presented, which confuse the scope of the application.

a. Whilst we understand the reasons for considering options appraisals at early stages of the design, you should narrow them down to clearly **define the scope of the application for the environmental permit**. In particular, you should decide and clarify:
    i. Whether the application entails discharging of treated effluents to Tees Bay through the Net Zero Teesside outfall, as opposed to the Minimum Liquid Discharge (MLD) option entailing offsite disposal, or vice versa.
    ii. Whether surface water will be discharged to the river Tees or to the Net Zero Teesside outfall.

    Notes: We recommend at this stage to apply the most realistic and likely to materialise worst-case scenarios that capture the risk envelope for the proposed installation. Future changes will likely require variation of the permit, however it will be easier to vary the permit to reduce the environmental impacts than the other way round.

b. **Confirm the technologies, process units and design specifications of each water treatment plant**, namely (as referred to in the application documents):
    i. Water Treatment Plant,
    ii. Effluent Treatment Plant (ETP),
    iii. Biological treatment plant,
    iv. Surface water (stormwater) treatment if applicable
    v. Any other effluent treatment activities

    Notes: we acknowledge some information is already available in the submitted application documents, however we are seeking more detailed information and confirmation of the proposed plants' configuration at the basis of the environmental permit application. For example, it's not clear whether the ETP will also include a biological treatment stage with nitrification/denitrification, what biological treatment technologies are selected, etc. This will have a bearing on the list of scheduled activities. This information should be supported by process flow diagrams or block flow diagrams as requested in question 7. below to allow us to understand the proposal.

c. Provide a **more detailed BAT assessment for the proposed wastewater treatment technologies**, in particular against the BAT options listed in BAT conclusion 12 of the BAT Conclusions for Common Wastewater and Waste Gas Treatment/Management Systems in the Chemical Sector 2016 (CWW BAT conclusions). The assessment currently provided in 'Appendix C5 Assessment of Best Available Techniques For Emissions Management' is just a compliance statement, which we don't consider adequate to begin the determination of your application.

d. Amend any application forms and other application documents so it is clear the number of separate effluent treatment activities required.
    Notes: this has a bearing on the regulated activities in the scope of the application and application charges. Refer to other relevant section of this letter.

e. Amend any application forms and other application documents affected by the changes.

Notes: clarity and consistency across all the application documents are essential to carry out a meaningful external consultation on your application.

3. Reference: Application Form Part B3 3a (Regulated activities); and Part B2-3b & appendix 2. **Confirm whether feed of treated sewage wastewater is included in the scope of the permit application**. This is mentioned several times in the application documents, including but not limited to in the water balance diagrams provided in the Application Supporting Statement document.
This will have a bearing on the regulatory framework and activities applicable to the Water Treatment Plant. If wastewater is imported you will need to:

   a. Provide the specification / characterisation of the treated sewer feed water along with the waste codes you intend to accept.

   b. Assess the operating techniques in the Water Treatment Plant against the relevant BAT conclusions for Waste Treatment and Non-hazardous and inert waste: appropriate measures for permitted facilities - Guidance - GOV.UK (www.gov.uk). In particular, but not limited to, address operating techniques for pre-acceptance, acceptance, monitoring and off-spec management (e.g. in the case of off-spec treated sewage being received).

   c. If the treatment of the sewage effluent carried out at your installation consists of a Section 5.4 scheduled activity, provide evidence of technical competence certification/membership as required by Part B2-3b & appendix 2. Note, this requirement would not apply if the proposed treatment consists of a waste operation directly associated with the hydrogen production.

   If feed of treated sewage wastewater is not included in the scope of the application at this stage, confirm this clearly and if possible remove references from the application documents.

4. Reference: Application Form B2 2a (**Location of the site**). Location plan and permit boundary are adequate, however the location of site stated in application Form Part B2-2a (i.e. NZ 57691 24154) doesn't match permit boundary on the site plan drawing submitted with the application.

   a. Advise the correct coordinates corresponding to the approximate centre of the installation boundary.

   b. Amend application form B2, the application Site Condition Report and any other affected application documents to show the correct site location.

