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Our ref
Your ref

28 July 2017

Dear Joe,

ESPOO IMPLEMENTATION COMMITTEE RECOMMENDATIONS: HINKLEY POINT C AND TRANSBOUNDARY CONSULTATION

Thank you for your informative and constructive engagement on Espoo matters regarding Hinkley Point C. This letter sets out the United Kingdom's proposed process for further engagement, reflecting points made in your discussion with Rory Wallace at Minsk and wider discussions that have taken place with other interested parties and in EU fora.

The United Kingdom is committed to continued further engagement on Hinkley Point C as was recognised at the recent 7th Meeting of the Parties in Minsk. In light of this, we propose sharing with you the environmental information on Hinkley Point C as set out in Annex A, some of which has been developed since the original planning decision¹ of 19 March 2013 in order to give you a more current information picture.

This is without prejudice to the fact that the proposed recommendations in relation to Hinkley Point C of the Espoo Convention Implementation Committee put to the 7th Meeting of the Parties were not endorsed along with other matters in draft Decision VII/2 on compliance. As you are aware, the United Kingdom maintains that it did not breach the Espoo Convention in respect of the initial planning process for Hinkley Point C, but recognise the value of constructive engagement and it is in this spirit we are sending this letter.

We wish to give you an opportunity to comment on the current environmental information in relation to potential transboundary impacts. The link to the non-technical summary for the project Environmental Impact Assessment ("EIA") is included within Annex A in order to assist with your assessment. So that you have ample opportunity to consult within your country, and to engage with other levels of your local or regional government as you deem appropriate, we kindly request that you make any submissions or comments within 12 weeks from the date of this letter that is, by **20 October 2017** to beiseip@beis.gov.uk.

We will then consider the responses received and will publish a summary of those responses and the United Kingdom's response to any substantial issues raised and we will share this with you. If likely

significant adverse transboundary effects are identified on the basis of scientific evidence by way of this process, then we will look at how the regulatory regime might address any identified effects.

If a material change to the existing Hinkley Point C development consent¹ is submitted to the Planning Inspectorate, we will again consider whether there are likely transboundary effects and inform you of the application even if we do not consider there are any likely significant adverse effects, in line with our general understanding of the Espoo Convention obligations.

Finally, as you are aware the Planning Inspectorate has written separately to you regarding the proposed application for development consent for a new nuclear power station at Wylfa Newydd, Wales. At this stage, an application has not yet been submitted by the applicant and the Planning Inspectorate is unable to formally consult with you. Once an application is received and if the Planning Inspectorate accept it for examination, they will write again to formally consult with you. The application is currently anticipated to be submitted to the Planning Inspectorate later this year².

If you have any questions regarding the content of this letter, please do not hesitate to contact me or Rory Wallace (rory.wallace@beis.gov.uk).

Yours sincerely,

Giles Scott

Giles Scott
Head of Energy Infrastructure Planning

¹ <https://infrastructure.planninginspectorate.gov.uk/projects/south-west/hinkley-point-c-new-nuclear-power-station/?ipcsection=docs&stage=6&filter1=Decision>

² <https://infrastructure.planninginspectorate.gov.uk/projects/wales/wylfa-newydd-nuclear-power-station/?ipcsection=docs>

Annex A

HINKLEY POINT C ESPOO TRANSBOUNDARY CONSULTATION

This annex provides appropriate links that are relevant to the Hinkley Point C (HPC) nuclear power plant project for the purposes of further dialogue with those States that have requested it as a part of continued discussions with the United Kingdom on the project.

The most relevant document to be considered for this further dialogue is the Non-Technical Summary of the Environmental Statement shown below.

Hinkley Point C – Environmental Statement Non-Technical Summary

This document provides a Non-Technical Summary of the predicated impacts on the environment of the proposed new nuclear power station at HPC and associated development required to facilitate its construction and operation. The document was published in 2011 and whilst there have been non material changes to the project since then, they have not resulted in changes being required to the Environmental Assessment

<https://infrastructure.planninginspectorate.gov.uk/wp-content/ipc/uploads/projects/EN010001/EN010001-005035-4.1%20-%20Environmental%20Statement%20Non-Technical%20Summary%201.pdf>

The main volumes of the Environmental Statement (of which there are 11) can be found at - <https://infrastructure.planninginspectorate.gov.uk/projects/south-west/hinkley-point-c-new-nuclear-power-station/?ipcsection=docs&stage=app&filter1=Environmental+Statement>, with the most relevant being the Main Development Site volume (Volume 2)

Transboundary Screening Document

On the basis of the information available from the Developer at the time of their submission for development consent, the Secretary of State was of the view that the proposed development is not likely to have a significant effect on the environment in another EEA State.

In reaching this view the Secretary of State has applied the precautionary approach (as explained in Secretary of State Advice Note 12 Transboundary Impacts Consultation); and taken into account the information supplied by the developer. The transboundary screening document is available here;

https://infrastructure.planninginspectorate.gov.uk/wp-content/ipc/uploads/projects/EN010001/EN010001-004148-120522_EN010001_%20Hinkley_Transboundary%20Screening.pdf

Further information on the assessment of potential transboundary effects can be found in the Environmental Statement at Appendix 7E to Volume 1 (page 435).

