

## Meeting Note

<b>File reference</b>	<b>WS010001</b>
<b>Status</b>	<b>Final</b>
<b>Authors</b>	<b>Alan Nettey &amp; Emre Williams</b>

<b>Meeting with</b>	<b>Augean PLC</b>	
<b>Meeting date</b>	<b>07 December 2011</b>	
<b>Attendees (IPC)</b>	<b>Pauleen Lane</b>	Pre-Application Commissioner
	<b>Tim Hallam</b>	Lawyer
	<b>Rebecca Pong</b>	Senior EIA and Land Rights Officer
	<b>Will Spencer</b>	EIA and Land Rights Officer
	<b>Emré Williams</b>	Case Officer
	<b>Alan Nettey</b>	Case Manager
<b>Attendees (non IPC)</b>	<b>Gene Wilson</b>	Augean PLC
	<b>Claire Brook</b>	Dickinson Dees
<b>Location</b>	IPC Offices, Temple Quay House, Bristol	

<b>Meeting purpose</b>	To discuss the proposal for the East Northants Resource Management Facility scheme
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<b>Summary of outcomes</b>	<p><b>The Proposal</b></p> <ol style="list-style-type: none"> <li>1. Augean gave a presentation to the IPC on the proposals for the East Northants Resource Management Facility (ENRMF). Their intention is to enable the continuation of the permitted operations on the site to 2026 to accept up to 250,000 tonnes per annum (tpa) of hazardous waste and some low level radioactive waste (LLW). The ENRMF site is consented to accept a total of 250,000tpa of hazardous waste, and subject to the on-going legal challenge, potentially LLW until 2013. The order limits for the proposal would be the same as the boundary of the existing site, and the gas flare compound is proposed to operate for a further 30 years. Furthermore, the proposed application for development consent would incorporate an enhanced ecologically based restoration scheme.</li> <li>2. Augean indicated that the Court of Appeal hearing relating to the planning application for disposal of LLW was likely to be during week commencing 16 January 2012. The appellant had now formally</li> </ol>
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applied for an injunction and the hearing in relation to that was scheduled for 14 December 2011.

3. The site is a commitment in the Northamptonshire Minerals and Waste Development Framework, and has favourable status for waste management. It is envisioned that most of the LLW would come from decommissioning activities and other nuclear works. The treatment facility located in the north west corner of the site would continue treatment of hazardous and non-hazardous materials with increased capacity.

### **Consultation**

4. Augean said that they had been engaged in consultation of the local community since 2007. A 'diary' of all consultation activities carried out would be included as an annex to the consultation report.
5. Augean had consulted East Northamptonshire Council (ENC) and Northamptonshire County Council (NCC) (as the 'B' authorities for this project) on a 'Statement of Community Consultation' (SoCC) for the project before publishing it in May 2011. Following that, Augean consulted a number of key stakeholders and other people living within a 10km radius of the site.

Augean is now proposing to carry out formal consultation under sections 42 and 48 of the Planning Act 2008 (PA 2008). The consultation period will either be one month or six weeks if it is over the Christmas period. Previous consultees that were initially not consulted as per regulation 9 of the Infrastructure Planning (Environmental Impact Assessment) Regulations 2009 (the EIA Regs), will form part of this consultation process. Augean will include appropriate references in letters to consultees and other stakeholders outlining the consultation already undertaken including that in accordance with the SoCC (s47(7) of the PA 2008).

6. The IPC confirmed that the central issue was to ensure that members of the public understood the manner in which they were consulted.
7. Augean discussed the format of their proposed consultation report.

### **LLW element of the proposals**

8. The IPC will seek advice on how it will deal with the

LLW element of the proposed application.

**Other matters**

9. Draft DCO – The draft DCO would be in the format of a statutory instrument (SI). It is proposed in it to apply or modify the model provisions. It could also include using the appeal provisions from the Town and Country Planning Act 1990 or conditions from the extant planning permissions. The relevant local planning authority would be responsible for discharging requirements in the DCO.
10. EIA – Augean said that the scoping opinion they had received from NCC had been sent to the IPC. The PEI they had consulted on had effectively been the draft ES. Augean noted that HRA matters are dealt with in the ecology chapter of the draft ES – they were of the view that there were ‘no significant effects’ on any European sites. Augean would send a copy of this draft ES chapter to the IPC prior to the application being submitted.
11. Permits – Augean does not consider it would require any additional permits before the proposed DCO is granted. Augean highlighted that the existing permits will not need to be varied before 2016 when the proposed void would be constructed. The variation applications will be made when necessary. Augean indicated that contaminated land and ground water and discharge to water were already dealt with in the extant Environmental Permit. Augean would explore how it would address these matters in the draft DCO.
12. Existing planning permissions – Augean said it is considering the option of applying to Northamptonshire County Council to extend the existing planning permissions in addition to applying to the IPC. This could allow more time for the IPC to determine the DCO application. Augean would explore how the outcome of the DCO application will affect the status of the TCPA planning consents.
13. PA 2008 decision timeframe – the IPC said that the time period from submitting an application to the IPC to receiving a decision from the relevant Secretary of State would be approximately 15 months.
14. Section 106 matters – The IPC explained that, during the examination, the Examining Authority was only concerned with proposed obligations that were appropriately related to the scheme itself, such as

	<p>15. <u>APFP Regulation 6(5)</u> – the IPC explained that a statement about the proposed development which is in line with the details required by this Regulation would have to be submitted with the application.</p> <p>16. Environmental Statement – Augean confirmed that the document would assume that development would be starting from scratch - i.e. from a position where development on site has ceased.</p> <p>17. <u>Application submission date</u> – Augean said that it was likely that the application would be submitted to the IPC in mid February 2012.</p>
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<b>Specific decisions/follow up required?</b>	<p>1. Augean to provide the IPC with a draft Development Consent Order, draft Explanatory Memorandum, if possible draft land and works plans, draft Environmental Statement, draft Habitats Regulation Assessment at the earliest opportunity prior to formal application submission.</p> <p>2. Depending on Augean’s consultation period the IPC will consider the possibility of running an outreach event to the local community and relevant local authorities.</p>
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<b>Circulation List</b>	Attendees