

Emre Williams, Case Manager
The Planning Inspectorate
3/18 Eagle Wing
Temple Quay House
2 The Square
Bristol
BS1 6PN

Date: 17th August 2016

Dear Sir,

GLYN RHONWY PUMPED STORAGE SCHEME

PROJECT REFERENCE: EN010072

We provide the following responses in respect of Deadline 8:

RESPONSES TO COMMENTS ON THE ExA's DRAFT DCO

Within the Applicant's Comments on the ExA's draft DCO dated 20th July 2016, with reference to Article 36, the applicant confirms that the following plans "will be finalised as far as possible, but require the further input subject to ongoing NRW discussions and amendments through the Environmental Permits":

- Updated Code of Construction Practice
- Water Management Plan
- Silt Management Plan
- Biosecurity Plan

We remind you that there is currently no valid Environmental Permit application.

Further versions of these plans have been submitted at Deadline 7. However, as noted above these plans will be subject to ongoing discussions with NRW through the separate Environmental Permitting regime. NRW has reviewed the plans as far as it is able to do so in the context of its remit in the DCO and will continue to input in this regard.

Within the applicant's response to the ExA's draft DCO, Schedule 1, Part 2, 9 (5) (iii), the Applicant notes that the water management plan is a construction phase plan. The post construction monitoring has been moved to the applicant's new draft requirement 10 within revision 8 of its draft DCO. This requires 12 months of water quality monitoring from the date of commencement of operation, for surface water monitoring. The objective of the post completion monitoring is to assess whether there has been any significant change in local water quality due to the construction

works, rather than assessing the water quality during the operation of the development (which would be regulated by any Environmental Permits).

We advise against including the new requirement 10. NRW would question the need for such a requirement in the absence of any specified limits against which water quality monitoring would be carried out. Further, an Environmental Permit would be required during the operational phase which would include detailed provisions in respect of monitoring, and which would monitor the quality of the discharges rather than the receiving waterbodies. NRW is concerned that including this requirement in the DCO could cause duplication of control between both DCO and Environmental Permitting regimes (except for up to the first 12 months of completion of the construction works) and also a potential conflict in respect of enforcement responsibilities in the event that an Environmental Permit is subsequently granted. The Applicant has noted that the operation water quality monitoring of discharges is controlled by the environmental permits and not the DCO. NRW advises that requirement 10 is not included, but that requirement 9 (5) (iii) is amended to 12 months post completion monitoring, as previously recommended by NRW. We note that paragraph 4.6.2 of the Water Management Plan has been amended to confirm that 12 months of post completion monitoring of local surface water will be undertaken.

We agree with the applicant's revised wording of Schedule 8, 2 (3).

COMMENTS ON ANY FURTHER INFORMATION RECEIVED BY THE ExA

Applicant's response to Third Party submissions at Deadline 6

Our Permitting function confirm that pre-operational conditions could (in principle) be included in any Environmental Permit. Pre-operational conditions would relate to any/all activities, details, site-specific implications that need to be satisfied prior to a site becoming operational. Should an Environmental Permit be granted for discharge activities NRW could incorporate should NRW consider it necessary to do so. NRW disagreed with the applicant's previous suggestion that the future appointment of an Operator could be conditioned within any Environmental Permit (see response 1.6 below).

Regarding our previous comment in respect of potential radioactive contamination on site, (namely that "It would be beneficial, and would give greater confidence if the Applicant could expand on what these procedures would involve"), the applicant simply responds with "Noted". We request that the applicant provides more details by expanding on the procedures within the Land Discovery Strategy.

Applicant's Responses to Examining Authority's Rule 17 request dated 20th July 2016

Response 1.6 - The applicant has indicated to NRW's permitting function that it intends to submit a further Environmental Permit application in respect of discharge activities. NRW's permitting function have further discussed the requirement of a fully functional and detailed application (including the supporting documentation) with the applicant and the requirement to specify the Operator under the Environmental Permitting Regulations 2010 and RGN 13.

Appendix 1.6 – Our permitting function received a draft copy of the minutes of the meeting held with the applicant (21/07/2016), and submitted comments and amendments to various sections of the content. Our Permitting function's understanding is that the minutes would be revised in light of their comments, and they were not asked for further comment.

Revised Land Discovery Strategy (revision 1)

Within the revised Land Discovery Strategy, it is important to include the need to take into account information gained through the Ordnance Management Strategy. Therefore, within section 2.3.5, "... the minimum contents of the Land Discovery Strategy..." should also include taking account of the findings of the Ordnance Management Strategy. These findings will be useful in the refinement of the Conceptual Site Model, and in updating the risk assessment.

The revised Land Discovery Strategy sets out minimum contents and states that the applicants and principle contractor will have "due regard" to the conditions of the previous planning permission (C12/1451/15/LL) within Appendix A. We request that the minimum contents of the Land Discovery Strategy is rewritten to incorporate the requirements of the conditions of the previous planning permission. We remind the ExA that NRW recommended that the previous, separate requirement (requirement 16 within draft DCO version 5) relating to the Land Discovery Strategy be reinstated.

Revised Ordnance Management Strategy (revision 2), and Revised Materials Management Plan (revision 1)

We have no further comment on these plans.

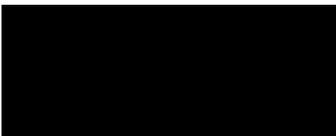
Jeff Taylor on behalf of Concerned about Glyn Rhonwy - Comments in relation to water analysis and sampling and a table of data relating to water quality test results (REP7-052)

We note that Jeff Taylor on behalf of the "Concerned about Glyn Rhonwy" group have completed water quality sampling of their own. Our Permitting function will be happy to receive and assess the validity of these samples should a new Environmental Permit application be submitted by Snowdonia Pumped Hydro. Our Permitting function will not examine the data at this point, and it is a matter for the relevant decision maker to do so if they require further information of the information the report contains.

Our comments above are within the context of the DCO application, and are also provided without prejudice to any decision NRW may make on any application made to it by the applicant for an Environmental Permit under the Environmental Permit Regulations 2010 (EPR), or Abstraction Licence under the Water Resources Act 1991.

Please contact Gareth Thomas, glyn.rhonwy@cyfoethnaturiolcymru.gov.uk or telephone 03000 65 3786 for further advice about this representation.

Yours' sincerely,



Mr. RICHARD NINNES
HEAD OF ECOSYSTEMS, PLANNING, AND PARTNERSHIPS