<https://infrastructure.planninginspectorate.gov.uk/wp-content/ipc/uploads/projects/EN010001/EN010001-005036-4.2%20-%20Volume%201%20-%20Introduction%201.pdf>

Potential transboundary effects are identified as air quality, marine water quality, marine ecology and radiological impacts.

Any residual effects on human beings and sensitive ecological species/habitats would also be minimised and/or controlled through the imposition of appropriate licensing and monitoring conditions by the regulatory agencies. On the basis that licensing and monitoring conditions are effective, impacts will not be significant.

Additional documents are available at the respective links shown below and the information contained within them may be of interest, but they are not a formal part of the Environmental Statement and are provided in the interest of providing additional background information, and assisting in a broader understanding of the project and the regulatory framework, should you wish to consider them.

Environmental:

All application documents relating to non-material changes to DCOs, including regulator reports, are available online here;

<https://infrastructure.planninginspectorate.gov.uk/projects/south-west/hinkley-point-c-new-nuclear-powerstation/?ipcsection=docs&stage=7&filter1=Non+Material+Change+1>

<https://infrastructure.planninginspectorate.gov.uk/wp-content/ipc/uploads/projects/EN010001/EN010001-006430-HPCNuclear%20-%20Application%20Statement.pdf>

Hinkley Point C environmental permitting information, including consultations and the response to those consultations is available here;

www.gov.uk/government/collections/hinkley-point

<https://www.gov.uk/government/publications/hinkley-point-decisions-on-environmental-permit-applications-for-a-proposed-new-nuclear-power-station>

Archived pages:

- Permit application adverts -

<http://webarchive.nationalarchives.gov.uk/20111012151628/http://www.environment-agency.gov.uk/research/library/consultations/132665.aspx>

- Permit application consultation information -

<http://webarchive.nationalarchives.gov.uk/20111012151628/http://www.environment-agency.gov.uk/homeandleisure/132474.aspx>

<http://webarchive.nationalarchives.gov.uk/20111207104126/http://www.environment-agency.gov.uk/homeandleisure/132474.aspx>

- Hinkley Point page (a few examples – shows the documents the Environment Agency published and links to press releases) -

<http://webarchive.nationalarchives.gov.uk/20111012151628/http://www.environment-agency.gov.uk/homeandleisure/127159.aspx>

<http://webarchive.nationalarchives.gov.uk/20111207104126/http://www.environment-agency.gov.uk/homeandleisure/127159.aspx>

<http://webarchive.nationalarchives.gov.uk/20120816130649/http://www.environment-agency.gov.uk/homeandleisure/127159.aspx>

<http://webarchive.nationalarchives.gov.uk/20130402202219/http://www.environment-agency.gov.uk/homeandleisure/127159.aspx>

- Consultation on draft decisions (2012) -

<http://webarchive.nationalarchives.gov.uk/20120816130649/http://www.environment-agency.gov.uk/homeandleisure/132474.aspx>

- Decision on operational permits –

<http://webarchive.nationalarchives.gov.uk/20130402202219/http://www.environment-agency.gov.uk/homeandleisure/132474.aspx>

•Information on permits is put on the public register. Hinkley can be found by searching NNB Genco.

<https://www.gov.uk/guidance/access-the-public-register-for-environmental-information>

All information on EdF's permitting documents is available at: www.edfenergy.com/download-centre

Nuclear Regulatory Framework

The Office for Nuclear Regulation (ONR) have general information available here;
www.onr.org.uk/documents/a-guide-to-nuclear-regulation-in-the-uk.pdf

Site Licensing information is available here;
www.onr.org.uk/civil-nuclear-reactors/licensing.htm

Construction:

The ONR website on the HPC construction includes quarterly reports, site licence progress reports and links to the relevant local authority site and background.

www.onr.org.uk/civil-nuclear-reactors/construction.htm
www.onr.org.uk/sites/hinkley-point-c.htm

Reactor design:

The ONR has detailed information on the Generic Design Assessment (GDA) process. There is a comprehensive website on all elements of GDA for the reactor being deployed at Hinkley Point C and the GDA more generally.

www.onr.org.uk/civil-nuclear-reactors/generic-design-assessment.htm/

www.onr.org.uk/new-reactors/uk-epr/index.htm)

The **Environment Agency** also published detailed information related to its assessments during the EPR GDA. This covers a range of topics such as radioactive waste disposal, spent fuel and radiological impact on members of the public/environment.

2010 – (GDA consultation) <https://www.gov.uk/government/publications/generic-design-assessment-uk-epr-nuclear-power-plant-design-by-areva-np-sas-and-electricite-de-france-sa-consultation-documents>

2011 – (GDA Interim Statement of Design Acceptability (iSoDA))
<https://www.gov.uk/government/publications/generic-design-assessment-uk-epr-nuclear-reactor-design-by-areva-np-sas-and-electricite-de-france-sa>

2012 – (GDA – final decision and Statement of Design Acceptability (SoDA))
<https://www.gov.uk/government/publications/new-nuclear-power-plant-designs-generic-design-assessment>

This site was set up by Areva, who designed the UK-EPR, as part of the regulators' public comments process for the GDA:

www.epr-reactor.co.uk/scripts/ssmod/publigen/content/templates/Show.asp?P=57&L=EN