



APPLICANT'S RESPONSE TO THE RULE 17 LETTER: 9.22

DECARBONISATION

Cory Decarbonisation Project

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Revision A

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1. BACKGROUND

- 1.1.1. This document has been prepared to respond to the Examining Authority's Rule 17 Letter – Request for Further Information – Applicant and Environment Agency (PD-013) relating to the Water Framework Directive assessment, compliance and timescales. The Applicant has provided a response to the questions raised by the Examining Authority within **Section 2** of this document.

2. APPLICANT'S RESPONSES

2.1. ADDITIONAL SEDIMENT SAMPLING

- 2.1.1. **Question R17Q1.1** - What are the specific dates that the additional sediment samples have been, or will be, taken?
- 2.1.2. **Applicant Response:** The sediment sampling was undertaken between 13-17th December 2024. The data from the sediment sampling was returned to the Applicant from the MMO approved laboratory on 6th February 2025.

2.2. SAMPLING SCHEDULE

- 2.2.1. **Question R17Q1.2** - If, as the Environment Agency indicate, sampling is not planned to be undertaken until March 2025, it has not been explicitly stated why samples cannot be taken earlier; please can the reason be explained?
- 2.2.2. **Applicant Response:** As stated above, the sampling has been undertaken. The Applicant has, and continues, to discuss the sampling with the Environment Agency and the Marine Management Organisation (MMO) (including the Centre for Environment, Fisheries and Aquaculture Science (CEFAS)).

Relevant Data

- 2.2.3. **Question R17Q1.3** - Are these samples the only relevant data outstanding to inform a thorough WFD assessment?
- 2.2.4. **Applicant Response:** Yes, the sediment sampling (at depth) has been the only relevant outstanding piece of data that has been requested by the MMO and the EA. It should be noted that surface sampling was previously undertaken on three occasions; 18th May, 19th June and 21st September 2023. The Applicant can confirm that its initial analysis of the data from the December 2024 sediment sampling is that it has validated the mitigation measures presented within the WFD Assessment (presented as **Appendix 11-1: Water Framework Directive Assessment of the Environmental Statement (Volume 3) (APP-106)**).

Scope of Technical Note

- 2.2.5. **Question R17Q1.4** - The Applicant refers to the preparation of a Technical Note and the Environment Agency to a revised WFD Assessment. Is the intention for the Technical Note to inform a revised WFD Assessment? Please can the Applicant clarify the documentation in which the data and analysis will be presented? For the avoidance of doubt, please can the Environment Agency confirm what documentation they are expecting?
- 2.2.6. **Applicant Response:** The Applicant is preparing a Technical Note that will present the findings of the December 2024 sediment sampling and present the evidence which validates that the mitigation measures presented within the WFD Assessment remain appropriate.

Submission Timescales

- 2.2.7. **Question R17Q1.5** - What is the specific timescale for analysing samples and presenting the findings and Technical Note/revised WFD Assessment to the EA?
- 2.2.8. **Applicant Response:** A Technical Note will be submitted into the Examination at Deadline 5 in March 2025. In advance of this, the Applicant intends to ask that the Environment Agency and MMO (including CEFAS) to provide any initial comments on the Technical Note between the 7th and the 14th March 2025.

Review Timescales

- 2.2.9. **Question R17Q1.6** - What arrangements have been made between the Applicant and the Environment Agency to ensure the timely consideration of the Technical Note/revised WFD Assessment that is presented to the Environment Agency?
- 2.2.10. **Applicant Response:** The data from the sediment sampling was returned to the Applicant from the MMO approved laboratory on 6th February 2025. Meetings with Environment Agency and the MMO (including CEFAS) will be held in February 2025 to discuss the sediment sampling data ahead of the Technical Note being submitted for review by the Environment Agency and MMO. As set out in **Paragraph 2.2.8** the Applicant will submit the Technical Note into the Examination at Deadline 5 in March 2025.

Timescale for Submission

- 2.2.11. **Question R17Q1.7** - When is it anticipated that the Technical Note/ revised WFD Assessment, and the EA's commentary on its acceptability, would be submitted into the Examination?
- 2.2.12. **Applicant Response:** The Applicant intends to submit the Technical Note to the Environment Agency and MMO (including CEFAS) by 7th March 2025. The Applicant intends to ask that the Environment Agency and MMO (including CEFAS) provide any initial comments on the Technical Note by 14th March 2025. The Applicant will then submit the updated version of the Technical Note into the Examination at Deadline 5 in March 2025.

Mitigation Measures

- 2.2.13. **Question R17Q1.8** - Should the results of the sediment sampling necessitate additional mitigation measures, what are the anticipated timescales for the development of these in consultation with stakeholders and the anticipated submission of any revised documents?
- 2.2.14. **Applicant Response:** The Applicant does not consider that any additional mitigation measures are required, based upon the initial reviews of the data. The Applicant will confirm this with the Environment Agency and the MMO (including CEFAS) before Deadline 5 in March 2025. The Applicant also intends to submit an updated Statement of Common Ground with both the Environment Agency and the MMO at Deadline 5.



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