

Index of Hinkley Post Examination Submissions

Name	Organisation	Rep Date	Rep Format	IP Type	IP Ref	Notes
Barry Prickett	n/a	24-Sep	Email	Public	HINK-00001	
Cara Naden	n/a	10-Oct	Email	Public	10014978	
John Gordon	Natural England	30-Nov	Email	StatCon	10014984	CC'ed letter of comfort on wildlife licences to applicant
John Busby	n/s	09-Dec	Email	Public	10013401	
Alistair Mackenzie Ross	Environment Agency	18-Dec	Email	StatCon	HINK-00229	Deed of variation confirmation

- Submission 1 -
Barry Prickett

From: [REDACTED]
To: correspondence@decc.gov.uk
Subject: FW: Your environment survey response
Date: Mon, 24 Sep 2012 13:43:47 +0100

From: [REDACTED]
To: [REDACTED]
Subject: FW: Your environment survey response
Date: Mon, 24 Sep 2012 13:13:31 +0100

From: [REDACTED]
To: tessa.munt.mp@parliament.uk
Subject: FW: Your environment survey response
Date: Mon, 24 Sep 2012 13:12:13 +0100

From: [REDACTED]
To: caroline.lucas.mp@parliament.uk
Subject: FW: Your environment survey response
Date: Mon, 24 Sep 2012 13:11:15 +0100

From: [REDACTED]
To: ed.miliband.mp@parliament.uk
Subject: FW: Your environment survey response
Date: Mon, 24 Sep 2012 13:04:18 +0100

From: [REDACTED]
To: ed@edballs.com
Subject: FW: Your environment survey response
Date: Mon, 24 Sep 2012 13:02:39 +0100

From: [REDACTED]
To: campaigns@libdems.org.uk
Subject: FW: Your environment survey response
Date: Mon, 24 Sep 2012 12:52:08 +0100

barry has [4 files](#) to share with you on SkyDrive. To view them, click the links below.

 [Dear Ed Davey re subsidies 2\[1\].doc](#)

 [Climate change is a major security threat.docx](#)

 [Government should rethink nuclear policy.docx](#)

 [We want a future not a disaster.docx](#)

[Download all](#)

Thank you for completing our environment survey.

Is this email not displaying correctly?
[View it in your browser.](#)

Hi,

Thank you for taking the time to complete our environment survey. The Liberal Democrats are determined to take tough action to protect our environment, so hearing what you've got to say is important to me. The results of the survey so far have already been extremely useful, and I don't want to stop now.

The more people we get to complete the survey, the more the useful the results will be to me and other Lib Dems in the Government.

That's why I'd like you to share the survey with your friends, and ask them to let me know their views as well.

[Click here to share the survey on Facebook now.](#)

Thank you again for taking the time to speak up, I really appreciate it.

Best wishes,

Ed Davey MP
Liberal Democrat Secretary of State for Energy and Climate Change

PS. It will only take a few seconds to let your friends make their voice heard, [click here to do it now.](#)

follow on Twitter | [friend on Facebook](#) | [forward to a friend](#)

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You are on this list because you have given the Liberal Democrats permission to contact you regarding this issue by completing an online survey. If you don't want to receive any further emails, just use the unsubscribe link below.

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Westminster, London SW1P 3AE
United Kingdom

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- Submission 2 -

Cara Naden

From: Cara Naden [mailto: [REDACTED]]
Sent: Wednesday, October 10, 2012 12:08 PM
To: Hinkley Point C
Subject: Fwd: Photo of SSSI legal sign

This sign was in place as the works began at the site and EDF do not have full planning permission. The sign has since been removed but it still shows that there is a massive contradiction if a company can be exempt from catastrophic damage to our wildlife and ecosystems yet it is "illegal" to damage any flora, fauna or geographical existence. This makes a mockery of environmental law and protection of nature.

I hope you will not support the proposal for a new nuclear power station at Hinkley as it will continue to damage the health and well being of our countryside and people for millennia. EDF are destroying the environment and damaging the future. Instead we need to invest in renewable, non toxic localised solutions using the power from the sun, wind, water and biodegradable waste (anaerobic digestion).

Your sincerely,

Cara Naden

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This National Nature Reserve has been notified as a Site of Special Scientific Interest under Section 28 of the Wildlife and Countryside Act 1981.

It is an offence, without reasonable excuse, intentionally or recklessly to destroy or damage any of the flora, fauna, or geological or physiographical features by reason of which the land is of special interest, or intentionally or recklessly to disturb any of those fauna.