5. Reference: Application Form B2 -5a. Provide **adequate drawings** taking into account the following comments:

    a. Provide a **site layout /location plan showing all the emission points** to air and water (including surface water runoff), included in the confirmed scope of the application. Ensure process vents (e.g. CO_2 venting points) and flares are also shown as emissions points to air.

    b. The indicative site layout provided is not adequate as it doesn't provide the level of detail necessary to begin the determination of the permit, e.g. it does not identify water and waste water treatment activities, location of storage tanks and associated bunds, cooling towers, etc. Furthermore large part of the installation boundary seems to be unutilised according to the drawing provided, hence it is unclear what permitted activities will be carried out in those areas.

    c. The site **drainage plan** is not adequate as it doesn't provide the level of detail necessary for the determination of the permit, e.g. segregated drainage systems, connections to bunds, etc.

    Notes: if detailed drainage drawings are not available at this stage of the design, we would at least require a conceptual drainage schematic identifying the proposed drainage systems and illustrating the proposed drainage segregation and collection philosophy.

6. Reference: Application Part B2, 4d2 (Accident prevention and control measures).The Application Supporting Statement states the installation is going to be **regulated under COMAH**, but application form Part B2, 4d2 states the site is not covered by COMAH. Please clarify and, if applicable, amend application form Part B2 to confirm the applicability of COMAH Regulations to the proposed installation.

7. Reference: Application Form B3-3a (**Process Flow Diagrams**). Provide more detailed Process Flow Diagrams or Block Flow Diagrams for the hydrogen production process plants and utility systems (water/waste water treatment, blowdown and flares, storage tanks, etc.) showing the main equipment in the scope of the application.

    Notes: These are essential for us to understand the process in the scope of the application. Refer to form Part B3 guidance for the level of detail usually required, an excerpt of which is reported in the following for ease of reference:

    'Process flow diagrams should be provided for each plant shown on the layout plan and for each activity that you are applying for. The diagrams should be clear, legible and easy to follow, using identified symbols and colours in a consistent way to represent the individual plant and processes that are used. The diagrams should be labelled and, where required, provided with a key. The diagrams should show the inputs (including raw materials, wastes and energy) to each plant, the distinct stages of the processes and their outputs (including emissions and residual wastes). The diagrams must clearly show the flow direction of the process. The diagrams should also include other relevant details, such as bypasses, control loops, recirculation lines and

connections with other associated plant, and relevant operational values such as minimum, normal and maximum flow, temperature and pressure etc.'

Whilst we understand the level of detail required by our guidance might not be available at this stage of the design and we are willing to accept less detailed drawings (e.g. without operational values and material balance information), we consider the indicative process flow diagram provided in Appendix A of the application is not detailed enough to support the determination of the application.

8. Reference: Application Form B2-5b (**Site Condition Report**). Provide an amended SCR including the following information:

    a. Update the inventory of all the potential hazardous substances stored, used or generated on-site, including documentation of their physical properties and hazards, **documented by Material Safety Data Sheets (MSDS) for all the substances identified**. Please take into account the following:

        i. Include, among the others, the **MSDS for the amine-based solvent** which is likely to represent a Relevant Hazardous Substance (RHS) for the purposes of potential soil and groundwater contamination.

        ii. **Ensure the inventory is as complete as possible** (for example include foam used for firefighting, which is referred to in Appendix D – Qualitative Environmental Risk Assessment, but not included in the current SCR; cross-check against the list of raw materials presented in Table 4.1 of the Application Statement document).

    b. An **assessment of** which **hazardous substances**, out of those identified above, have a potential to cause soil or groundwater contamination, due to their physical status and properties, hazardousness, mobility, persistence and biodegradability. These are known as '**Relevant Hazardous Substances' or RHS**.

    c. A **site-specific environmental risk assessment addressing the actual possibility for soil or groundwater contamination** at the site of the installation, including the probability of releases and their consequences, during normal operations and accidental scenarios entailing loss of primary containment. This risk assessment should take into account the potential contaminations pathways and details of the proposed operational and design measures (e.g. secondary containment, etc.)

