

From: [REDACTED]
To: [SizewellC](#)
Subject: SZC Preliminary Meeting 14th April 2021- Procedural Deadline B submission
Date: 06 April 2021 22:08:49
Attachments: [mapiaogbifaiidap.png](#)



TOGETHER AGAINST SIZEWELL C

Dear Planning Inspectorate (PINS),

Our IP no. 20026424

Please accept this further submission from Together Against Sizewell C (TASC) in advance of the Preliminary Meeting (PM) Part 2.

Section A

Firstly, TASC would like to express disappointment with some of the aspects of the first Preliminary Meeting. It was evident on the first day that the Applicant's late changes had caused great confusion as to where Interested Parties (IP) were to respond to agenda items. Having previously registered to speak on Item 6 and then waiting a day and a half to do so, TASC feel that it did not contribute to an open and fair process to effectively be told that we could not speak on that item. TASC supporters have also commented that, because of the attitude displayed to some participants on the second day, they felt too intimidated to speak and that it seemed as though the community most affected by this project were being shut out of the process. This feeling of exclusion was not helped by the Applicant's representative, Mr Phillpot, referring to 'important Interested Parties' and stating that IPs should write their points rather than speak. The implication that the Applicant considers that there are unimportant IPs says much about their attitude to the affected communities and others who have expressed concerns about this project. While TASC appreciate PINS desire for consolidated views to be expressed at the PMs, we as an organisation representing many people within the affected communities, urge the ExA to bear in mind that, due to Covid restrictions, the community have not had the chance to meet as they would normally have done to discuss and share views on this project, which could then have given the opportunity to consolidate opinions.

TASC would also like to put on record our disquiet that the Applicant was given the platform to provide their view on the merits of using the Rochdale Envelope when PINs have their own guidance which refers to the limitations on its use and these limitations were not relayed to the meeting. We would appreciate if this matter could be addressed at the PM part2.

The second part of this communication includes those aspects of the PM Part 1 that TASC were not able to voice at the meeting and, for completeness, includes a restatement of

matters that TASC did mention.

TASC believe that problems experienced with internet connections and problems those taking part had with electronic equipment, flickering screens, inoperable videos etc demonstrate that virtual only hearings for the Examination would not be practical and would exclude people.

TASC request to speak at Part 2 of the PM and would like to raise the following matters.

- The ExA will no doubt be aware of the decision to extend the examination of the two SPR DCO applications, developments that also affect east Suffolk. While this makes complete sense given the Covid restrictions that all Interested Parties have endured, it remains the case that this has been done to allow the statutory authorities more time to complete their work but is of no benefit to the local interest groups, residents and businesses who have struggled to meet all the SPR DCO deadlines throughout that Examination to date. TASC hope that PINS will use what has been learned from the SPR situation and apply measures to the SZC DCO so that the Covid restrictions being experienced by all IPs are recognised. We believe that this will best be accomplished by deferring the start of the Examination process by 3 or 4 months. TASC consider this could be done by deferring the PM part 2 but could equally be dealt with by holding a PM part 3. In either case, TASC would like to see the decision whether to accept the Applicant's late changes, happen at least 3 months before the Examination starts.
- Since PM1, TASC have had a virtual meeting with the Office for Nuclear Regulation (ONR) who have advised that the earliest date they would expect to have completed their review of the SZC licence application is June 2022. This means that there is no urgency to conclude the Examination as set out in the current draft timetable. Surely, it would be beneficial to the ExA if the licence work carried out by the ONR was fed into the DCO Examination process. Therefore, a delay in starting the SZC DCO Examination would be greatly beneficial and allow for it to be far better informed with the views of the primary regulator.
- In the PM part 1 many IPs voiced concerns about the Suffolk County Council (SCC) elections limiting SCC's involvement in the process until the elections are completed in early May 2021. It has come to our attention that the situation is worse than has already been expressed as the Council's decision-making committees will not actually be established until the end of May 2021.
- The heavy burden that the SPR DCO examinations place on SCC, East Suffolk Council (ESC), the other statutory IPs and indeed all the residents and NGOs in east Suffolk has, as mentioned above, been recognised by PINS but this means the 3 month extension to that Examination would, if the current draft timetable for SZC is adopted, put more pressures on everyone involved with both the SPR and SZC projects overlapping. This is another reason why TASC believe the start of the SZC Examination should be deferred by at least 3 months.
- Given the disagreement that occurred during the PM part 1 in relation to the deliverability of the Applicant's proposals regarding rail transport, TASC request that the rail proposals are scrutinised at an ISH.
- At the PM part 1, Mr Phillpot said that the Applicant's intention was that full details of the sea defences would be deferred and put into the 'Rochdale Envelope'. TASC find it unacceptable that something so fundamental to the safety of the nuclear site and something that is likely to have such a huge impact on coastal processes, thereby

