



29 September 2021
Ref – 40513-WOOD-XX-XX-CO-T-0003_A_1

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Dear Mark,

NPA letter dated 8 September 2021

In response to the letter sent by you dated 8 September 2021 which raised a number of queries from the National Park Authority, please find enclosed the responses from Wood on behalf of ICL Boulby.

The numbering used follows that in your letter for ease of reference:

1) Phased deconstruction and approach to dealing with waste arisings

a) The photomontages provided within the Landscape and Visual Impact Assessment assume a 50% reduction in height of the main processing building as part of the phased deconstruction proposals. Are you in a position to provide an update on the validity of this assumption and/or an updated estimate of the expected height reduction in the light of knowledge and experience gained by the applicant over the period since submission of the application?

ICL Boulby response: From the information available to ICL Boulby at this point in time, they can confirm that the 50% reduction in the height of the main processing building is a valid estimation of the height reduction expected and that they are happy for any permission granted to confirm the reduction at 50% of its current height.

b) Further information already provided has given an indication of the expected volume of waste arisings resulting from the phased deconstruction, with an indication of how much is likely to require removal off-site. It would be helpful if further clarification could be provided as to how the applicant would seek to ensure that these waste arisings, including those removed from the site, would be managed in accordance with the principles of the waste hierarchy, as required by local and national planning policy.

ICL Boulby response: All waste arisings produced would be the responsibility of the demolition contractor to remove from the Boulby site for disposal. As such, ICL Boulby cannot provide guarantees on exactly how or where these arisings would be managed. However, each demolition contract issued would contain a requirement for the contractor to remove and dispose of waste in accordance with ICL Boulby's internal guidance on waste management, which accord with the principles of the waste hierarchy. These factors would be considered by ICL Boulby during their procurement of a contractor and would be part of the performance management of the contractor during the works. It is therefore considered that ICL Boulby can effectively manage this process to ensure that waste is appropriately managed.

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2) **Relocation of processing activities off-site**

The ICL Secondary Products Briefing Note of 5 July 2021 provided a general update on progress with product development and site identification for an off-site processing plant. However, it would be helpful if you could clarify the latest position on these matters in order that we can advise members accordingly. As part of this, it would also be helpful if you could clarify the latest position with regard to the volume of sales of ICL Boulby products, including an updated target for 2021 and the 2020 actual figures, including the balance of UK sales and exports. It is appreciated that some of this information may need to be provided in confidence.

ICL Boulby response: the Briefing Note provided dated 5 July 2021 remains the most up to date position on the progress for an off-site processing facility on Teesside. Information on the extraction and figures for 2020 and 2021 are provided in a separate note which is provided as a confidential appendix to this letter.

3) **Greenhouse gas emissions and Policy ENV8 carbon off-setting**

a) Representations received from Anglo American (available on the Authority's website) make a number of points about the applicant's approach to calculation of the GHG emissions from the development, both in relation to the ICL proposals specifically and in comparison with the Woodsmith Mine development generally. It would be helpful if you could provide a response or clarification as appropriate to the various points made.

ICL Boulby response: The Anglo-American representation makes two key points in regard to greenhouse gas emissions: firstly is that the calculations are incorrect because they do not consider greenhouse gas emissions from the use of off-site processing facilities, and secondly that a comparison of the Woodsmith Mine greenhouse gas emissions is inappropriate as they are not like for like comparisons.

In response to the first point, the development being applied for does not include the other developments Anglo-American identify (off-site processing facilities) because these will be outside of the National Park. We understand from the national Park Authority that this is how the policy has been applied previously (including for the Woodsmith Mine planning application).

On the second point, the comparison with the Woodsmith Mine does not indicate that this is a like for like comparison of operations. It has simply been used as a tool to show the scale of CO2 emissions from Boulby against what was contained in the Woodsmith Mine application.

b) Your email of 3 August 2021 indicated that ICL were looking to undertake additional desk-based verification of peatland condition within the National Park in order to further validate assumptions made about the area/s to be restored and the likely costs associated with this. It would be helpful if you could provide a further update on progress with this.

