



**Summary of
Environment
Agency Relevant
Representation on
Sizewell C
Development
Consent Order
dated September
2020**

May 2021

Executive Summary

The Environment Agency submitted a comprehensive Relevant Representation in September 2020. The following is a summary of that document, but for further information we recommend that the Relevant Representation is considered in its entirety. Please be aware that we have continued to engage with the applicant during the intervening months. Consequently, some topics of concern listed below have since been resolved, but there are also topics where new concerns have arisen due to the changes made to the application, such as coastal processes. This summary also introduces concerns that we have now already discussed with the Examining Authority at the Preliminary Meetings. The upcoming Written Representation, due to be submitted at Deadline 2 in June 2021, will reflect the evolution of the Sizewell C DCO since the Relevant Representation and contain the Environment Agency's updated position.

The Environment Agency's position on Sizewell C

We will support the Examining Authority by advising them if the application is in line with the objectives of the Environment Agency, so that they can be satisfied that their recommendation in relation to the application for the DCO can be made taking full account of environmental impacts.

Pre-application consultation

We have worked with NNBSGenCo (SzC) Ltd and their consultants throughout the Pre-Application stage of the DCO to advise them as they have developed the proposals for Sizewell C.

We have made comprehensive comments in response to each of NNBSGenCo (SzC) Ltd's pre-application consultations. Throughout that process, and in the subsequent lead up to their DCO application, we have had extensive discussions to address issues and provide advice raised in response to their proposals. We have also been engaging with NNBSGenCo (SzC) Ltd to seek common ground and will continue to progress do so throughout the pre-Examination process.

NNBSGenCo (SzC) Ltd has responded positively in some areas. We have agreed some measures, including alterations to design or construction, use of best practice and adequate environmental monitoring and response, which have been included in their application to help secure protection of the environment, local habitats and protected species. However, there remain outstanding issues that could cause environmental harm and there is still a substantial amount of further information to be submitted.

Outstanding issues of concern

We believe that issues remaining could be resolved, subject to further endeavours by NNBSGenCo (SzC), in accordance with the suggested solutions provided in this Relevant Representation. That said, there are still a number of important issues that do require further attention at this time, as we have been unable to resolve these with NNBSGenCo (SzC) in the pre-application period. We recommend that the Examining Authority considers the following issues as principal matters for the purpose of the examination.

Flood Risk – We have yet to agree that the supporting flood risk modelling is sufficient to consider the extent and consequences of flooding. The current Flood Risk Assessment (FRA) identifies increased flooding to properties without identifying appropriate mitigation and compensation measures. In terms of the objectives of an FRA, this is an unacceptable conclusion.

Water Supply - The water supply options described do not provide evidence to demonstrate that a suitable and ecologically sustainable source of water can be provided to the Sizewell C Project.

Terrestrial Ecology – The proposed use of culverts will have significant impacts to watercourses, designated habitats and protected species. Current assessments do not sufficiently identify likely impacts or provide appropriate mitigation and/or compensation measures.

Marine Ecology – We have outstanding concerns over methods being used to assess impacts to marine ecology and cannot yet agree to the appropriateness of proposed mitigation measures.

Water Framework Directive - We have concerns that the assessments have not identified all the potential impacts under the Water Framework Directive (WFD) or adequately assessed the potential for deterioration in the status of WFD waterbodies affected by the development. If a deterioration in waterbody status cannot be ruled out an exemption will be required in accordance with Article 4.7 of the WFD and the applicant has not made a case to support this.

Alignment between submission of Environmental Permits and DCO – At this time we must highlight that we are currently unable to advise the Examining Authority of our position on the environmental permits required for operation, or provide representations on any matters covered by those permits as the permit applications were not submitted sufficiently in advance of the DCO application.

Structure of the Environment Agency response

In the body of the detailed relevant representation we identify those issues we would like the Examining Authority to take into account when considering this DCO application. We have outlined the issue, what the impact is, and suggested a solution to resolve it. In many cases we need more information to advise the Examining Authority and we request it be provided up front to be considered in the examination.

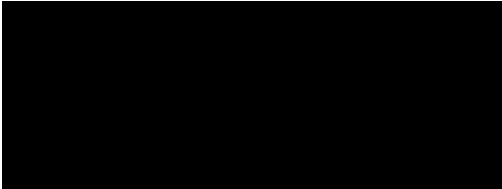
We may add to or amend the matters set out in this Relevant Representation. We will keep the matters set out under review and update the Examining Authority on progress with the resolution of these issues at appropriate points as the examination progresses. Where we have suggested the need for possible requirements, this is suggested to facilitate discussion with the applicant and other parties. We may wish to amend this in the course of the examination.

We note that other bodies are involved in the project, such as the Marine Management Organisation and Natural England, with overlapping interests to ourselves. We have had discussions with these bodies throughout the pre-examination period already and will continue to discuss further and collaborate with these organisations where appropriate.

The Environment Agency may make oral representations at any relevant hearings, where this is sought. We are concerned that there is a substantial amount of information still to be submitted and as a result of this we genuinely fear that we may not be able to review this new, and amended, information to timescales that will enable us to properly advise the Examining Authority within the deadlines sought. Much will depend upon the extent to which the applicant can provide information to resolve outstanding issues, during the examination period.

For further discussions, please contact Cameron Sked – Nuclear New Build Senior Planning Adviser, on 0208 474 6422.

Yours sincerely



Mr. Simon Barlow
Nuclear New Build Project Manager