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Ms. Terry Sheridan
Department of Environment,
Community & Local Government

Your Ref:

Our Ref: EN010007-000818

Sent by email

Date: 1 February 2017

Dear Ms Sheridan

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

Development is proposed for a new nuclear power station at Wylfa, Anglesey, North Wales. The proposed development is currently at the pre-application stage in the UK's development consent process under the Planning Act 2008 (PA 2008). It is anticipated that a formal application for development consent under the PA 2008 will be submitted later in 2017.

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 project is a proposed new nuclear electricity generating station located in the 'Wylfa Newydd Development Area' on the north coast of Anglesey. This covers approximately 380 hectares of land and extends into the Irish Sea at Porth-y-pistyll.

The generating station would have an electrical output of approximately 2,700 megawatts (MW). It would include two Advanced Boiling Water Reactors, associated plant and ancillary structures and Off-Site Power Station Facilities. The Off-Site Power Station Facilities, which are an integral part of the generating station, comprise the Alternative Emergency Control Centre, the Environmental Survey Laboratory and the Mobile Emergency Equipment Garage. These would be located outside of the Wylfa Newydd Development Area, but still within Anglesey.

'Enabling works' (to be consented separately under an alternative consenting regime) are anticipated to take place from mid-2016 until late-2018 and the main construction stage would take place from mid-2018 until mid-2026. The start of commissioning and operation would be mid 2023, with commercial operation of the proposed development commencing in 2026.

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 2,700MW, 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 as likely to have significant impacts in your State, the Secretary of State has decided to notify your State as if a significant adverse transboundary impact 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 impacts

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 2009 (as amended) ("the EIA Regulations").

Consequently, the Secretary of State has screened the proposal for likely significant adverse transboundary impacts 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 **likely** to have such impacts. 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/EN010007-000817>

On the basis of 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 2009, and Article 3 of the Espoo Convention, that the Secretary of State is of the view that it is likely to have significant impact on the environment in your State. Therefore, if the application is accepted for examination, your State will have the opportunity to make representations on the application and its transboundary impacts.

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 24 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/wp-content/uploads/2013/04/Advice-note-12v2.pdf>

The proposed development will be subject to further screening if a formal application by the developer is accepted for examination (the stage of the process after a formal application is made) by the Planning Inspectorate (the independent body responsible for certain planning matters), 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 by 17 March 2017. If no response is received by **17 March 2017**, 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 automatically kept informed about the progress of the application and the decision and you will be invited

to take part in the examination.

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 below.

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 Wylfa@pins.gsi.gov.uk.

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

Yours sincerely

Simone Wilding

Simone Wilding
Head of Major Casework Management
on behalf of the Secretary of State

Advice may be given about applying for an order granting development consent or making representations about an application (or a proposed application). This communication does not however constitute legal advice upon which you can rely and you should obtain your own legal advice and professional advice as required.

A record of the advice which is provided will be recorded on the Planning Inspectorate website together with the name of the person or organisation who asked for the advice. The privacy of any other personal information will be protected in accordance with our Information Charter which you should view before sending information to the Planning Inspectorate.