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Your Ref:

Our Ref: EN010012- 000892

Date: 31 October 2019

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Dear Sir/Madam

### **Notification in relation to the Convention on Environmental Impact Assessment in a Transboundary Context (the "Espoo Convention")**

A development is proposed for a new nuclear power station at Sizewell C, Leiston, Suffolk, England. The Proposed Development is currently at the pre-application stage in the UK's development consent process under the Planning Act 2008 (PA 2008). A 'development consent' is the planning permission required to construct and maintain an onshore generating station with a capacity over 50MW. It is anticipated that a formal application for development consent under the PA 2008 will be submitted in 2020.

This letter notifies your State of the Proposed Development and explains how your State can become involved in the decision process, including the environmental impact assessment ("EIA") procedure, if your State deems this appropriate.

Information on the nature of the possible decision, and the PA 2008 process, is provided in the Planning Inspectorate Advice note 8 series available at:

<https://infrastructure.planninginspectorate.gov.uk/legislation-and-advice/advice-notes/>

### **The Proposed Development**

The Applicant, NNB Nuclear Generation (SZC), proposes to construct a new nuclear power station comprising two European Pressurised Reactors (EPR) reactors with a total expected generating capacity of approximately 3,240 MW. The Proposed Development is located to the north of the existing Sizewell B power station on the Suffolk coast to the north-east of the town of Leiston, England.

The main development site of the Proposed Development comprises the new nuclear power station and on-site associated facilities, such as, a worker accommodation campus and caravan site, administration offices, waste recycling facilities, perimeter and internal roads, and utilities.

The main development site also includes the following off-shore elements:

- cooling water infrastructure (including cooling water tunnels extending out to sea, intake and outfall headworks on the sea bed (North Sea), and the outfall associated with a fish recovery and return system);
- a Beach Landing Facility (BLF) to receive deliveries of Abnormal Indivisible Loads (AILs) by sea throughout the power station's operational life, and
- flood defence and coastal protection measures.

The 'off-site elements' of the Proposed Development are related to transport and include road bypasses, local road improvements and link roads, a possible new freight management facility, new rail infrastructure and upgrades to the existing railway line.

Construction of the new nuclear power station is anticipated to last for 9 to 12 years and has an operational design life of 60 years.

### **General notification for proposed new nuclear electricity generating station developments**

Given that the development consent application is for a proposed new nuclear electricity generating station development of 3,240 MW, and mindful of the findings of the Espoo Convention Implementation Committee in relation to EIA/IC/CI/5, and irrespective of whether the Secretary of State considers the Proposed Development is likely to have significant effects in your State, the Secretary of State has decided to notify your State in the same way it would if a significant adverse transboundary effect was likely for the purposes of Article 3(1) of the Espoo Convention.

If your State responds to this general notification informing the Secretary of State that it wishes to participate in the procedure under paragraphs 5 to 8 of Article 3 and Articles 4 to 7 of the Espoo Convention in relation to this application, you will be consulted on the application for the Proposed Development, including the Environmental Statement.

### **Screening and specific environmental effects**

Notwithstanding the general position set out above, the Proposed Development has been identified as a project within the scope of paragraph 2 of Appendix 1 to the Convention and EU Directive 2011/92/EU on the assessment of the effects of certain public and private projects on the environment ("the EIA Directive"), as implemented by the Infrastructure Planning (Environmental Impact Assessment) Regulations 2017 ("the EIA Regulations").

Consequently, the Secretary of State has screened the proposal for likely significant adverse transboundary effects in your state, as provided for in Article 3(1) of the Espoo Convention, and Article 7 of the EIA Directive, and is of the view that the Proposed Development is **not likely** to have such effects. This assessment includes the taking of a precautionary approach to the information currently provided by the applicant. The screening assessment is available at:

<http://infrastructure.planninginspectorate.gov.uk/document/EN010012-000889>

Notwithstanding the above, this letter is the formal notification under Article 7 of the EIA Directive, as implemented by the Infrastructure Planning (Environmental Impact Assessment) Regulations 2017, and Article 3 of the Espoo Convention of the Proposed Development. Therefore, if an application is accepted for examination, your State will have the opportunity to make representations on the application and its transboundary effects.

The Planning Inspectorate's Advice Note 12 sets out in detail a two stage approach to consultation that the Secretary of State will follow to meet the requirements of Regulation 32 of the EIA Regulations and the EIA Directive.

Broadly, the two stage approach is as follows:

1. **Stage 1**, this notification letter, which is primarily to make you aware of the Proposed Development and to enable you to notify the Secretary of State whether your State wishes to participate in the procedure under paragraphs 5 to 8 of Article 3 and Articles 4 to 7 of the Espoo Convention, and Article 7 of the EIA Directive as implemented in the EIA regulations, in relation to this application or confirm that your State does not wish to participate, or just wishes to be kept informed about this application, and
2. **Stage 2**, if your State responds to this notification informing the Secretary of State that it wishes to participate in the procedure under paragraphs 5 to 8 of Article 3 and Articles 4 to 7 of the Espoo Convention, and Article 7 of the EIA Directive as implemented in the EIA regulations, in relation to this application, you will be consulted on the application for the Proposed Development, including the Environmental Statement.

The Planning Inspectorate's Advice Note 12 sets out more detailed information on the transboundary consultation process and is available on our website:

<https://infrastructure.planninginspectorate.gov.uk/legislation-and-advice/advice-notes/>

The Proposed Development will be subject to further screening if a formal application by the Applicant is accepted for examination (the stage of the process after a formal application is made) by the Planning Inspectorate on behalf of the Secretary of State.

### **Requesting EIA participation**

If, on the basis of this notification, your state would like to participate in the EIA procedure, the Secretary of State requests that you make such an indication within 6 weeks of the date of this letter. If no response is received by 12/12/2019, then the Secretary of State will assume that your State does not wish to participate.

This would not preclude your State from registering during the pre-examination stage as an 'interested party' for the examination stage of the development consent order process (as further explained below).

## Registering as an 'interested party'

As stated above, you may also register as an 'interested party' during the 'pre-examination stage', which begins once a formal application for development consent under the PA 2008 is accepted by the Secretary of State for examination and the Applicant has publicised the Secretary of State's decision to that effect. The process for doing this is explained in the Planning Inspectorate's Advice Note 8.3:

<https://infrastructure.planninginspectorate.gov.uk/legislation-and-advice/advice-notes/>

Registering as an interested party will mean that your State will be invited to take part in the examination, will be automatically kept informed about the progress of the application and when the decision is made.

## Dissemination of information

You may additionally wish to consider the dissemination of information on the Proposed Development for the public concerned in your State, under Article 3(8) of the Espoo Convention, and Article 7(3) of the EIA Directive as implemented by the EIA Regulations. The accessibility of information is detailed above.

## Responding to this letter

The Planning Inspectorate (the independent body responsible for certain planning matters) would be grateful if you could acknowledge receipt of this letter. Ideally your reply should be sent electronically to [sizewellc@planninginspectorate.gov.uk](mailto:sizewellc@planninginspectorate.gov.uk).

If you have any queries, please do not hesitate to contact Environmental Services using the contact details provided.

Yours faithfully

*David Price*

**David Price**  
**Head of Environmental Services Team on behalf of the Secretary of State**

This communication does not constitute legal advice.

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