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Date: 29 October 2018

Ms N Williams
Case Manager
Energy Infrastructure Planning
Department for Business, Energy and Industrial Strategy (DBEIS)
Level 3 Orchard 2
1 Victoria Street
London
SW1H 0ET

Dear Ms Williams

APPLICATION ON BEHALF OF TATA CHEMICALS (EUROPE) LIMITED TO VARY THE SECTION 36 CONSENT DATED 2ND OCTOBER 2012 FOR AN ENERGY FROM WASTE GENERATING STATION AT LOSTOCK, NORTHWICH, CHESHIRE

We write on behalf of TATA Chemicals (Europe) Limited (the 'Applicant') in respect of the above application and in particular to address the further responses you have received to our application from third parties.

Our letter of 24th September addressed the issues raised within the consultation responses received in the consultation period ending on 7th September 2018, and the points made therein, stand. This letter addresses responses received from BEIS after the close of consultation period, which you have forwarded to TATA for further comment.

A number of responses refer to "unknown" or "mysterious" fuel being used in the Lostock plant and request details of the precise fuel calorific value.

- It is not correct to assert that there is any change in the fuel type which will fuel the Lostock plant. We confirm that the fuel used by the plant will comply with the requirements of the consent: namely condition 31 (which has been discharged by CWACC) and condition 32 (prohibiting biomass). As previously confirmed, the plant will not use biomass as a fuel source.
- The calorific value ("**CV**") of fuel is not specified by the consent. It should be recognised that the CV value of the fuel presented to the plant will vary from time to time, but the plant will always operate within the boundaries of the consent.

Several responses refer to a change in the basis on which the Lostock plant was consented.

- The consent does not specify minimum levels of electricity or steam to be exported, and the original section 36 application contemplated both the export of power to the grid and the supply of steam to Tata in accordance with Tata's commercial requirements. It continues to be the case that the Lostock plant will export electricity to the grid and be capable of supplying steam to the Tata plant in accordance with its requirements.

A number of responses to the consultation suggest that another environmental impact assessment should be undertaken to take into account the cumulative effect of this application and the other waste to energy developments for which planning consent has been granted.



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- The environmental effects of the higher power output were scrutinised in detail during the Screening process which resulted in the Secretary of State issuing a Screening Opinion which concluded that the variation application is not EIA development as it would be unlikely to have significant effects on the environment.
- Further, the DBEIS letter of 20th June confirmed that the Local Planning Authority (Cheshire West and Chester Council), *"having assessed the characteristics, location and impact of the proposed variations, concluded that the proposed development is unlikely to have a significant effect on the environment and recommended that an EIA is not required"*.

In light of the above we trust the department now has enough information to recommend and for the Secretary of State to issue a favourable decision on our application. Should you have any queries please do not hesitate to contact me.

Kind regards,

Yours sincerely
For RPS

A handwritten signature in black ink, appearing to read 'Christopher LeCointe', written in a cursive style.

Christopher LeCointe
Director of Environmental Planning