    Notes: the stages described above are also referred to as Stage 1 to 3, in the European Commission Guidance concerning baseline reports under Article 22(2) of Directive 2010/75/EU on industrial emissions (2014/C 136/03). Refer to this document for further guidance. Whilst we acknowledge that the current SCR provides an environmental risk assessment (Table 5.1), it does not present adequate information on the hazardous and physical properties of the substances stored, used or generated on-site and does not include MSDS to document these properties.

9. Reference: Application Form B3-3a (**BAT assessment and description of abatement/operating techniques**).

   Notes: The BAT assessment documents provided with the application state that the design is preliminary:

   'At this stage of project development, while the technology provider for the hydrogen production with carbon capture processes has been selected, the Installation has yet to undergo FEED and we have therefore applied an approach to the derivation of BAT which is driven by:

   • The technology licensors requiring commercial confidentiality of their process and solvent blend to be maintained;

   • To allow the FEED process to progress without limiting options for later technology selections'

   a. Identify specific information that you consider will require validation through pre-operational conditions.

      Notes: The option of validating information through pre-operational conditions should be limited to non-fundamental aspects of the design that don't have a significant bearing on the environmental performance of the installation. Other than in the limited instances where we might be able to agree to validation through pre-operational conditions, please note that the proposed operating techniques will be binding once the permit is issued, requiring a variation of the permit to be amended (unless they amount to minor operational changes that can be agreed in writing with our area regulatory officers).

   b. Advise the **commercial name and describe the key properties of the amine-based proprietary solvent** proposed to be used in the CO_2 capture process (along with providing the MSDS as requested above) and provide a justification for its selection, taking into account aspects such as the overall energy efficiency of the carbon capture and solvent regeneration strategy.

      Notes: This requirement was clarified during the pre-application, refer to pre-application minutes of meeting. At this stage we are not requesting detailed information on the composition of the solvent, beyond the information available in the MSDS, and we are willing to consider a claim for commercial confidentiality if you can demonstrate the information is not related to emissions. The need for detailed information on the composition of the solvent and the acceptability of a commercial confidentiality claim will depend on the identification of potential sources and pathway for emissions: we need to know the identities of chemical species potentially emitted to the environment and we are not allowed to accept confidentiality claims on information related to emissions. We are satisfied that the selected process configuration does not entail emissions of amines and their degradation products from the operations of the CO2 absorber column, unlike process configurations that consist of post-combustion carbon capture. However, the following questions are aimed at ascertaining whether

other potential emissions sources and pathways require further assessment, which might warrant requesting and disclosing the components of the amine-based solvent, prior to duly making the application.

c. Provide additional details and a **BAT assessment of the proposed abatement techniques on storage tanks for the amine-based solvent** to demonstrate whether these consist of an effective break to the potential emission pathways of outbreathing emissions from this storage.

   Notes: The Application Supporting Statement states that, due to the potential toxicity and odorous nature of emissions associated with the venting of amine, it is considered that abatement may be required on the breather vent for the storage tank and that these requirements, with full consideration of BAT, will be considered at FEED stage. We consider we need detailed information on this matter prior to duly making your application because of the potential environmental risk entailed, implications on the level of information needed on the composition of the solvent and assessment of a potential confidentiality claim.

d. Describe the operating techniques and the drainage philosophy for drainage of process equipment, and **process effluents contaminated or potentially contaminated with amines**, taking the following into account:

   i. Advise whether a closed drain system is provided for maintenance drainage of equipment and pipework containing the solvent; and advise whether any amine contaminated maintenance drain will be either recycled to the solvent system, disposed offsite as a waste, or drained to the effluent treatment plants in the scope of the installation.

   ii. Identify any process effluents generated during the normal operations of the activities that might be contaminated with amines and advise whether any amine contaminated process effluents will be either recycled into the solvent system, disposed offsite as a waste, or drained to the effluent treatment plants in the scope of the installation.

   iii. If amine contaminated effluents are intended to be drained to the effluent treatment plants in the scope of the installation, and the final treated effluent is discharged to the environment, as per the Net Zero Teesside discharge option to the Tees Bay:

      - Provide the characterisation of these effluents, including the speciation of the amines;

      - Discuss and confirm the suitability of the proposed technologies (as further detailed in response to item 2) to treat amine-contaminated waste water streams;

- Assess whether any residual concentrations of amines might be present in the effluent discharge and, in the positive, update the environmental risk assessment for discharges to water (and associated modelling) to assess the impacts associated with their discharge on the recipient water body.

