

Wendy McKay

Lead member of the Panel of Examining Inspectors
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Our Ref: 20026727

Your Ref: EN010012

Date: 12 October 2021

By email only

Dear Ms McKay

Planning Act 2008 – Section 88 and the Infrastructure Planning (Examination Procedure) Rules 2010 – Deadline 10: Further update on discussions regarding Deed of Obligation

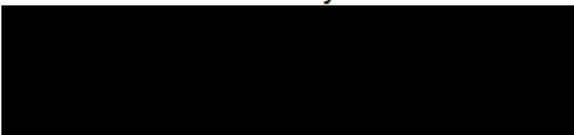
Application by NNB Generation Company (SZC) Limited for an Order Granting Development Consent for the Sizewell C Project

In our response to Deadline 9 (30th September), [REP9-028] Environment Agency 'Further update on discussions regarding Deed of Obligation', we outlined that we will endeavour to work with the applicant to try and resolve our concerns in the legal drafting of the Deed of Obligation as submitted.

We wish to highlight that since Deadline 9 we have had extensive discussions with the applicant and have agreed alternative wording to sections 9 'Fish Monitoring and Mitigation' and 16 'Marine Technical Forum' of Schedule 11 of the draft Deed of Obligation . We consider this wording will provide greater certainty to future payment of compensation funds, and the necessary assurances that the Marine Technical Forum can operate as required.

In addition, we have agreed a Deed of Covenant directly between the SZC Co and the Environment Agency relating to SZC's funding of two eel and migratory fish passes to mitigate the effect of the development. This Deed of Covenant has been executed concurrently with the Deed of Obligation. The completion of these two agreements has resolved the Environment Agency's concerns in relation to these issues for the purposes of the Examination of the DCO application

Yours sincerely



Simon Barlow
Project Manager - Sizewell C Nuclear New Build
Environment Agency

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