



Department for Energy Security & Net Zero

██████████
RWE Generation UK plc
Staythorpe Power Station
Staythorpe
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NG23 5PS

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1 November 2024

Dear ██████████,

CONDITION 3(4) OF STAYTHORPE SECTION 36 CONSENT

STAYTHORPE POWER STATION, STAYTHORPE, NEWARK, NOTTINGHAMSHIRE, NG23 5PS

1. I am directed by the Secretary of State for Department for Energy Security & Net Zero (“the Secretary of State”) to refer to the report titled “Report to DESNZ on Section 36 Carbon Capture Readiness Conditions” dated 12 July 2024 (“the Submission”) submitted on behalf of RWE Generation UK plc (“the Applicant”) in accordance with condition 3(4) of the consent granted by the Secretary of State under section 36 of the Electricity Act 1989 on 26 May 1993 to construct and operate a combined cycle gas turbine generating station in Staythorpe, Newark, Nottinghamshire, NG23 5PS, as varied (“Staythorpe Section 36 Consent”).
2. Condition 3(4) of the Staythorpe Section 36 Consent states:

(4) The Company shall submit a written report to the Secretary of State within one month of the second anniversary, and each subsequent even-numbered anniversary, of the date of this consent.
3. Condition 3(2) to 3(11) of the Staythorpe Section 36 Consent relate to matters to be addressed in a report submitted under condition 3(4) and are included at Annex A to this letter.

The Submission

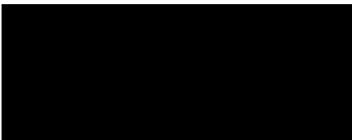
4. The Applicant submitted a CCR Assessment to the Secretary of State dated 20 May 2021 (“2021 CCR Assessment”), in support of a variation application under section 36C of the Electricity Act 1989, which was granted in 23 June 2022.
5. The Submission report summaries any new changes from the 2021 CCR Assessment. The Submission states (inter alia) that:

- a. the Applicant has no concerns the technology for carbon capture storage will not work;
- b. there is sufficient land at the site for carbon capture equipment;
- c. there is suitable transport and offsite storage for the captured CO₂;
- d. no Hazardous Substance consent is currently required; and
- e. the CCS project is economically feasible if appropriate funding mechanisms are secured.

Acknowledgement of the Submission by the Secretary of State

6. The Secretary of State acknowledges the Submission in accordance with condition 3(4) of the Staythorpe Section 36 Consent, which he has considered.
7. The Secretary of State is satisfied that, in this instance, the Submission provides the information required by condition 3(5)-(9) of the Staythorpe Section 36 Consent.
8. The Secretary of State notes that policy instruments are emerging to assist with the economic viability of installing carbon capture equipment.

Yours sincerely,



John Wheadon
Head of Energy Infrastructure Planning Delivery
Department for Energy Security & Net Zero

Annex A – Condition 3(2) – (11) of the Staythorpe Section 36 Consent

3. This consent is granted subject to the following conditions;

- (2) Until such a time as the Development is decommissioned, the Company shall not, without the written consent of the Secretary of State:
 - (a) Dispose of any interest in the designated site; or
 - (b) Except for use as a temporary laydown or works area for purposes related to the maintenance or operation of the Development, or for other works uses or projects of a temporary nature, do any other thing or allow any other thing to be done or to occur, which may reasonably be expected to materially diminish the Company's ability, within two years or such occurrence, to prepare the designated site for the installation and operation of capture equipment.
- (3) Unless otherwise authorised by the Secretary of State following a review of a report submitted in accordance with sub-paragraph (4) below, the 'designated site' means the land outlined in green on drawing number 60648701- CCS-01 attached hereto where capture equipment may be located.
- (4) The Company shall submit a written report to the Secretary of State within one month of the second anniversary, and each subsequent even-numbered anniversary, of the date of this consent.
- (5) The report shall provide information on how the Company has complied with sub-paragraphs 2(a) and (b) above:
 - (a) in the case of the first report, since this consent was granted; and
 - (b) in the case of any subsequent report, since the making of the previous report and explain how the Company expects to continue to comply with sub-paragraphs 2(a) and (b) over the next two years.
- (6) The report shall state whether the Company considers that some or all of the technology referred to in the current CCS ("Carbon capture storage") proposals will not work, and explain the reasons for any such conclusion.
- (7) The report shall identify any other impediment of which the Company is aware, as a result of which it considers that any aspect of what is proposed in the current CCS proposals is likely or certain not to be technically feasible.
- (8) Reports which identify such an impediment shall state, with reasons, whether the Company considers it technically feasible to overcome the impediment referred to in sub-paragraph (7) above by adopting revised CCS proposals, and, if so, include such proposals.
- (9) The report shall state, with reasons, whether the Company has decided to seek any additional regulatory clearances, or to modify any existing regulatory clearances, in respect of its current CCS proposals in the period referred to in sub-paragraph (4) above, as appropriate.
- (10) Sub-paragraphs (4) to (9) shall cease to have effect at the soonest of the following:
 - (a) the capture equipment is installed; or
 - (b) the Development is decommissioned; or

- (c) the Secretary of State's agreement to do so has been obtained in writing.
- (11) The following definitions apply for the purposes of subparagraphs (2) to (10) above:
- (a) "capture equipment" means the plant and equipment required to capture the target carbon dioxide and identified as such in the current CCS proposal;
 - (b) "CCS proposal" means a proposal for the capture, transport and storage of the target carbon dioxide, which identifies the proposed capture technology, transport route and storage location;
 - (c) "current CCS proposal" means:
 - (i) the CCS proposal set out in the Feasibility Study and assessed as technically feasible by the Secretary of State in accordance with the guidance entitled "Carbon Capture Readiness (CCR) – A guidance note for section 36 Electricity Act 1989 consent applications" or any equivalent replacement thereof; or
 - (ii) if a revised CCS proposal has been identified under subparagraph 8 above, the proposal which has been most recently so identified;
 - (d) "Feasibility Study" means the document entitled Carbon Capture Readiness (CCR) Assessment Staythorpe Power Station (document reference 60648701-RP-001) and dated 20 May 2021;
 - (e) "target carbon dioxide" means as much of the carbon dioxide emitted by the Development when it is operating at full capacity as it is reasonably practicable to capture for the purposes of permanent storage, having regard to the state of the art in carbon capture and storage technology."