

**Wendy McKay**

**Our Ref:** 20026727

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**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: Post Hearing submission of oral case for Issue Specific Hearing 15 (Temporary Desalination Plant).**

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

For Deadline 10 (12th October) the Examining Authority (ExA) have requested written submission of the oral case presented at Issue Specific Hearings.


Our comments (Appendix A) provide a summary and further detail of our oral case presented at ISH15, Temporary Desalination Plant.

Yours sincerely



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## Appendix A: Environment Agency summary of oral case for ISH15: Desalination Plant

Agenda Item	EA Position
<b>1. Welcome, introductions and arrangements for the Hearing</b>	
Reference will be made in Agenda items 2, 3, and 4 to the Applicant's and IP's responses to ExQ3, the comments on those responses provided at Deadline 8, and other relevant submissions and responses up to and including Deadline 9.	No Environment Agency comments
<b>2. Water Supply</b>	
<p>Following the discussion at ISH11, the parties to provide an update on the Water Supply Strategy with particular reference to:</p> <p>(a) Period prior to the temporary desalination plant being operational;</p> <p>(b) Period of operation of the temporary desalination plant, including the transfer of the temporary plant to the Temporary Construction Area; and</p>	<p><b>NWL Transfer Main</b></p> <p>We advised at Deadline 8 [REP8-161] that Northumbrian Water Limited (NWL) had concluded they may not have sufficient 'headroom' to supply SZC via the SZC Transfer. To have further confidence in their decision, NWL proposed to undertake additional WINEP modelling which was expected to be completed on 30 September 2021 (previously this was expected 24 September 2021).</p> <p>The EA understand this modelling is not yet completed and will be shared <b>mid-October</b>.</p> <p>The EA shall require at least two weeks to review the results of that additional modelling. Once complete we plan to update our letter of 26 August 2021 to NWL, to better advise the likely indicative annual licensed quantities for the River Waveney abstraction licence and the EA WAGS abstraction licence.</p> <p>It should be noted however that for NWL to reach a final decision on water availability, further work and analysis may well be required, including a cost benefit analysis / options appraisal, as other options - in addition to abstraction licence changes in order to meet WFD - have not been fully considered at this stage.</p>

<p>(c) Period when Temporary Construction Area is being reinstated and operation of the Proposed Development.</p>	<p><b>Operational window of Temporary Desalination Plant</b></p> <p>At Deadline 8 [REP8-158] we noted that there is uncertainty as to when the desalination plant would be decommissioned and removed from site. The applicant have now confirmed that the desalination plant will only operate during construction phase and will be removed before the commissioning phase.</p> <p>On this basis, we have no further comments to make, but wish to highlight many of the environmental impacts will be considered and controlled/monitored by permits, to be submitted to the Environment Agency under the Environmental Permitting (England and Wales) Regulations 2016. These permits have not yet been submitted.</p>
<p><b>3. The Environmental Assessment and the environmental implications of the proposed temporary desalination plant including matters relevant to the Habitats Regulations Assessment:</b></p>	
<p>(a) The additional environmental assessments and supporting documentation submitted in connection with the proposed temporary desalination plant.</p>	<p>We defer to Natural England as lead body for HRA advice for DCO's.</p> <p>We have no further comments to make, but wish to highlight many of the environmental impacts will be considered and controlled/monitored by permits, to be submitted to the Environment Agency under the Environmental Permitting (England and Wales) Regulations 2016. These permits have not yet been submitted.</p>
<p>(b) Transport implications, including the Heavy Good Vehicle (HGV) deliveries and any Abnormal Invisible Loads (AILs) associated with the water tankers during the early stages of Sizewell C construction, and the construction and demolition of the temporary desalination plant.</p>	<p>No Environment Agency comments</p> <p>We defer to Natural England as lead body for HRA advice for DCO's.</p>

