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RE. Amendments to application reference No: 4/17/9007

I am writing to state that Coal Action Network objects to the application by West Cumbria Mining (WCM) to start a 2.78 million tonnes per year coking coal mine at Woodhouse Colliery, despite West Cumbria Mining's amendments. Our original submission requesting the rejection of the application still stands. In addition I would like to add the following reasons why the development should not go ahead.

Climate Emergency

The amendments do nothing to reduce the amount of greenhouse gas emissions resulting from the consumption of the coal at steel works. The consumption of the coal is when the most carbon is released of all stages in the use of coking coal, including the mining and transportation.

Although WCM claim that the emissions from the end use of the coal should not be taken into account, there is legal precedence that they should be. In the case of *Abraham v Region Wallonne*, Court of Justice of the European Union Case C-2/07 [2008] at paragraph 43. The text states that it would be "simplistic and contrary to [a lawful approach to an Environmental Impact Assessment] to take account, when assessing the environmental impact of a project or of its modification, only of the direct effects of the works envisaged themselves, and not of the environmental impact liable to result from the use and exploitation off the end product of these works."

Traditional methods of steel production release large amounts of carbon dioxide and other air pollutants. European steel producers release 1.9 tonnes of CO₂ per tonne of steel. The total direct emissions from European Union steel production alone are just shy of 200 Mt CO₂ annually. This figure rises to 210 Mt CO₂ when upstream electricity is included.[1]

The majority of the coal from the proposed mine would be destined for Europe. In the European Union there are around 500 plants.[2] Steel plants are now the biggest single point CO₂ emitters in the UK, as well as in Netherlands, Spain, France, Austria, Finland and Slovakia. 8% of the CO₂ emissions from countries in the EU Emissions Trading Scheme in 2019 came from steel works.[3]

Net zero carbon by 2050

The 2019 amendment to the UK's Climate Change Act (2008) commits the UK government to reducing net emissions to zero by 2050 in an effort to avoid the worst impacts of global warming. Affects are already being felt in Cumbria with increasing frequency of flooding. Globally a cyclone hit India and Bangladesh in May 2020, and wildfires ravaged large areas in Australia and Siberia in the last year, to give a few examples.

Supplying more coal to the market means that more coal will be used in steel works and the expensive investment in the technologies needed to drastically cut emissions will be further delayed. In a letter to Cumbria County Council Professor Paul Ekins' of University College London said, "*Cheaper coking coal will, in the absence of policy incentives, result in more steel being produced through the traditional blast furnace method, and discourage investment in alternatives, even though... such alternatives exist. Thus an additional coking coal mine is highly likely to result*

in additional carbon emissions.”[4]

Opening new mines negatively impacts the changes needed in the industry and the country. The UK is not the only country legislating to reach zero-carbon by 2050. Governments worldwide must act promptly. Allowing this mine to go ahead, and the steel industry to remain unchanged locks us into increasing global warming.

Since Cumbria County Council decided the original application by WCM for this site in 2019 there has been a landmark decision against a third runway at Heathrow, due to the runway's contradiction with the Paris Agreement.[5] This decision is important as the Court of Appeal showed that the ministers who had decided to allow the new runway had not adequately take into account the government's commitments to tackle the climate crisis. The Woodhouse Colliery proposal is analogous with that at Heathrow, both would increase the greenhouse gas emissions going against the amended 2008 Climate Change Act.

The UK government says that it is phasing out coal by 2025, ideally by 2024 [6], yet without also closing coal mines, this is largely political posturing. The UK will host the delayed Conference of Parties 26 in Glasgow in 2021 and wants to be seen to be a global leader as the world brings in new measures to restrict global warming. This mine threatens to undermine the UK's reputation.

Bringing about a coal power station phase-out has taken years of work by activists, industry, government and NGOs. We simply have not got the time available to work at the same speed to reduce the emissions of the steel industry. We need to take urgent action to ensure investment in moving from the current models of production to ones which do not emit carbon. This means decisions at the supply-side of the steel industry, including planning decisions taken by councils, are critical.

Zero carbon steel

There needs to be large investment in carbon zero technology and reduced use of other processes, but simply saying the technology is not yet available is a poor excuse. All parts of the steel industry have a part to play, and Cumbria Council has an obligation to limit climate change impacts now.

In the USA most steel is produced by recycling scrap steel. One of the three big steel producers in the UK, Liberty Steel's Rotherham plant, uses 95% recycled steel. The company is committed to reach carbon neutrality by 2030.[7] Allowing a new mine to supply European coking coal will stifle the drive in companies to develop new technology, urgently.

At present 5% of steel produced globally comes from Direct Iron Reduction using natural gas.[8] Although this still emits carbon and is a fossil fuel, it significantly reduces the carbon emissions and can be adapted when technology allows to run on hydrogen instead.

In order to further reduce emissions steel making techniques are developing quickly, with the Hybrit project from SSAB, LKAB, and Vattenfall aiming to begin production of steel as early as 2026 using hydrogen instead of natural gas.[9] West Cumbria Mining say that “Whilst alternative steel making technologies are being trialled, they are many decades away from becoming viable alternatives to coal”[10] this is not what Liberty Steel, the Hybrit project team nor Thyssenkrupp Steel are saying.

