

Sir Philip Dilley  
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Stephen Eades  
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5<sup>th</sup> October 2015.

**Bradwell Site, Magnox Limited : Environmental Permit Application to discharge liquid wastes from Fuel Element Debris (FED) Dissolution (dissolving in nitric acid) : reference PR2TSE10760/V003 and EPR/DP3217XB/V002.**

Dear Sir Philip,

We bring to your attention the above permit application which is being dealt with by your permitting centre in Sheffield along with our submission in this matter, copy enclosed.

We note that the original permit expired 22nd June 2015, and that in the interim your Agency Office in Ipswich has informed Magnox Limited on 12<sup>th</sup> June 2015, copy enclosed, that whilst the company makes a new application – see above reference details – for an extension to this original permit the Environment Agency will not enforce the 12 month time limit (as per original permit) until a variation has been granted. In other words, Magnox Limited may continue to discharge liquid radioactive wastes, nitrates and heavy metals even though it no longer has a permit, and the Environment Agency will take no enforcement action to prevent this.

The company, Magnox Limited, is required by the Environment Agency to submit a variation application in the interim by 27<sup>th</sup> July 2015, and the company has complied with this condition. However, we believe that this variation has not met with legal environmental requirements – see text of our submission, copy enclosed; and, it also transpires that other parties concerned about this variation application have established that the Environment Agency did not screen the company's application under the Habitats Regulations and that Natural England have therefore not conducted an appropriate assessment under these Regulations.

This situation is now, we understand, being addressed by the Environment Agency, and that Natural England will take approximately 3 months to conduct this appropriate assessment, and that this in turn will then be followed by a further period of public consultation in the light of the appropriate assessment before the Environment Agency is in a position to determine whether to issue the variation application to the company.

We are greatly concerned that the Environment Agency is party to a situation whereby the company is able to continue to operate a process which leads to discharges of liquid radioactive wastes, nitrates and heavy metals *without a valid permit* into an environment which contains statutorily protected nature conservation sites, and that this situation will pertain for what appears to be several months. This means that the company could, in this period when no valid permit exists, discharge all those waste

materials for which a licence is required, and which are potentially seriously prejudicial to the interests of the statutorily protected conservation sites, and do so without a valid permit *because* the Environment Agency has consented to this situation.

We regard this situation as **highly irregular**. It appears to us to be contrary to both the spirit and the letter of the law established by Parliament.

We ask that you investigate this matter with urgency, and inform us of your findings as to the facts, and your conclusions.

Yours sincerely

S. D. Eades  
Marinet Limited.

cc. David Levy, Marinet Director and Chair.