A person found guilty of any such offence may be prosecuted and liable to a fine not exceeding £20,000.

- Submission 3 -

Natural England
John Gordon

Dear Mr Mayson & Ms Lee

Cc Planning Inspectorate Case Team (for information only)

Thank you for your subsequent draft great crested newt mitigation licence application, in association with the above NSIP site, which was received in this office on the 2nd October 2012 and I apologise for the delay in issuing our response.

I now enclose the letter of comfort in respect of this application and details of the next steps which will need to be taken should the DCO be granted in respect of this development.

<<Draft Application - EPSM2012 - 4436 B JG (Letter of Comfort).pdf>>

Yours sincerely

John Gordon

Group Coordinator - EPS Mitigation Licensing

Regulatory Delivery - West

Natural England,

First Floor, Temple Quay House,

2 The Square, Bristol, BS1 6EB.

Tel: 0300 060 1442

www.naturalengland.org.uk

We are here to secure a healthy natural environment for people to enjoy, where wildlife is protected and England's traditional landscapes are safeguarded for future generations.

In an effort to reduce Natural England's carbon footprint, I will, wherever possible, avoid travelling to meetings and attend via audio, video or web conferencing.

This email and any attachments is intended for the named recipient only. If you have received it in error you have no authority to use, disclose, store or copy any of its contents and you should destroy it and inform the sender. Nothing in the email amounts to a legal commitment on our part unless confirmed by a signed communication. Whilst this email and associated attachments will have been checked for known viruses whilst within the Natural England systems, we can accept no responsibility once it has left our systems. Communications on Natural England systems may be monitored

and/or recorded to secure the effective operation of the system and for other lawful purposes.

Correspondents should note that all communications to Department for Communities and Local Government may be automatically logged, monitored and/or recorded for lawful purposes.

Date: 30 November 2012
Our ref: EPSM2012 – 4436 B JG
(NATIONALLY SIGNIFICANT
INFRASTRUCTURE PROJECT)



Mr R Mayson
Director of Planning and External Affairs
EDF Energy

Customer Services
Wildlife Licensing
Natural England
First Floor
Temple Quay House
2 The Square
Bristol, BS1 6EB

Sent by e-mail only

T 0845 6014523
F 0845 6013438
E eps.mitigation@
naturalengland.org.uk

Dear Mr Mayson

DRAFT EPS MITIGATION LICENCE APPLICATION STATUS: SUBSEQUENT DRAFT APPLICATION
LEGISLATION: CONSERVATION OF HABITATS AND SPECIES REGULATIONS 2010 (as amended)
SITE: JUNCTION 23 (HINKLEY POINT C ASSOCIATED DEVELOPMENT), ST30504110, BRIDGEWATER, SOMERSET
EUROPEAN PROTECTED SPECIES: Great Crested Newt (*Triturus cristatus*)

Thank you for your subsequent draft Great Crested Newt licence application in relation to the above site, which was received in this office on the 2nd October 2012 and I apologise for the long delay in issuing our response. This draft application relates to a Nationally Significant Infrastructure Project which Natural England agreed to review to help ensure the proposals meet protected species licensing requirements. As you will be aware, no final licensing decision can be made, or a licence issued, unless the development obtains all necessary consents in order to proceed, with any conditions relevant to wildlife discharged. Accordingly we cannot issue a licence unless the Secretary of State grants the Development Consent Order (DCO) in relation to these proposals. Please also note that this letter has been copied to the Planning Inspectorate for reference purposes.

Following our assessment of the resubmitted documents, I can now confirm that, on the basis of the species information and proposals provided, Natural England is satisfied that the Purpose and No Satisfactory Alternative (NSA) tests would be met should the application be formally submitted using the same information and the development is successful in achieving all necessary consents. The further information provided in the revised Method Statement in respect of the Favourable Conservation Status Test (FCS) has enabled us to be able to issue you with this letter of comfort at this stage. However, please take note of the following issues which must be addressed within your method statement prior to submitting your formal licence application, should the DCO be granted.

Favourable Conservation Status Test (FCS)

- Natural England notes that the Habitat Management and Maintenance proposed within the Method Statement in section E5.1 does not include checking the newly created ponds in the receptor site for the presence of fish and their removal if found. Given that new ponds will be created as part of this application and future monitoring/management of the habitats created is a key aspect of this application, we request that monitoring of the new ponds for fish is undertaken as part of the habitat assessment, management

and maintenance proposed. Since the presence of fish can have a significant detrimental effect on the quality of ponds for newts, such monitoring and management would usually be expected as standard for applications of this type. Please include appropriate checks for the presence of fish and their removal if found, in the final method statement and the Habitat Management and Maintenance Plan (HMMP), when this has been finalised.