potentially affecting the whole of the east Suffolk coast, could be just 'left 'til later'. It seems to TASC, that there are genuine concerns that the Applicant is deliberately trying to avoid public scrutiny of major impacts of this development through the DCO process by leaving matters such as the adequacy of the sea defences to be left to negotiations with the ONR and Environment Agency that would take place after the Examination has been completed.

- During PM part 1, Mr Phillpot said that the proposed changes are material and then went to great lengths to describe the proposed changes as relatively small compared to the extraordinary scale of the Sizewell C project. If the Applicant's changes are accepted, they will have significant effects on a considerable number of different parts of the development. Mr Phillpot was correct to say that SZC is a 'highly complex project' so it would be grossly unfair for IPs to be expected to work out which bits of the development are affected by the changes and which parts are not. Many of the difficulties that IPs will have deciphering the impact of all the changes would, in TASC's opinion, be best overcome by a completely new set of DCO application documents submitted before the Examination starts. Additional time would then need to be allowed for the documents to be scrutinised by IPs.
- During PM part 1 TASC received the first draft of the Statement of Common Ground (SoCG) from the Applicant. This requests TASC's views on some of the proposed change documents the acceptability or otherwise of which, under the draft timetable, will not be determined until 21st April, giving only 3 weeks before the first draft of the SoCG needs to be lodged with PINS. TASC have limited manpower available which means that it is quite possible that we would not be able to meet the 12th May deadline. TASC believe this is another reason why the timetable should be deferred so that the decision whether to accept the Applicant's changes is made long before the date of the final PM and relevant deadlines.

Section B: Written representation of statement prepared for PM 1

By way of summary on matters relating to Part 1 of the Preliminary Meeting :-

In respect of Principal Issues, TASC would like the Examining Authority to consider the following:-

- Due to the large number of matters that need to be considered under the Ecology and Biodiversity heading, TASC believe Terrestrial and Marine should be treated as separate Principal Issues.
- The Marine Ecology and Biodiversity heading to include the impact on all fish & marine biota (presently, only migratory fish, eels and mammals are mentioned) , from all aspects of the development, specifically including the potential impacts of the cooling water system and the sewerage output from the development site.
- Under the Terrestrial Ecology and Biodiversity heading, to include: the impacts on County Wildlife Sites, and assessment of the Cumulative loss of Trees and Hedgerows.
- To see the Access Road, including the SSSI crossing and road up from the beach, treated as a separate Principal Issue, this to include examination of access to the site in the early years.

- That the Suitability of the Licenced Site should also be examined as a Principal Issue, covering such matters as: Geology & land quality of the entire licenced site; adequacy of the size of the site to safely accommodate all the buildings and structures required.
- To see Adequacy of electricity transmission lines & implications for the stability of the national grid as a principal issue [this references the cumulative requirements of windfarms/SZB/interconnectors/SZC and considers the potentially destabilising high output from each SZC EPR reactor]
- TASC would like to see the Suitability of the Developer and Operator to be identified as a principal issue, covering such matters as: the competence of the developer; Security risk of a Chinese govt controlled partner; unproven nature of the European EPR design; review of the Funding Statement as we are aware that the main partner, EDF, has major financial problems and admit they do not have the funds available to build Sizewell C; review of the Value for Money assessment.
- We would like to see Emergency Planning examined as a principal issue, so it is looked at now rather than left until SZC is almost ready for operation.
- Potable water is another important matter that TASC would like to see as a Principal Issue, and for the Examination to cover the entire period of operation, not just the construction period.
- Exit Strategies could be an additional Principal Issue, and this would examine: the timeline for completion of the restoration of the main and associated development sites after construction operations cease, as well as the level of penalties for overruns; full assessment of decommissioning including its carbon footprint and the finances available to meet all the decommissioning costs; plans for restoration of the licenced site after use ie once spent fuel leaves the site.

