

**From:** [REDACTED]  
**To:** [SizewellC](#)  
**Cc:** [REDACTED]  
**Subject:** Sizewell C - Habitats Regulations Assessments across the Development Consent Order and Environmental Permitting regimes  
**Date:** 14 May 2021 11:22:55  
**Attachments:** [image001.png](#)

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**For the attention of Michele Gregory**

Dear Michele,

I work in the Environment Agency's national nuclear new build programme team. I am sending this e-mail to assist Simon Barlow (the EA's Sizewell C Project Manager), as he has many other tasks at the moment linked to our involvement in the Development Consent Order (DCO) process and our determination of operational environmental permits submitted by Sizewell C. For the Sizewell C project, the regulation of the cooling water (CW) process would be split across the DCO permission, including the deemed Marine Licence, and the Environmental Permitting Regulations 2016 Water Discharge Activity permit (EPR WDA permit), as follows:

- The potential effects on Habitat Regulations Assessment (HRA) notable features, associated with the CW system **discharge**, which includes the Fish Recovery and Return system (FRR), will fall to the Environment Agency to assess through the Environmental Permit application.
- The HRA effects associated with the CW **intake** (abstraction) will need assessing within the DCO process, as that part of the CW system is not regulated by our WDA permit, and so will fall to the Planning Inspectorate to consider this and make recommendation to BEIS - as the Competent Authority - to conclude in the determination of the DCO.

Whilst these separate regimes exist, the potential environmental effects should not be assessed entirely separately as the intake and discharge processes may act 'in-combination' to affect HRA notable features. We would like to make sure that the Planning Inspectorate is fully aware of those parts of the HRA related to the CW system that fall within their remit; and also the linkage to the EPR WDA permit for considering the 'whole-project' level impacts upon HRA notable features.

We (at the Environment Agency) will not be able to understand the implications of the CW discharge on HRA notable features until we have concluded our assessment of the WDA permit application under the required HRA criteria. At that time, we would then expect to offer our draft conclusions for public consultation and consideration by the planning inspectors as part of the DCO process. However, there now exists the potential for misalignment of the timescale for our permit decision with that of the DCO process. This is due to the concurrent submission of the EPR WDA permit application with that of the DCO application.

If you would value a discussion with the Environment Agency and/or Natural England about this - and how you would want to manage this in the DCO - then please do let me know. We can then provide collective availability of our staff that would need to be involved in the discussion.

Regards,

Neil.

Neil Dinwiddie

Deputy Programme Manager

Nuclear New Build Programme | Radioactive Substances and Installations Regulation

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