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**Sent via email**

Your Ref:

Our Ref: EN010007-001792

Date: 6 July 2018

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Dear Sir/Madam

**Information in relation to the Convention on Environmental Impact Assessment in a Transboundary Context (the “Espoo Convention”) and the Convention on Access to Information, Public Participation in Decision-Making and Access to Justice in Environmental Matters (the “Aarhus Convention”).**

The Secretary of State has received an application in respect of the Wylfa Newydd Nuclear Power Station (the Proposed Development), which principally comprises a proposed new nuclear new nuclear electricity generating station on the north coast of Anglesey, in north Wales. The generating station would have an electrical output of approximately 3.1 gigawatts (GW).

The Proposed Development would also include:

- Permanent and temporary works in the marine environment;
- Off-site Power Station Facilities including a control centre, laboratory and emergency equipment garage; and
- Associated Development comprising a worker accommodation campus, temporary park and ride facility, construction logistics centre and highway improvements.

This letter provides details of where further information on the Proposed Development can be found on the Planning Inspectorate’s website.

**Transboundary screening**

The Proposed Development has been identified as a project within the scope of paragraph 2 of Appendix 1 to the Espoo 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”).

Prior to receiving the application the Secretary of State (as provided for in Article 3(1) of the Espoo Convention and Article 7 of the EIA Directive) undertook a screening assessment to identify if there were likely significant adverse transboundary effects on the environment in your state. This concluded that the Proposed Development **is not likely** to have such effects.

Following receipt of the DCO application, the Secretary of State has now re-screened the Proposed Development to reconsider if there is the potential for likely significant adverse transboundary effects in your state. The Secretary of State remains of the view that the Proposed Development **is not likely** to have such effects. This assessment has adopted a precautionary approach to the information currently provided by the Applicant. The screening assessment is available at:

<https://infrastructure.planninginspectorate.gov.uk/document/EN010007-001765>

Further information on the transboundary consultation applicable to the EIA process can be found in the Planning Inspectorate's Advice Note 12 available on our website:

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

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

The Secretary of State has had regard to the findings of the Espoo Convention Implementation Committee in relation to EIA/IC/CI/5 and the UK's obligations under the Convention on Access to Information, Public Participation in Decision-Making and Access to Justice in Environmental Matters (the 'Aarhus Convention'). The Secretary of State has therefore decided to inform your State of the Proposed Development as if significant adverse transboundary effects on the environment in your State were likely for the purposes of Articles 3(1) and 2(4) of the Espoo Convention.

This letter therefore invites your State 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.

### **EIA participation and consultation**

Your State is now being consulted and given the opportunity to provide the Secretary of State with the opinions of your public and its relevant authorities on the Proposed Development. You may wish to provide information on:

- The potential significant effects of the proposed development on the environment of your State; and
- The measures envisaged to reduce or eliminate such effects.

Where you have undertaken consultation with the public of your State or with the relevant authorities, where appropriate, it would be helpful to summarise these comments in any response to the Inspectorate.

## Information about the proposed application for development consent

Information about the Proposed Development is available in the application documents, which include:

- The draft Development Consent Order (DCO);
- The Environmental Statement (and a non-technical summary); and
- The Habitats Regulations Assessment Report.

These documents are available on our website:

<https://infrastructure.planninginspectorate.gov.uk/projects/wales/wylfa-newydd-nuclear-power-station/>

The Applicant has also produced a 'Guide to the Application', listing the entirety of the documents prepared in support of the DCO application. This document is available from:

<https://infrastructure.planninginspectorate.gov.uk/document/EN010007-001312>

## Timeframe for comments on the Proposed Development

We propose a 6 week consultation period from the date of this letter for your State to provide comments to the Inspectorate on the application for the Proposed Development. On this basis the deadline for the comments is **17 August 2018**. If we do not receive any comments by this date, then we will assume that your State does not have any comments to make on the Proposed Development in accordance with the EIA Regulations.

We would be grateful if you could acknowledge receipt of this letter and confirm that the proposed timescale is acceptable. Your reply to the Secretary of State should be sent electronically to: [wylfa@pins.gsi.gov.uk](mailto:wylfa@pins.gsi.gov.uk)

## Information about the decision making timetable

The DCO application submitted to the Secretary of State has been accepted for examination. The Proposed Development is now at the pre-examination stage. The remaining stages of the DCO process are:

- Examination (the Examining Authority has a maximum of six months to carry out the examination),
- Recommendation (three months for the Examining Authority to make a recommendation to the relevant Secretary of State),
- Decision (three months for the relevant Secretary of State to make a decision on whether to grant or refuse development consent); and
- Post-decision (six week legal challenge period).

## Registering as an Interested Party

The Infrastructure Planning (Examination Procedure) Rules 2010 set out how your state may become involved in the examination process – this is by registering as an Interested Party. This 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

<https://infrastructure.planninginspectorate.gov.uk>



part in the examination. By registering as an Interested Party, your state and any members of your public who register are afforded the same ability as the UK public to participate in the process should they wish to do so.

Registering as an Interested Party is a separate process, is not part of the EIA Regulations and does not alter any rights of your state under the EIA Regulations. The deadline to register as an interested party for this application closes on **13 August 2018 at 23:59 Greenwich Mean Time (GMT)**.

Further information about registering as an Interested Party can be found in the Planning Inspectorate's Advice Note 8.2, available on our website:

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

### **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 [Wylfa@pins.gsi.gov.uk](mailto:Wylfa@pins.gsi.gov.uk).

If you have any queries, please do not hesitate to contact the Planning Inspectorate's Environmental Services Team using the contact details provided.

Yours faithfully

*Simone Wilding*

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

This communication does not constitute legal advice.

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