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**Our Ref:** 20026727

**Your Ref:** EN010012

**Date:** 03 September 2021

**By email only**

Dear Ms McKay

**Planning Act 2008 – Section 88 and the Infrastructure Planning (Examination Procedure) Rules 2010 – Deadline 7: 9.67 Quantifying Uncertainty in Entrapment Predictions for Sizewell C - Revision 1.0**

**Application by NNB Generation Company (SZC) Limited for an Order Granting Development Consent for the Sizewell C Project**

For Deadline 7 (3rd September) the Examining Authority (ExA) have requested comments on additional reports submitted by NNBSGenCo (SzC) Ltd at Deadline 6. We wish to provide feedback on the following report [REP6-028] Deadline 6 Submission - 9.67 Quantifying Uncertainty in Entrapment Predictions for Sizewell C - Revision 1.0

The Environment Agency considers the report does not address our concerns relating to the data and methodologies used to consider the impact to marine ecology. In particular, significant issues remain that relate to the Comprehensive Impingement Monitoring Programme (CIMP) data, Equivalent Adult Value (EAV) calculations and scale of assessments.

We cannot currently agree the estimated numbers of fish and other biota predicted to be impinged at SZC, or the degree of mitigation offered by the proposed SZC intake design, or agree the significance of those losses.

**CIMP bulk overflow**

As we highlighted at Deadline 2, in our Written Representation [REP2-135], the true impingement rate at SZB is uncertain, as based on the CIMP data presented. The consequence of this is that the predicted impingement at SZC may have been underestimated and the impacts to species of relevance for the DCO application under the Environmental Impact Assessment Regulations 2017 and The Water Environment (Water Framework Directive) (England and Wales) Regulations 2017 may prove to be unacceptable.

The CIMP undertaken at SZB had frequent overflowing of the bulk overnight sample. On these occasions an incomplete bulk sample was collected, providing a 'greater than' result, or the bulk sample was abandoned and no result obtained. This means that more fish may

have been collected than recorded in the sampling. Results from overflowing bulk samples have been excluded from the data set, and impingement for surveys affected extrapolated from day-time hourly samples. Published evidence indicates that more fish are impinged at night than in the day at Sizewell A.

We consider a precautionary correction factor should be applied to account for this issue. This has not been provided and as such the magnitude and impacts of SZC impingement may well differ from those currently provided by NNBSGenCo (SzC) Ltd.

### **Equivalent Adult Values**

NNBSGenCo (SzC) Ltd. has not Provide an updated impingement assessment which includes repeat spawning in the EAV calculations. The method used by the applicant does not take 'repeat spawning' into account and is therefore likely to underestimate the impact SZC has on some fish species. In addition to updating the impingement assessment we also consider that the underlying parameters used in the EAV calculations should be checked to ensure they are suitably precautionary and have been calculated using the latest available information.

### **Local effects model SPP103**

We acknowledge that NNBSGenCo (SzC) Ltd. has provided an updated assessment of local effects on fish populations. This has not addressed all of our concerns with this assessment. We cannot agree the appropriateness of the exchange rates applied in this model, or if this offers a precautionary assessment of the potential local depletion of fish populations in the Greater Sizewell Bay.

For Deadline 7 we have provided separate detailed comments to provide feedback on the following report [REP6-016] Deadline 6 Submission - 6.14 Environmental Statement Addendum - Volume 3: Environmental Statement Addendum Appendices - Chapter 2 - Main Development Site - Appendix 2.17.A - Marine Ecology and Fisheries –Revision 2.0 - Report no. SPP103 (rev 5).

Yours sincerely



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