TASC are aware that the items listed in the Draft list of Preliminary Issues set out in the Rule 6 letter are headings which are likely to cover matters not specifically mentioned. However, to ensure matters are not overlooked, TASC would like to see the following referenced:-

Air Quality; to include the impact on all the designated sites.

Climate change and resilience: to include assessment of the full period of interim waste storage, not just up to the end of the operational period; for the Carbon footprint to include a transparent bespoke assessment of the full lifecycle (ie cradle to grave) calculations of the entire Sizewell C development, as well as an examination of how much or how little this project will contribute to achieving the government's carbon targets.

Radiological considerations to include: lack of consultation with local residents regarding plans for Sizewell C to be a nuclear waste store for an indefinite period; assessment of the risk that a GDF is never built to store the radioactive waste; and consideration of the lack of a proven storage medium for spent fuel cell disposal in a GDF.

Flood Risk Assessment: to be expanded to include its impact, particularly in relation to the hard sea defences, on residents, businesses and land-owners throughout east Suffolk including examination of who would be held liable for any damage that may be caused because of this project: would it be the developer, operator, owner, investors or

government?

Under Policy & Need to include a review of: how the project meets the aims of the government's 25-year plan for the environment; the Appraisal of Sustainability; the 2017 Scoping report for the Sizewell C site; the Written Ministerial statement (referred to in Annex B, page B3) and meeting the requirements of the Energy Act.

Item 5 The Applicant's proposed changes to the application

TASC note from the detailed agenda under Item 5 PM 1, that PINS will not decide whether the Applicant's changes request will be accepted until after the Preliminary Meeting. We would like PINS to acknowledge that they will have allowed themselves 12 weeks to decide whether to accept those changes. Yet PINS are suggesting that Interested Parties will have just 4 or 5 weeks to react to that decision in terms of submitting our Written Representations by 26th May. TASC consider this to be grossly unfair to the IPs. We urge PINS to reconsider this statement so that the final Preliminary Meeting takes place after the decision on the proposed changes is made.

TASC would like PINs to treat EDF's new proposals which include, amongst other changes, a 20% increase in materials imported onto the site, a new jetty, more rail and sea journeys, higher sea defences, development creep further onto the Heritage Coast, as a material change. This is not because the final product, that is 2 new EPR reactors, will be that much different but because the method of achieving that end result will have changed significantly. The way the construction project is conducted and its impact, will be fundamentally altered. As an example, reduced road use and greater sea transport would come at the cost to the attributes of the AONB, there will be greater impacts on the marine environment and greater restrictions on the recreational enjoyment of the Heritage Coast. Surely, if the proposed changes result in a substantial reduction in road transport, as the Applicant claims, this would require a reassessment of other aspects of the development, such as the need for the 2 village bypass, all the new roundabouts and the new link road- after all, these associated developments all result in environmental damage and have negative societal impacts, so if they can be avoided, they should be. For the aforementioned reasons, **TASC's opinion is that the development now being proposed is not in substance that which was originally applied for.**

As TASC consider the Applicant's new proposals to be a material change, we would like the changes and their effects on the original application to be the subject of a statutory consultation after which the Applicant should submit a new DCO application.

TASC also believe that the standard of the consultation undertaken in Nov/Dec last year was very poor, only containing outline proposals with very little detail to back them up. This came as no surprise as it continued the trend set by the 4 pre-application consultations. Most of these proposed changes are not new concepts so there is no reason why the applicant could not have firmed up on these issues during the eight years of the pre-application period.