ICL Boulby response: Work is ongoing on this matter and the Yorkshire Peat Partnership (YPP) has been contacted to arrange a meeting to discuss this in more detail. Information from the YPP shows that there is has been around 5000 ha of peatland within the North York Moors National Park area identified for study to 2020, of which over 2,750 ha has been subject to initial survey work by the YPP and identified as potentially suitable for restoration works. ICL Boulby will need to identify around 865 ha of peat moorland to restore so these figures give good confidence that sufficient land will be able to be identified for the purposes of this application.

4) **Economic and socio-economic information**

a) It is understood that further documentation may be available which provides additional explanatory and methodological context to the economic and socio-economic data presented in Powerpoint slide format in the Oxford Economics Summary of economic impacts document of 3 June 2021. It would be helpful if this additional clarification could be provided.

The main report behind the presentation provided with this letter on a confidential basis.

b) Although not specifically raised in representations, it would be helpful if you could clarify the expected impact on employment levels at the Boulby Mine site within the National Park when processing activities are relocated off-site post-2027.

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ICL Boulby response: The planning application identifies that employee numbers at Boulby are expected to reach around 820 in 2023 when polyhalite excavation is expected to reach 1.3 million tonnes per annum. The key driver behind employee numbers is the volumes of extraction and the number of staff required to extract and move these volumes around the Mine. The number of employees engaged in the processing of the mineral will also fluctuate with the volume, but to a much smaller degree than the extraction teams. In 2027, when some of the processing works are moved off-site, employee numbers would drop by about 60 from the Boulby Mine site.

5) EIA technical issues – traffic/transport, noise, ecology

The representations received from Anglo American raise a number of further issues about the approach taken in the EIA to the assessment of traffic and transport, noise and vibration and ecology (in addition to matters relating to assessment of Greenhouse gas emissions referred to in 3) above). In some instances the point is raised that the Assessments carried out appear to underestimate the significance of the adverse impacts that could arise. The Authority will be particularly keen to ensure that potential impacts from noise and vibration are fully assessed with appropriate mitigation identified where necessary, given the relatively recent history of complaints about noise from the development. In this respect your attention is drawn to representations received from CPRE (available on the Authority's website) which also raises concerns about the approach to assessment of noise, particularly at night-time. It would therefore be helpful if you could provide a response to the various points raised in these representations in order that the Authority can determine whether any further environmental information, or further advice, is required on some or all of them.

ICL Boulby Responses:

Noise. Five points were raised in regard to noise

- i. Receptor sensitivity has been accounted for through the selection and application of the criteria, which are relevant for residential receptors. The criteria are set out in section 6.3 of the updated ES noise chapter (March 2021).*
- ii. An objective assessment of the deconstruction works was made and this element scoped out, based on information on the expected works. We do not consider that a quantitative assessment is needed to make a judgement on the potential effects that might arise from these temporary works. This is further detailed in section 2.3.2.1 of Environmental Statement: Further Information April 2021.*
- iii. We believe that the approach to dealing with the issues associated with the weather monitoring linked to the baseline noise measurements was appropriate and sufficient for the purposes of the assessment. A degree of uncertainty is inherent in all environmental noise monitoring and reasonable steps were taken to minimise these uncertainties, as is the norm for environmental noise monitoring.*
- iv. (a) No new plant is to be installed as part of the proposed application and therefore no details have been provided.
(b) No plant is proposed to be moved as part of the proposed application and therefore no details have been provided.
(c) It is considered that the site layout changes will have minimal impact on noise levels compared with the noise level reduction expected due to removal of noise generating equipment and processes.*
- v. As indicated in the question, an overall reduction in the specific noise level will result from the removal of equipment and processes. This will reduce the difference between the rating level and the background noise level, thus reducing the level of impact in the numeric part of the BS4142 assessment. This was not quantified in the ES for the reasons stated in the updated Chapter 6. Given the overall expected noise reduction, and the dominant influence of a single piece of plant on the penalty added for tonality in the BS4142 assessment, it is considered highly unlikely that the lower noise level and any acoustic features of remaining equipment will combine such that the features become more apparent to the point where the report conclusions would become invalid. The above conclusion is supported as set out in section 6.6.5 of the updated Chapter 6: the System 7 fan has given rise to noise complaints due to its tonal nature. Since these complaints were made, the mine has operated at night-time without the System 7 fan running, and modifications have now been made to the fan to reduce its tonality. No further complaints with respect to tonal noise have been received since these modifications were made, including during some trial runs during night-time hours. This is taken as a positive indication that there will not be an issue with other noise features becoming obvious.*