- As the scale of impact in this case would not automatically require a HMMP for a 'standard' application, we have been able to reach our decision despite the absence of the finalised HMMP, which was requested in our previous response. However, please note that since Natural England has not had opportunity to review the HMMP that will be submitted with the formal licence application, in the event that the DCO is granted, issues may be identified with this document at the final application stage that require addressing before the FCS test can be met and a licence issued.

General advice and next steps

Should the DCO be granted and you are in a position to formally submit your great crested newt application:

Please be mindful that we will only issue a licence within 12 weeks of the first licensable activities. If changes are necessary, other than those already detailed above, then these should be outlined in a covering letter and must be reflected in the formal submission of the licence application. These changes must be agreed by Natural England before a licence can be issued. Please be aware that if changes are made to proposals or timings which do not enable us to meet any of the three licensing tests, we will issue correspondence outlining why the proposals are not acceptable and what further information is required. These issues will need to be addressed before any licence can be issued.

Full details of Natural England's licensing process with regards to NSIP's can be found at the following link:

http://www.naturalengland.org.uk/Images/wml-g36_tcm6-28566.pdf

As stated in the above guidance note, I should also be grateful if an open dialogue can be maintained with yourselves regarding the progression of the DCO application so that, should the Order be granted, we will be in a position to assess the final submission of the application in a timely fashion and avoid any unnecessary delay in issuing the licence.

Yours sincerely



John Gordon
Group Coordinator - EPS Mitigation Licensing
Tel: 0300 060 1442
E-mail: John.Gordon@naturalengland.org.uk

Annex - Guidance for providing further information or formally submitting the licence application.

Important note: when submitting your application, should the Development Consent Order be granted, please mark all correspondence 'NSIP EPSM2012 – 4436 B JG Junction 23 (Hinkley Point C Associated Development) for the attention of Kathryn Murray and John Gordon'.

Submitting Documents.

Documents must be sent to the Customer Services Wildlife Licensing (postal and email address at the top of this letter).

Changes to Documents – Reasoned Statement and/or Method Statement.

Changes must be identified using one or more of the following methods:

- underline new text/strikeout deleted text;
- use different font colour;
- block-coloured text, or all the above.

Reasoned Statement

Imperative Reasons of Overriding Public Interest or Public Health and Safety and/or No Satisfactory Alternative.

When submitting a revised Reasoned Statement please send us one copy on CD, or by e-mail if less than 5MB in size, or alternatively one paper copy of the complete, revised document. Please do not send the amended sections in isolation.

Method Statement

Favourable Conservation Status.

When submitting a revised Method Statement please send us one copy on CD, or by e-mail if less than 5MB in size, or alternatively three paper copies. The method statement should be submitted in its entirety including all figures, appendices, supporting documents. This document forms part of the licence; please do not send the amended sections in isolation.

Customer Feedback – EPS Mitigation Licensing

To help us improve our service please complete the following questionnaire and return to:

Customer Services, Natural England, First Floor, Temple Quay House, 2 The Square, Bristol, BS1 6EB.

Fax: 0845 6013438 or email to wildlife@naturalengland.org.uk

<http://www.naturalengland.org.uk/ourwork/regulation/wildlife/default.aspx>



Natural England Reference Number (optional):	Please tick to indicate your role:	Consultant	<input type="checkbox"/>
		Developer (Applicant/Licensee)	<input type="checkbox"/>

1. How easy was it to get in contact with the Wildlife Management & Licensing team of Natural England?

Difficult (1)

 OK (2)

 Easy (3)

 Very Easy (4)

If 1 please specify who you initially contacted in relation to your issue/enquiry?

2. Please tell us how aware you were (BEFORE you contacted us) of wildlife legislation and what it does/does not permit in relation to your enquiry?

Unaware (1)

 Very Limited Awareness (2)

 Partially Aware (3)

 Fully Aware (4)

3. How would you rate the service provided by Natural England?

	<i>Poor</i>	<i>Fair</i>	<i>Good</i>	<i>Excellent</i>	<i>Not applicable</i>
	1	2	3	4	
Ease of completion of application	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Advice provided by telephone (if applicable)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Our web site (if applicable)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Clarity and usefulness of published guidance	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Helpfulness and politeness of staff	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Advice and clarity of explanations provided during Method Statement assessment	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Advice and clarity of explanations provided during Reasoned Statement assessment	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Speed of process	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
Overall service	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	

If 1 or 2 to any of the above please specify why:

