

Mr S Eades
Director, Marinet Limited
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Our ref AMC/2015/286
Date 19 January 2016

Dear Mr Eades

Re: Applications for Variations to Environmental Permits held by Magnox Limited for the Bradwell Site

Thank you for your email of 8 January 2016 to our former Chairman, Sir Philip Dillely. Sir Philip was interested to read your correspondence and has asked me to respond on his behalf.

I note that we did not receive your earlier correspondence, sent to the address of our previous head office, before we moved to Horizon House in Bristol in 2010. We are committed to upholding our service commitment to customers and I am disappointed that we were not able to respond more quickly in this instance. In future can I advise you to go to the www.gov.uk website to check you are using the correct address for correspondence.

I hope I can now address the concerns you raised in your letter of 5 October 2015 (and referenced correspondence of 17 September 2015). In addition, I hope I can provide some clarification and reassurance by correcting some of the statements in your letter, which do not accurately reflect the current position.

I can confirm that Magnox Limited does hold valid environmental permits covering discharges from the Bradwell site. I can also confirm that the Bradwell site discharges liquid radioactive wastes which also include nitrates and heavy metals. We have made it clear in our letter to Magnox of 12 June 2015 that the environmental permit (that you refer to) remains extant, even though we accept that the 12 month period allowed under the permit for discharge has now come to an end. As a consequence, in June 2015, we issued an Enforcement Position allowing the discharge to continue whilst a permit variation, to extend the time limit, was determined.

We have not allowed Magnox to operate without a permit. We have simply said we will not enforce the time limit. All other conditions, including those set to protect the environment, remain in force. As the environmental conditions have not changed since the permit was originally issued, we consider this position to be fair to the company whilst at the same time ensuring the estuary is fully protected.

As you are aware, we are currently carrying out our determination of applications from Magnox Ltd for variations to the existing Bradwell site environmental permits. In your letter, you indicate that you believe 'this variation' has not met legal environmental requirements. It is not clear, which specific legal environmental requirements you are referring to. However, I do not intend to respond here to the points raised in your letter of 17 September 2015 - relating to Magnox's applications for variations to the environmental permits – as we will respond to these as part of our determination process, along with other representations received. As part of our determination, we will make draft permits available for comment publically, prior to making any changes, and at this stage we will explain how we have taken account of comments received on the applications.

Nonetheless, I can provide some general clarification, which I hope is useful now. Our determination will include, as appropriate, consultation with key partners and stakeholders, including Natural England. We have established administrative arrangements for working together with other partner organisations, to ensure our decisions meet relevant statutory requirements, such as those of the Habitats Regulations and relevant conservation objectives such as those contained in the Blackwater, Crouch, Roach and Colne Estuaries Marine Conservation Zone (MCZ).

Many of the specific points, covered in your letter of 17 September 2015, are not germane to the determination of the environmental permit variation applications as these are discharged by other statutory bodies. Specifically, the Office for Nuclear Regulation (ONR) has responsibility for environmental impact assessment under 97/11/EEC etc and the environmental assessment procedures you reference for the MMO relate to activities that the MMO licenses rather than activities which are permitted by the Environment Agency. In broad terms, we achieve similar outcomes when discharging our own statutory duties, although these are implemented through different administrative arrangements. If your enquiries relate to the specific functions of these other bodies, can I recommend that you direct these to them.

I hope this provides you with some useful further information and reassurance, if you require any further clarification or have further questions, please get in touch.

Yours sincerely



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