  Notes: You might need to derive and propose Predicted No Effects Concentrations (PNEC) to carry out this assessment, if there are no established EQS for the amines in the discharge.

- Provide methods to be implemented (sampling and analysis) for detection of amines in the discharge effluent.

10. Reference: Application Form Part B3-Appendix 1 (**combustion activities**).

    Notes: Table 2-1 of the Application Supporting Statement states that the aggregated combustion activities will consist of:

    Section 1.1 Part A(1)(a): Burning of any fuel in an appliance with a rated thermal input of 50MW or more. Operation of :

    • *auxiliary steam boilers with a capacity of up to 80 MW for both phases.*

    • *fired startup heaters with a combined capacity of 20MW.*

    • *Emergency back-up generators for black start, diesel driven fire water pump and emergency diesel driven compressor.*

    Clarify the classification of combustion activities, and amend the relevant application documents as required, taking into account the following comments:

    a. It is unclear whether the stated figures are net rated thermal inputs as opposed to power outputs. **Please clarify and, if applicable, amend to show the net rated thermal (i.e. based on LHV of fuels)**.

    b. It is unclear whether each Auxiliary boiler consists of 80 MW thermal input or 40 MW thermal input. Table 4.2: 'Breakdown of energy consumption per phase' of Application Supporting Statement document shows for the auxiliary boiler in each phase a thermal input of 103.64 MW. This makes the difference between auxiliary boilers being either LCP or MCP, given that they have individual stacks; this is essential to determine the applicable ELVs and BAT requirements.

    c. The Fired Heaters are likely to be new MCP in any case, however 'Table 4-2: Breakdown of energy consumption per phase' of Application Supporting Statement document shows for the Fired Start-up Heater in each phase a thermal input of 6.9 MW which is not in line with the information presented in Table 2-1.

d. Since the Fired Heaters are MCP, confirm whether you still intend to propose the emission levels and monitoring routine for these pieces of equipment by referring to LCP BREF, as stated in comments to table 6.1 of the Application Supporting Statement. In principle, this might acceptable to us, however it is likely to result in stricter emission limits and monitoring requirements in the permit, compared to setting them according to MCPD.

e. **Provide the specific information required for each MCP according to Application Form Part B3**, Appendix 1 – 13. This should be provided using the Environment Agency's MCP spreadsheet: https://assets.publishing.service.gov.uk/media/64ff30891886eb000d9770d9/MCP-generator-list-v3.ods

f. Include the Emergency back-up generators for black start, diesel driven fire water pump and emergency diesel driven compressor if these pieces of equipment have net rated thermal inputs above 1 MW; or confirm if they are below 1 MW (you don't need to advise the net rated thermal input for equipment below 1 MW).

g. **Provide a signed declaration for each MCP intended to be operated for less than 500 hours per year** as a rolling average over a period of three years, as required by Application Form Part B-3 Appendix 1 – 13 *'Where the option of exemption under Article 6(8) is used the operator (as identified on Form A) should sign a declaration here that the MCP will not be operated more than the number of hours referred to in this paragraph'*. This is essential to determine which pieces of combustion equipment are exempted from MCPD emissions limits.

h. Application document 'Appendix C2 Assessment of Best Available Techniques for Large Combustion Plant' states that **BAT 55 - 59 for combustion of process fuels from chemical industry** are not applicable. This seems to be incorrect in that the tail gas from the PSA units proposed to be combusted in the Auxiliary Boilers meets the definition of 'process fuels from the chemical industry' provided in the LCP BAT conclusions (i.e.: 'Gaseous and/or liquid by-products generated by the (petro-)chemical industry and used as non-commercial fuels in combustion plants'). This is in line with the advice we gave you as part of pre-application discussions. If the Auxiliary Boilers are confirmed to be LCP:

    i. Assess compliance against these BAT conclusions and associated BAT-AELs and amend the application document Appendix C2 Assessment of Best Available Techniques for Large Combustion Plant'

    ii. Review and if applicable amend the emission limit values identified for the Auxiliary Boilers in table 6.1 of the Application Supporting Statement and the inputs to the air dispersion model presented in Appendix 8B: Air Quality – Operational Phase.