4. Was your issue/enquiry resolved by the activity authorised under licence or advice provided by us?

Fully

 Partially

 Unresolved

If not fully resolved please state what you think could have been done instead (note legislation affects which actions can be licensed):

5. Was there a public reaction to any action taken under the licence or as a result of our advice?

Positive support

 No reaction

 Negative reaction

6. Would you use a fully online licensing service if it could be made available in the future?

Definitely

 Possibly

 Unlikely

 No

7. Do you have any further comments to make or suggestions for improving our service, if yes please specify (continue comments on an additional sheet if necessary). If you are happy to be contacted at a later date to explore possible improvement options, please tick this box and ensure your Natural England reference number is at the top of this page.

- Submission 4 -

John Busby

>To: The Hinkley Team cc Sir Michael Pitt
>From: John Busby 10013401

Subject: My statement to the Hinkley Point C Hearing 9 May 2012

See article in Today's Sunday Times "Nuclear cleanup to take 120 years and cost £120 billion"
www.thesundaytimes.co.uk/sto/news/uk_news/.../article1173042.ece

NLFAB was set up to recommend a system of collecting levies from the new nuclear build in order to avoid the sort of costs resulting from its decommissioning and waste management reported today.

See

http://www.decc.gov.uk/en/content/cms/meeting_energy/nuclear/new/waste_costs/nlfab/nlfab.aspx

Extract "*DECC has created the independent Nuclear Liabilities Financing Assurance Board (NLFAB), to provide impartial scrutiny and advice on the suitability of the Funded Decommissioning Programme (FDP), submitted by operators of new nuclear power stations. The Board will advise the Secretary of State on the financial arrangements that operators submit for approval, and on the regular review and ongoing scrutiny of funding.*"

I think that NLFAB has reported, but its solution has been turned down by EdF.

I attended the Hinkley Point C hearing in order to get The Planning Inspectorate to add conditions to its consent as follows:-

The application should be refused or deferred until an EPR has been successfully commissioned after 2014.

The contract for the construction and commissioning between Areva and TVO of the "first-of-a kind" Evolutionary Pressure-Water Reactor at Olkiluoto in Finland, the EPR, was signed in 2003. It is now not likely to be generating until 2014, a time span of 11 years. In the meantime another EPR is under construction at Flamanville in France, expected to be commissioned in 2016. Two further EPRs are under construction in China, the date of completion of which is unknown.

With such a complex object, it is inevitable that changes in design will arise before it is properly commissioned, which will mean changes to the other three during their construction, which will introduce delays and additional costs. EdF has indicated that it hopes to decide to go ahead with Hinkley Point C at the end of 2012. It may well lead to a speedier completion if this decision awaits the eventual completion of the first EPR so that any necessary modifications can be incorporated in the NNBSGenCo EPR. A postponement of the decision for what may be 18 months, may well save years of delay and expense if major modifications to the design prove to be necessary. If the commissioning of the first EPR is further delayed, it

would indicate that its design is not viable and further EPRs will not be built.

The application is specific to the EPR, which may be withdrawn and substituted by a Franco-Chinese version of the smaller ATMEA-1. If so it should be deemed that the application has failed and a new application to be submitted.

Taking cognisance of the problems with the EPR, a smaller reactor is under development by a joint venture of Areva and Japanese MHI known as the ATMEA-1. Following the cooperation of Areva and its equivalent in China in the building of the two EPRs in China, EDF is prepared to develop an alternative to the ATMEA-1 with Guangdong Nuclear Power Corporation.

The design of the ATMEA-1 will not be completed until 2013 and if submitted as an alternative to the EPR for Hinkley Point C, would need the scrutiny of ONR's GDA, a process which could take a further two years. The involvement of Guangdong in a UK new reactor would be complex.

This is much too difficult for THE PLANNING INSPECTORATE to consider and the substitution of any other reactor than the EPR would mean that the application has failed.

Planning consent to be withheld until NNBGenco has finances in place sufficient to cover an extended building period, usually ten years. (OL3 in Finland is taking more than 11 years from contract signing)

Financing of nuclear build by the private sector has relied on state loan guarantees, the provision of which requires the down-payment of a premium. How the development at Hinkley point is to be financed is not yet defined. NNBGenco is ca. 68% owned by the French state, 20% by Centrica and the rest by EDF's shareholders.

Whatever "incentives" are in place, an investment in a project with an unknown cost and construction period without some guarantee or under-writing is an unlikely prospect. The four "incentives" incorporated in the energy market reform conceived by DECC are a disincentive to the minority shareholder, Centrica, as they penalise its core gas business.