Traffic and transport. Four points were raised in relation to traffic and transport

- i. *The targets identified in the Travel Plan are based on the SMART criteria (Specific, Meaningful, Achievable, Relevant and Timebound). Of particular relevance in response to the comment is the need for the targets to be achievable. The aim of the Travel Plan is to promote the use of sustainable transport modes to minimise the amount of traffic where possible. However, a pragmatic approach needs to be considered that is based on:*
 - *the scale of development in terms of trip generation (noting that there isn't additional staff traffic generation)*
 - *the operation of the development which will affect trip generation and modal choice, e.g. shift patterns will limit opportunities for car share and travel by bus, cycle and foot will not be feasible or preferable for night-time or early morning shift start and finish times. As set out in Tables 3.3 and 3.4 of the Travel Plan, there are multiple working patterns in operation, a number of which mean that travel by bus is not feasible and travel by bike may not be desirable.*
 - *site location and viability of travel choice in terms of availability of public transport and feasibility of walking and cycling.*

The Travel Plan has considered these factors and rather than offering unrealistic modal targets, has focussed on what is achievable, which is maintaining the existing modal shares. This is an approach which has been accepted by the highway authority, North Yorkshire County Council (NYCC).

- ii. *The Traffic and Transport chapter does not need to consider the road network outside of the study area. The development traffic disperses onto a wider network and the effects are negligible. The increase in traffic is within the permitted 66 loads per day, which equates to 132 HGV movements (66 in and 66 out). This is accepted by the highway authority, NYCC.*
- iii. *The Traffic and Transport chapter identifies that the % change in HGV flows on the eastern and western routes is greater than the thresholds identified and an assessment of the environmental effects on both routes has been undertaken and is reported on.*
- iv. *The potential increase in HGV traffic is within the permitted limit of 132 HGV movements (66 in and 66 out). The increase from the recorded baseline equates to an additional 94 HGVs over the 12 hour period, which is an average of seven HGVs per hour or one HGV every eight minutes. The assessment of environmental effects of this increase in permitted HGV traffic is clearly reported and not underestimated.*

Ecology

A comment is made that details of the bat boxes proposed on the site should have been provided in the Ecology assessment. As noted in the application, the details of these bat boxes would be provided through the Habitat Management Plan which the application identifies would be covered by a condition. These are recommended as an enhancement feature, rather than a mitigation feature, and therefore it is appropriate to provide the details at that point.

There is also a query around the inclusion of the 'additional' ecology surveys dating from 2019. As the application was submitted in 2019, these ecology surveys were provided with the Environmental Statement in the original application submission.

Commitment to phased demolition

The letter concludes with a section re-iterating the need for ICL Boulby's commitment to the "planned demolition of superfluous buildings/plant/equipment set out in the application and transfer of MOP/Polysulphate processing off-site (points 1 & 2 above)".

ICL Boulby is not aware of anything within the application, or within any of the discussions they have held with the NPA since the submission of the application, that casts any doubt over their commitment to these activities. The only place that these commitments appear to have been queried is in the representations made by Anglo-American, a competitor business. As stated in previous correspondence, these activities are not, for example, recommendations or additional

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mitigation measures from the EIA, they are included within the very description of the development on the application form and are therefore a confirmed part of the proposals. ICL Boulby remain fully committed to these demolition activities identified and the transfer of processing works off-site as included within the application.

I trust that the information contained within this letter provides you with the information you need to answer the questions posed. If there are however any further clarifications needed, then please get in touch.

Yours sincerely

Neil.Marlborough

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Neil Marlborough
Technical Director