11. Reference Application Form B2-6 (**Air Emissions Risk Assessment**) and Environmental Statement Volume III – Appendix 8B: Air Quality – Operational Phase.

    Provide an **updated Air Quality – Operational Phase air emissions risk assessment** addressing the following comments:

    a. 'Table 8B-2: Emissions Inventory per Unit', include the fuel combusted in each emission source and scenario and operational hours;

    b. 'Table 8B-3: Emissions Concentrations and the Assessed Emission Rate per Units', include the reference conditions applicable to each emission limit value (ELV) identified (i.e. reference oxygen concentration, dry basis, reference pressure and temperature).

       Notes: we have not been able to replicate the calculation of the emission rates (g/s) from the emissions concentrations provided in this application document.

    c. 'Table 8B-3: Emissions Concentrations and the Assessed Emission Rate per Units', for a number of pollutants note 1 states 'No emission rate supplied'. Amend to clarify whether the emissions of these pollutants are expected to be nil or trivial;

    d. Reconcile the emission levels used as inputs to the air dispersion modelling exercise with the proposed emission limits for each piece of combustion equipment, noting the following:

       i. The emission levels for the Fired Heaters stated in Table 8B-3 don't match proposed emission limits in Table 6.1 of Environmental Permit Application Supporting Statement (which however, might need amending, see item 10.d. above). Furthermore, it is unclear whether the fired heaters are constrained to operate for less than 500 hours per year, so that MCPD emission limits don't apply. If MCPD emission limits apply to fired heaters, the emission levels used as inputs to the air emissions risk assessment are unlikely to be compliant.

          Similarly, the emission levels for the Auxiliary Boilers don't match the proposed NOx yearly average level of 60 mg/m^3 stated in Table 6.1 of Environmental Permit Application Supporting Statement, although these seem to be close to the proposed emission level of 80 mg/Nm^3 when using tail gas.

          Refer also to question 10.h. requesting to review compliance with the LCP BAT-AELs for combustion of process gas in the chemical industry.

          Please clarify/amend as appropriate.

       ii. The NOx emission levels for the emergency diesel generators presented in Table 8B-3: Emissions Concentrations and the Assessed Emission Rate per Units' don't seem to reflect the information provided in 'Appendix C2 Assessment of Best

Available Techniques for Large Combustion Plant'. This states compliance with TA Luft 2g or US EPA Tier II, which would normally entail NOx emission levels around 2,000 mg/m^3 at 5% reference oxygen. Attaining the NOx emission levels used in the air emission risk assessment (i.e. 195 mg/m^3) is likely to require using Selective Catalytic Reduction (SCR), although this is unclear due to lack of actual/reference oxygen and moisture information.

1. Provide the actual oxygen and reference oxygen and water missing for diesel generators; note that reference conditions are requested above for all emission sources.

2. Confirm emission levels for the emergency diesel generators consistent with the proposed specification / abatement techniques for this equipment.

3. If applicable, amend the inputs to the air emissions risk assessment for the diesel generators.

4. If SCR is used for the diesel generators, ammonia emissions due to ammonia slip should be considered as well or a justification should be provided for not including this pollutant.

e. Emission parameters for the **flare**(s).

   i. Clarify the **number of flares** and amend the application documents as appropriate: only one flare is included in the air emissions risk assessment, whilst the application document 'Appendix C5 Assessment of Best Available Techniques For Emissions Management' states that a 'flare system will be provided for each phase' and talks about flares (plural).

   ii. Provide the physical (actual) stack height of the flare

   iii. Provide a **methodology statement and calculations to work out the effective stack height and effective diameter of the flare** (or explain whether these are calculated by the modelling software).

   iv. Provide calculations, **methodology statements and supporting information at the basis of the estimates of the emissions from the flare** (e.g. composition of flared gas in the modelled scenarios, combustion calculations, methodology to work out emission levels, such as emission factors or equipment manufacturer data, etc.).

f. If any of the amendments affect the air dispersion modelling exercise, provide updated modelling files.

