Dear Sirs,

The Hinkley Point C (Nuclear Generating Station) Order 2013 – S.I. 2013 No. 648. Application for a Non-Material Change in relation to the Hinkley Point C Development Site
Consultation under Regulation 7 of the Infrastructure Planning (Changes to, and Revocation of, Development Consent Orders) Regulations 2011

I write in respect of the above Non-Material Amendment application (NMA) submitted by EDF Energy for a change in relation to the Hinkley Point C (HPC) Development Site.

The County Council would wish to raise comments in two primary areas:

• The visual impact of the proposed changes to the Interim Spent Fuel Store and associated waste policy matters
• The implications for the coastal path of the realignment of the sea wall

Interim Spent Fuel Store (ISFS)

Somerset County Council is the Waste Planning Authority for Somerset (excluding Exmoor National Park). As such, the County Council must consider the long-term waste management needs of the County, including radioactive waste, via adopted development plan policy taking into account other material considerations.

Requirement MS16 of the Development Consent Order (DCO) states that construction of the Interim Spent Fuel Store (comprised in Work No. 1A(g)), including associated ancillary plant, shall not commence until details of the layout, scale and external appearance of those buildings have been submitted to and approved by West Somerset Council. It is noted that the applicant wishes to change the way in which the spent fuel is stored at HPC and that this change results in a significantly larger ISFS. These are matters that are appropriate for the County Council to consider as the Waste Planning Authority.

Visual Impact

There are discrepancies in the Application Statement (Document Number HPC-NNBGEN-XX-000-REP-100674) in relation to the proposed new height of the ISFS:
• The table at page 12 states that store is proposed to be 229m in length by 73m in width by 30m in height (amended from 150m by 65m by 25m with removal of the 55m stack).
• Page 50 states an increase “in length by 79 metres to 229 metres and width by 8 metres to 73 metres, with a reduction in height by 7 metres to 18 metres”.

Sent via e-mail

24 November 2017
• Pages 52/53 states “The increase in length to 229m (+79 metres) and width 73 metres (+8 metres) of the Interim Spent Fuel Store (Ref. No 42) may be seen, although the stack at 55 metres has been removed and the building height is now 25 metres.”

Clarification is required. The footprint and height of the proposed ISFS makes it one of the most significant buildings within the power station site. The application for the non-material amendment includes an assessment of landscape and visual impact but it is noted that this is in the context of the operational power station. However, the ISFS will be in situ long after the operational power station has come to the end of its life and has been potentially decommissioned; it will only be removed when all the spent fuel has been moved to a Geological Disposal Facility (GDF).

A location for a GDF has not yet been identified and it is noted that all existing fuel within the UK from legacy sites would be moved to the GDF prior to any new material from HPC being transferred. Therefore, the ISFS could be in situ for a significant period of time, potentially well into the next century. In this context a larger store which will be more prominent in the landscape could cause additional adverse impacts which have not been assessed. More particularly, the ISFS is the closest building within the HPC site to the England Coast Path National Trail (at its closest point the ISFS is only 21m from the Coastal Path) and the increased height will be significant and over a significant period of time. The Application Statement does not make any assessment of this very long term scenario which is an important omission.

It is noted that the permitted ISFS was proposed to be set 23m below ground to accommodate the wet store pools. It is unclear whether consideration has been given to sitting the building into the ground as originally proposed. To do so would minimise the visual impact and lessen the concern about the effect on users of the coastal path.

Waste Policy

Policy DM9 of the Somerset Waste Core Strategy (adopted February 2013) provides that applications for the treatment and/ or interim storage of radioactive waste at Hinkley Point must demonstrate that the proposed development:
• is consistent with national strategy for radioactive waste management;
• includes adequate measures to mitigate adverse impacts on the environment and local community, or as a last resort, proportionately compensate for or offset such impacts; and
• is supported by robust economic and environmental assessments.

Whilst it is acknowledged that the principle of the development has been approved via the DCO and that the overarching policy for Nationally Significant Infrastructure Projects is national policy, local policy is nevertheless an important and relevant consideration.