Thyssenkrupp Steel Europe is also looking to move to steel production using hydrogen. “Climate neutrality in the steel sector is possible and we’re accelerating the switch with regard to our production,” said Bernhard Osburg, CEO of Thyssenkrupp Steel Europe. The company is working to use supply hydrogen by 2050, again well before the proposed closure date of this mine.[11]

In June 2020 'Foundation 2 degrees' an entrepreneurial foundation has produced a position paper spelling out the details of how many industries can change to CO2 free production. Included in the participants are Thyssenkrupp Steel, the steel manufacturers Salzgitter and HeidelbergCement, all of which currently use coal in manufacture. West Cumbria Mining would like Cumbria Council to believe that the people against this application are without detailed knowledge of the steel industry. But major steel producers are working on solutions to the emissions caused by the industry, showing other companies are more progressive than West Cumbria Mining.

Limit the life of the mine to 2050 at latest

It is agreed that we need to reach net zero carbon emissions by 2050, which is well within the lifetime of this mine application. If the council does decide that there are merits of this application, on which Coal Action Network disagrees, surely there is no logic in approving extraction of coal following 2050. 2050 is the point at which governments are legislating against carbon emissions to try to limit global warming to a 1.5 degree rise, so there will be no steel industry customers.

The situation regarding the perceived need for steel has changed since this application was approved. It will change again, to reduce the perceived demand many times over the potential 50 year lifetime.

Direct greenhouse gas emissions

West Cumbria Mining says that it will stop operating if the direct mining emissions exceed 1% of the UK's overall emissions. This is public relations logic only and flawed. The strategy does not fully consider which industries are essential to the nation, such as health and transport which are currently big emitters. The company is making a huge presumption in thinking it would be able to secure this share of a carbon budget alongside these essential services, and has provided no justification for the figure, nor details of how it would be accountable or enforceable, or decrease over time in line with reaching carbon zero by 2050.

The application to mine at Woodhouse Colliery would not support 1% of the UK's employees, the entire UK coal mining sector in the first quarter of 2020 only employed 802 people.[12] If allocations of emissions permitted across the whole of UK industry were based on the numbers of employees in the sector, West Cumbria Mining would get an allocation of 0.00150% of the carbon budget.[13] It is not yet known how the carbon budget will be allocated and without this information WCM cannot claim entitlement to any of it. I suggest that the idea that 1% of emissions as an acceptable amount from this project is simply PR spin and should be entirely ignored.

In any case, if the council were to consider any such amendment, they should, for the legal reasons given in the above section 'Climate Emergency', take into account end-stage emissions.

The UK is the first country to set legally binding carbon budgets. In each five year period the UK legally has to reduce emissions.[14] However the first two carbon budgets were exceeded. We already looks set to miss its fourth and fifth carbon budgets producing an additional 139 and 245 million tonnes of carbon dioxide equivalent (MtCO₂e) respectively for the periods 2023 – 2027 and 2028 and 2032. The third budget, which we are currently in, is also predicted to be broken.[15] It cannot be assumed that we will meet any of these budgets, which is shocking considering the international impacts being felt and predicted due to climate change.

Leaking methane

As the global impact of methane leaching from coal mines has come to light greater consideration is needed to control this potent greenhouse gas.[16] WCM claim that methane emissions are likely to be captured from the fifth year of operation. The council must query why will this not be from the first year of operation. If the mine is to be approved it cannot be acceptable to allow doubt whether

the estimated 18.3 million tonnes of carbon dioxide equivalent is captured. This quantity of methane is greater than the combined greenhouse gas emissions of Zimbabwe and Zambia in 2018.[17] Detailed plans for the capture facility and full explanation of the use of the methane subsequently are material to this planning application but are not presented.

In conclusion the West Cumbria Mining application for the Woodhouse Colliery lacks any imagination or ambition in reducing global greenhouse gas emissions and reaching carbon zero by 2050. Cumbria County Council needs to think long term about what is best for the local area and climate change avoidance should be a key factor. This application needs to be refused.

Yours sincerely,



Anne Harris on behalf of the Coal Action Network

References

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- [12] Coal Authority, *Production and Manpower returns for the three month period January 2020 to March 2020*.
- [13] Using figures from Office for National Statistics, *Number of People in Employment* (aged 16 and over, seasonally adjusted) (19 May 2020) www.ons.gov.uk/employmentandlabourmarket/peopleinwork/employmentandemployeetypes/timeseries/mgrz/lms
a= Number employees predicted =500. b= No people employed in Q1 2020 + a = 33,144,500 c= % UK employees working for WCM = a/b X100
c = 500/33,144,500 x100 = 0.001508546
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- [16] Jillian Ambrose, *Methane emissions from coalmines could stoke climate crisis – study* (15 November 2019) <https://www.theguardian.com/environment/2019/nov/15/methane-emissions-from-coal-mines-could-stoke-climate-crisis-study>
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