12. Reference: Application Form B2-6 (**Air Emissions Risk Assessment – CO_2 venting assessment**). Provide a risk assessment for emissions associated with venting of concentrated / pressurised carbon dioxide inventories,

according to scope, methodology and advice provided during the pre-application.

13. Reference: Application Form B6 (**Point source emission to water from an installation**) and supporting documentation

    a. The Application document 'Appendix L - Appendix L Water Quality Assessment - H2Teesside ES Chapter 9 Surface Water, Flood Risk and Water Resources' is a chapter of the environmental statement, i.e. a planning application document. Whilst this document is useful as a reference, it does not fulfil the requirements of the EPR permit application. Please consider extracting the parts that are relevant to the permit application and resubmitting them, either as a standalone document, or as part an expanded/amended version of either the Application Supporting Statement or Water Quality Modelling Report.

    b. Application document 'Appendix L - Environmental Statement Volume III – Appendices Appendix 9B: Water Quality Modelling Report Document Reference: 6.4.10' states that it is anticipated that a further stage of water quality modelling will be carried out following finalisation of the proposals, including water treatment methods and that this will be required as part of the Environmental Permit application for operation of the Main Site (i.e. the installation in the scope of this environmental permit application). Please clarify whether another environmental permit water quality modelling report is going to be submitted as part of this application and the anticipated timeline for submitting it.

       Notes: for us to duly make your application, you will need to ensure that the proposal is reasonably finalised and that a representative risk assessment is submitted before duly making.

    c. Application document 'Appendix L - Environmental Statement Volume III – Appendices Appendix 9B: Water Quality Modelling Report Document Reference: 6.4.10' provides in Table 9B-4 Flows and Pollutant Loads for Modelled Main Site Discharge. If the discharge to the Tees Bay through the Net Zero Teesside outfall is confirmed to be in the scope of the application, as requested to confirm in response to question 2.a., please:

       i. **Explain how the above values have been derived** (e.g. based on operational plant data or other method of performance assurances including material balances and engineering calculations), in consideration that much of the technology to be employed is still not decided upon.

       ii. Provide any **raw data, process units' effluent summaries, effluent treatment units design specifications, list of assumptions and supporting narrative**, necessary to understand how you have estimated the quality and composition of the effluent proposed to be discharged through the Net Zero Teesside outfall.

iii. Confirm that, on review of the processes, raw materials, additives and chemicals used at the installation, you have not identified any additional potentially hazardous chemicals, with established EQS in our published guidance:

- https://assets.publishing.service.gov.uk/media/60e85aa08fa8f50c75b6ad32/Estuaries_and_coastal_waters_specific_pollutants_and_operational_environmental_quality_standards.ods

- https://assets.publishing.service.gov.uk/media/6217c303e90e0710be035467/Estuaries_and_coastal_waters_priority_hazardous_substances__priority_substances_and_other_pollutants_environmental_quality_standards__2_.ods

or any additional potentially hazardous chemicals for which Predicted No Effects Concentrations (PNECs) might need to be used.

iv. Refer to question 9.d. above for **process effluents contaminated or potentially contaminated with amines** associated with the carbon capture solvent.

v. Provide the **water quality modelling input files** (section 9B.5).

Missing application payment

Unfortunately, the application payment you sent is incorrect. Based on the information available, we estimate that the correct application charge is £50,375.40. You've paid £40,664.00. **This leaves a balance of £9,711.4 to pay**. A breakdown of the estimated outstanding balance £9,711.4 is provided in the following:

- Missing activity for biological treatment plant Schedule 1 S5.4 A(1) (a) (i) – chargeable at £6992.0 (i.e. 50% of ref. 1.16.2.1)
- Missing activity for second biological treatment plant within the Effluent Treatment Plant Schedule 1 S5.4 A(1) (a) (i) – chargeable at £1,398.4 (i.e. 10% of ref. 1.16.2.1 for repeated activity)
- Missing activity for second train of hydrogen production – chargeable at £1,321(i.e. 10% of ref. 1.4.4 for repeated activity)

However the application charges cannot be confirmed until the scope of the application is clarified more clearly and more detailed technical description is provided for the effluent treatment activities (see questions above).

