

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

Date: 8th September 2016

Dear Sir,

GLYN RHONWY PUMPED STORAGE SCHEME

PROJECT REFERENCE: EN 010072

We refer to further information received by the ExA as of Deadline 9. We provide the following responses in respect of Deadline 10:

UPDATED RESPONSE TO THE ExA's QUESTION 1.29 WITHIN RULE 17 LETTER DATED 26TH AUGUST 2016

a) NRW received the Environmental Permit application documentation with respect to discharges on the 7th September 2016, and due to the limited time, NRW has not been able to assess the information received.

c) NRW must assess whether applications are duly made within 21 days of receipt. In respect of the Applicant's response to question 1.9 b) suggesting that NRW will be able to make an early determination of the latest applications in light of the previous applications, this may not be possible. Schedule 5 of the EPR 2010 sets out the time limits for determination and provides that if NRW has not determined the application within 4 months, and the applicant serves a notice on NRW, the application is deemed to have been refused. The timescale for determination is case specific and will depend upon the satisfactory submission of all required information in support of these applications. NRW is not in a position to give a commitment at this stage as to how long a determination will take. The previously withdrawn applications have no bearing on the determination of any future applications submitted.

COMMENTS ON RESPONSES TO ExA's REQUEST FOR FURTHER INFORMATION UNDER RULE 17 LETTER DATED 26 AUGUST 2016

NRW previously advised that Requirement 10 regarding operational water quality management is unnecessary and should be removed however it is still included within the latest version of the DCO (version 9). We do not accept the applicant's explanation regarding its inclusion. We reiterate our comments regarding removing this requirement, and that requirement 9 (5) (iii) should be amended to include 12 months of post construction monitoring.

COMMENTS ON ANY FURTHER INFORMATION RECEIVED BY THE ExA FOR DEADLINE 9

We advise that the outline Code of Construction Practice should be added to the list of plans to be certified under Article 36.

The applicant has confirmed 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
- Excess Water Management Strategy

Further versions of these plans have been submitted at Deadline 9. However, as noted above these plans will be subject to ongoing discussions with NRW’s Permitting function through the separate Environmental Permitting regime. NRW reiterate that it has reviewed the plans as far as it is able to do so in the context of its remit in the DCO.

Whilst we note the amendment to the outline Land Discovery Strategy (we would assume that the change in wording should be to “complying” rather than “compiling” in the first paragraph of Appendix A revision 2), we would request that the previous Land Discovery Strategy requirement is reinstated. Again, we see no benefit in removing the wording of the previous requirement 16 within draft DCO version 5 from the DCO.

NRW have no further comments on the Ordnance Management Strategy submitted at Deadline 9 at this stage.

Our comments are 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,

A large black rectangular redaction box covering the signature and name of the sender.

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