1. Storage Method - The regulatory regime for the storage of spent fuel is understandably rigorous and is not something which the County Council or any local Authority has any responsibility or technical input. The County Council would wish to be assured that the consideration of GDF waste acceptance criteria has adequately informed the proposal for interim dry storage, and from a regulatory perspective, the selection of dry storage is consistent with the wider regulatory aims of the Office for Nuclear Regulation to ensure delivery of a safe and secure solution for interim waste storage.
2. **Consolidation of Storage Solutions** - The Nuclear Decommissioning Authority (NDA) Strategy (III) (effective from April 2016) outlines its key principles for strategic decisions about radioactive waste management. These principles have evolved since previous iterations of the NDA Strategy, reflecting a changing view of how radioactive waste management can be most effectively handled. The focus is still on risk reduction and application of waste hierarchy; but now with greater emphasis on characterisation and segregation of waste, and most explicit support for sharing facilities across the NDA estate. Support for sharing facilities across the NDA estate has local implications. In respect of the ISFS, it is unclear if the consolidation of interim storage solutions across the Hinkley estate has been explored.

3. **Storage Capacity & Source of Waste** - As noted earlier, there are some discrepancies in the Application Statement regarding the proposed height of the ISFS. If it is assumed that the ISFS is proposed to be 30m, it will create a store with a cubic volume approximately twice that originally proposed. It is unclear to the County Council whether the underlying assumptions regarding the volume of spent fuel have changed and require a larger footprint to accommodate this, or whether the building needs to be larger to accommodate the change in the treatment and storage method. Neither is it clear if the larger building will provide additional capacity beyond the direct needs of the HPC project leading to concerns that the ISFS may be used at some future point for imported waste.

EDF Energy documented within its DCO submission (Chapter 7, Volume 2 of the Environmental Statement, Radioactive Waste and Spent Fuel Management) that

- it had no plans to receive, process or store spent fuel or radioactive waste from other nuclear sites at HPC;
- the facilities provided at HPC had been designed and sized to manage and store the spent fuel and waste from the HPC site only.

The interim storage of spent fuel was the subject of representations made by the joint Councils in their Local Impact Report during the Examination of the DCO, and a Requirement was sought at that time that the proposed storage facilities for radioactive waste and spent fuel shall only receive radioactive waste and spent fuel from the Hinkley Point site, and that no radioactive waste or spent fuel from outside the licensed area at Hinkley Point shall be brought onto the site.

The importation of radioactive waste remains a point of significant concern for many local stakeholders. Any operators proposing the importation of radioactive waste will need to fully assess the environmental implications of this and address related local concerns, not least through a sustained strategy of engagement with the local community. Furthermore, it will be important for the applicant to understand the cumulative impacts of additional development at Hinkley Point i.e. setting any proposal for development in a wider context. This wider context is especially relevant given plans currently being consulted upon by Magnox for the importation of radioactive waste to Hinkley Point A for interim storage.

Somerset County Council seeks assurances from the Secretary of State that the commitments given by EDF Energy will remain that only spent fuel and waste from HPC will be stored at the site.

**Materiality of Change**

It is noted that EDF Energy’s covering letter sets out the view that the proposed changes do not trigger any of the four characteristics which would lead to the view that the changes are material. A detailed analysis of the representations made during the Examination needs to
be presented alongside this application to justify the view within the application statement that there is “no realistic prospect that the changes would generate materially different representations”.

We note the submissions made by West Somerset Council in relation to the materiality of the changes proposed and the importance of ensuring that local residents and businesses are provided with an opportunity to make full representations on this significant increase in the height and use of the ISFS. We also note the representations made in relation to the cumulative nature of those changes in combination with other non-material changes and would like assurance that this is being properly assessed and determined by the Secretary of State.

The County Council is aware that there are a significant number of local people who are concerned about the scale of the changes proposed, and would hope that the potential for any future changes has been minimised by the applicant. In the event that further changes become necessary, the County Council would seek to be fully engaged before any application is submitted in addition to being consulted as part of the formal planning process.

**Sea Wall**

The application states that the a 100m section of the sea wall is proposed to be set back by 7m to avoid interaction with a graving dock on the foreshore which was part of the construction of Hinkley Point A.

The setting back of the sea wall and subsequent re-alignment of the Coastal Path is within the tolerance of the line of the England Coast Path depicted on the map approved by the Secretary of State under the Marine Coastal Access Act 2009.

Please do not hesitate to contact me if you require any further information in respect of the above.

Yours faithfully,

Andy Coupé  
Acting Strategic Manager - Major Programmes  
Somerset County Council