Outstanding pre-application balance to be paid

Pre-application fees for EPR/AP3328SQ/P001 of £1750 + VAT are showing outstanding in our system. You must pay this outstanding balance before we can duly make your application. If you have already paid this charges, please provide suitable evidence so that we can track the payment.

Next steps

Please reply directly to the system generated email

RESP-notifications@defra.gov.uk

with your information and confirmation of payment and copy in

francesco.distefano@environment-agency.gov.uk and

mark.taylor@environment-agency.gov.uk

According to our processes you should send us the information and payment within 10 working days from the date of this letter. Details of how to pay are given in Part F of the application form.

We acknowledge that, given the extent of the information requested, it might not be possible for you to provide the missing information and amend the application documents to a satisfactory quality level within this tight timeframe. **Hence we are currently minded to return your application as non-duly made**.

However, taking into account the information presented in the prioritisation request letter submitted with the application, we are exceptionally willing to consider a reasonably short extension to the timeline set out in our process**.**

If you are not able to provide the missing information and payment within 10 working days, **please advise by 30/08/2024 the shortest possible time needed to provide all the information requested in this letter, amend the relevant application documents and pay the outstanding fees**.
This exceptional deadline takes into account limited availability of our personnel due to planned annual leave.

We will review the proposed extension and we will let you know whether we can exceptionally accommodate it, according to our priorities, capacity and workload. If we decide that we cannot accommodate the extended timeline requested by you to provide the additional information, we will return your application. Hence it is essential, in the interest of progressing this case, that you provide the missing information and pay for the outstanding charges as soon as practically possible.

As an alternative option, you may request to progress your case as a **staged application**. This means that we will continue to review your application and wait for missing information to be submitted according to an agreed timetable, prior to duly making a complete application. In this case, the timeline for submitting the missing information could be relatively longer in order to accommodate design developments. However, please note that we won't duly make the application until all the information is received.

More information on the staged application process can be found here: Send environmental permit application information in stages - GOV.UK (www.gov.uk).

If you decide to progress your application according to the staged process, write to us by **30/08/2024** to confirm your intention and provide a detailed proposal setting out the proposed timetable with the dates of when you will submit each piece of information either missing or requiring amendment according to this letter. You won't

need to pay for the missing application payment identified above if the case is progressed as a staged application, as in this case we will invoice you on a time and material reimbursable basis. You will still need to pay for the outstanding pre-application balance.

If we don't hear from you by the deadline set out in this letter we will return your application.

If we receive what is missing within the agreed deadline, we will continue to check your application. We'll check to see if there's enough information for the application to be 'duly made'. Duly made means that we have all the information we need to begin determination. Determination is where we assess your application and decide if we can allow what you've asked for.

We'll let you know by email whether your application can be duly made. If it can't be duly made, we'll return your application to you.

If we do have to return your application we'll send you a partial refund of your application payment. We'll retain 20% of the application charge to cover our costs in reviewing your application. This maximum amount we'll retain is capped at £1,500. Further information on charging can be found at: https://www.gov.uk/government/publications/environmental-permits-and-abstraction-licences-tables-of-charges

We'll assess your claim for confidentiality once your application is duly made.

At this stage we have not carried out a detailed review of the application documents, hence we will likely need to ask additional questions during the determination of the application, when this is duly made. It is therefore essential that the design of the installation in the scope of the proposal continues to progress and you have sufficient level of resources to respond to more detailed questions that may arise during the determination of the permit application.

Note: Our email system has a file size limit of 25MB, if your returns exceed this limit you will have to arrange an online file transfer. Please ensure the file transfer link does not have a time limit on it.

If you have any questions, please phone us on 020 847 45726 or email francesco.distefano@environment-agency.gov.uk.

Yours sincerely

Francesco Di Stefano
Principal Permitting Officer

Mark Taylor
Principal Permitting Officer