<p>(c) Noise and vibration, including that associated with the additional construction plant and activities within the main development site and additional activities within the marine area and having regard to any additional impacts upon relevant internationally and nationally designated sites.</p>	<p>No Environment Agency comments</p> <p>We defer to Natural England as lead body for HRA advice for DCO's.</p>
<p>(d) Air quality, including those associated with the introduction of additional on-site diesel generators within the main development site and any additional impacts upon relevant internationally and nationally designated sites.</p>	<p>We have no further comments to make, but wish to highlight many of the environmental impacts will be considered and controlled/monitored by permits, to be submitted to the Environment Agency under the Environmental Permitting (England and Wales) Regulations 2016. These permits have not yet been submitted.</p> <p>Within the hearing the Examining Authority (ExA) noted that at Deadline 8, the Environment Agency stated [REP8-158] that for the purposes of permitting, the proposals could be regarded as either a medium combustion plant or an Industrial Emissions Directive installation. The ExA asked whether there is a difference between these permitting scenarios.</p> <p>There is currently uncertainty as to how the proposals would be permitted, however as a medium combustion plant the determination would predominately consider impacts from air emissions, whereas an industrial emissions directive determination would consider wider direct and indirect impacts.</p>
<p>(e) Coastal Geomorphology, including any effects arising from the introduction of new infrastructure and construction activities within the marine environment, with particular regard to the effect of intake and outfall headworks on coastal processes and any additional impacts upon relevant internationally and nationally designated sites.</p>	<p>We defer to Natural England as lead body for HRA advice for DCO's.</p> <p>We have reviewed the information available concerning the proposed design of the desalination plant and are satisfied that any impacts to geomorphology and coastal processes will be highly localised and unlikely to affect any risk receptors. Our efforts are focussed instead on examining the potential impacts associated with the larger coastal elements of Sizewell C, in particular the sea defences.</p>

	We defer to Natural England as lead body for HRA advice for DCO's.
(f) Landscape and visual implications, including the impact of equipment associated with the temporary desalination plant, with particular regard to any additional landscape impacts on the Suffolk Coast and Heaths Area of Outstanding Natural Beauty (AONB) associated with the construction and siting of a containerised desalination module.	<p>No Environment Agency comments</p> <p>We defer to Natural England as lead body for HRA advice for DCO's.</p>
(g) Marine historic environment implications, including the impact of horizontal directional drilling and dredging with particular regard to buried archaeological remains.	<p>No Environment Agency comments</p> <p>We defer to Natural England as lead body for HRA advice for DCO's.</p>
(h) Marine water quality, sediments, and ecology, including the Water Framework Directive and any effects arising from the introduction of new infrastructure and construction activities within the marine environment, and impacts of use, abstraction, discharge and hypersaline water on relevant internationally and nationally designated sites.	<p>We defer to Natural England as lead body for HRA advice for DCO's.</p> <p>We have no further comments to make, but wish to highlight many of the environmental impacts will be considered and controlled/monitored by permits, to be submitted to the Environment Agency under the Environmental Permitting (England and Wales) Regulations 2016. These permits have not yet been submitted.</p> <p>The interpretation and data we use in our own assessments may vary from that supplied in the applicant's Environmental Statement. We will consider the discharge, alone and in combination (within project) and in combination with other plans or projects, for HRA purposes as well as Water Framework Directive Compliance assessments in the determination of those permit(s), when submitted.</p>

<p>(i) Terrestrial ecology and ornithology, including any additional effects upon marine birds and mammals and upon relevant internationally and nationally designated sites.</p>	<p>No Environment Agency comments</p> <p>We defer to Natural England as lead body for HRA advice for DCO's.</p>
<p>(j) Any other relevant environmental implications, including any additional in-combination or cumulative impacts.</p>	<p>No Environment Agency comments</p> <p>We defer to Natural England as lead body for HRA advice for DCO's.</p>
<p><b>4 General Habitats Regulations Assessment matters not covered under item 3 above:</b></p>	
<p>(a) Physical interaction between species and project infrastructure - effects on bird, marine mammal and fish qualifying features of relevant European sites.</p>	<p>No Environment Agency comments</p> <p>We defer to Natural England as lead body for HRA advice for DCO's.</p>
<p>(b) Direct habitat loss and direct/indirect habitat fragmentation effects on marine mammal qualifying features of relevant European sites.</p>	<p>No Environment Agency comments</p> <p>We defer to Natural England as lead body for HRA advice for DCO's.</p>

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<p>(c) The views of Natural England, the Environment Agency, MMO, RSPB and other IPs on the third addendum to the Shadow HRA report [REP7-279] and any relevant subsequent HRA material.</p>	<p>No Environment Agency comments</p> <p>We defer to Natural England as lead body for HRA advice for DCO's.</p> <p>HRA will be required for permits submitted to the Environment Agency under the Environmental Permitting (England and Wales) Regulations 2016. These permits have not yet been submitted – therefore we are unable to comment on those HRA matters.</p>
<p><b>5. The DCO, DoO and other control documents</b></p>	
<p>(a) Are any changes over and above those in Revision 9 of the DCO and versions current at Deadline 7 of the DoO and other control documents needed?</p>	<p>We welcome the commitment from the Applicant to ensure the temporary desalination plant will be removed prior to commissioning phase and the proposals to secure this via the DCO and Deed of Obligation.</p>
<p>(b) Practicalities of review and submission of any revisions.</p>	
<p><b>6. Any other matters relevant to the agenda</b></p>	
<p><b>7. Close of hearing</b></p>	

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