Direct investment by the UK or the French government will conflict with EC competition policy, so any solution will be complex and expensive. With a declining electricity market it is not clear how such an investment will be realised.

The risk is that the project will start, but after some progress has been made, the financing will fail and the completion will be to the account of the UK government.

Planning consent to be withheld until ONR is satisfied that the additional safeguards requested post-Fukushima by the Chief Nuclear Inspector have been incorporated in the design and specification of the EPR.

In the aftermath of the Fukushima disaster there is an list of prospective modifications to the EPR design issued by ONR. There is a programme of consideration and agreement by EdF to be fulfilled by the end of 2012. This will enable final cost evaluations to be made in order to procure adequate financing and EdF's final decision to proceed.

Planning consent to be withheld until a mechanism for collecting adequate nuclear liability funds has been submitted by NNBSGenCo and considered by THE PLANNING INSPECTORATE as satisfactory and will ensure no cost to the UK Treasury. The company structure is unable to cover its liabilities and such should be underwritten by the French State, as the majority owner of NNBSGenCo.

When the privatised British Energy failed its nuclear liabilities were taken over by the UK government. Following this the intention of the UK government is that the nuclear liabilities of the new nuclear build will not fall to the taxpayer and to consider and advise a suitable financial mechanism for this to be avoided the NLFAB was appointed.

I believe the NLFAB has reported, but its findings have been rejected by EdF and in response it has been asked to put up its own suggestions. The previous system was a levy on generation, but clearly if there are interruptions or premature closures, the contributions to the fund will be reduced. Also the NNBSGenCo as a joint venture could simply be liquidated to avoid its liabilities.

It may be that the only satisfactory solution is for a bond to be raised able with its interest earned able to meet the eventual liabilities, a sort of pension fund for retired reactors. However, whatever transpires THE PLANNING INSPECTORATE should be satisfied that a mechanism is in place able to avoid the costs for decommissioning and waste management associated with the new build falling to the account of the taxpayer.

It the operational life of the EPR extends to 60 years, then the decommissioning and waste management liabilities will fall in 2080 and beyond, so the financial mechanism may be somewhat complex.

I appreciate that it is not the remit of THE PLANNING INSPECTORATE to consider reactor safety. I have recently reviewed the safety issues post-Fukushima with the ONR/GDA staff in HSE HQ at Bootle and am well versed in the issues post-TMI, Chernobyl and Fukushima.

The hydrogen explosions at TMI and Fukushima followed the depressurisation of the reactors. It is my position that as the emergency core cooling systems are initiated by depressurisations, their application in an emergency, such as a station blackout, may lead to the destruction they are intended to avoid.

I just wish to record that in spite of the assurances of the GDA technical staff to the contrary I continue to hold to my convictions.

My ability to address the issues above can be confirmed by reference to my website, which contains my CV and includes a linked list of my articles on energy subjects.

See <http://www.after-oil.co.uk> and <http://www.after-oil.co.uk/articles.htm>

John Busby 2 May 2012

I believe that the decision is now postponed until March 2013 and with the statement by NDA's John Clarke, the opportunity arises to re-consider the conditions attached to the consent, if due regard has not been made to the NLFAB's requirements.

With kind regards

John Busby

PS The commissioning of the first EPR in Finland is now further delayed to 2015
JB

Tel: [REDACTED]

Fax: [REDACTED]

Email: [REDACTED]

The Busby Report: <http://www.after-oil.co.uk>

My articles: <http://www.after-oil.co.uk/articles.htm>.

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- Submission 5 –

Environment Agency
Alistair Mackenzie Ross

Our Ref:

Your Ref: EN010001

Date: 18 December 2012

Dear Sirs

The Proposed Hinkley Point C (Nuclear Generating Station) Order

Article 33C of the draft DCO dated 19th September 2012 (Agreements relating to Bridgwater Bay Nature Reserve)

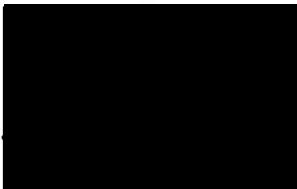
We refer to the Agreed Position Statement dated 19 September 2012 between EDF Energy and Natural England in relation to the above and our separate letter dated 19 September 2012.

We are writing to inform you that the Deed of Variation referred to has been completed and a copy of the deed will be sent to you by EDF Energy and Natural England for your information.

Our position remains as set out in our letter of 19 September 2012.

Please would you draw this letter to the Secretary of State's attention.

Yours faithfully

Signed by  Environment Agency