Item 6 Draft Examination Timetable – Annex D

As we won't know, until PINs decide whether to accept EDF's proposed changes, which DCO documents we are responding to in our Written Representations, we consider it to be grossly unfair if we have insufficient time and have to incur additional costs because of the Applicant's shortcomings - after all they had 4 consultations over 8 years to get their original DCO application finalised and over that entire period virtually all the NGOs,

councils and individuals responding to the consultations, mentioned concerns over the transport strategy, yet the Applicant waits until just after the deadline for submission of our relevant representations to put forward these material changes.

With the Examination period starting the day after the final PM (currently scheduled for 14th April), TASC feel it would be preferable for the final PM to be delayed until after we know if PINs are going to accept EDF's new proposals. We believe we should then have a period of at least 3 months from notification of that fact to when the examination formally commences. TASC believe there are numerous other reasons why a delay would be preferable, and these include:-

- it would give the Applicant more time to provide its final plans and their impacts, to all the interested parties, not just SCC and ESC, before the Examination starts. It would appear that further material changes are likely as, on 22nd March 2021 in a Centre for Policy Studies webinar attended by Anne-Marie Trevelyan a BEIS Minister, Julia Pyke, Director of Financing and Economic Regulation for EDF Sizewell C, said that EDF intend to utilise heat from Sizewell C to produce heat assisted hydrogen, district heating and direct air capture, developments in the DCO process which would have significant implications as major alterations to the overall proposal. This means yet more documentation, regulatory and planning implications, and a new dimension to the project for those already affected by the proposals for a new nuclear plant. If this is the case, would it not be sensible to defer the start of the Examination until these proposals are submitted to PINS?

- a delay would give the regulators such as the ONR, Environment agency, Natural England and the MMO more time : we are aware that several financial, safety, health and environmental issues are the prime responsibility of regulators who may not have sufficient time to input even an interim view on their areas of responsibility, to the planning inspectorate, because of all the changes. TASC are appalled at the suggestion by the Applicant that so many important matters such as the design of the coastal defences will not be finalised until after the DCO is consented – we believe that the examination period should not end before the ONR and Environment Agency have completed their licencing and permit work. Indeed, given the importance of the hard and soft sea defences to protect a nuclear site TASC, cannot see any point in starting the Examination at all without detailed and finalised proposals.

- the Scottish Power DCOs runs to 6th April 2021 [now changed] so are an extra burden on NGOs, Councils and individuals up to that date. We are aware of supporters who have had to drop out of the Scottish Power DCOs because of the strain in attempting to adequately address those DCOs at the same time as Sizewell C's while having to cope with the effects of the pandemic.

- Suffolk County Council are holding elections in May so there will be a period of purdah which will reduce the effectiveness of the Council's involvement in the DCO process.

- the Examination, as currently planned, runs through the summer at a time when, after extended periods of lockdown involving travel restrictions, family illnesses, home working, home schooling, families will be wanting to make use of greater freedoms such as going on holiday.

- the earlier the Examination starts, the greater the amount of the Examination process happening while there are still likely to be Covid-19 restrictions in place.

- we believe that as much of the Examination as possible should be conducted by way of open floor in-person meetings so the later the Examination process starts the more likely

this can be facilitated

- site visits are likely to be easier if they occur during times when Covid restrictions are lifted

Regarding the site visits, we recommend that the Examiners visit the Hinkley C site to get an appreciation of the scale of the development so when they visit Sizewell, they can visualise how the replication EDF have promised, will impact on the AONB. We agree with Mr Phillpot's words on behalf of the Applicant, when he referred to the Hinkley C site as "unusually large and complex " including "substantial permanent elements" and to the "vast scale of development". Having seen the Hinkley C development first-hand, TASC request that PINS include a night visit to the construction site, as well as in the daylight hours, to fully appreciate how the light pollution would impact the environmentally sensitive area at Sizewell. We feel there should be unaccompanied aspects of such a site inspection. We would also like to recommend an unaccompanied visit to Bridgwater to witness the lack of trickledown effect on the local economy, in the closest town to Hinkley C.

Yours faithfully,

Christopher Wilson, on behalf of TASC, [REDACTED],
[REDACTED]