



Bundesministerium für Umwelt, Naturschutz und nukleare Sicherheit, G I 2, 11055 Berlin

Mr. Romas Svedas
Chair of the Implementation Committee
under the Convention on Environmental Impact Assessment
in a Transboundary Context and its Protocol on
Strategic Environmental Assessment
c/o Secretariat
UNECE
Palais des Nations
8-14 avenue de la Paix
CH-1211 Geneva 10

Schweiz

TEL +49 3018 305 - 4352

FAX +49 3018 305 - 3393

christof.sangenstedt@bmu.bund.de

www.bmu.de

Ref. EIA/IC/CI/5 – Hinkley Point C NPP

Berlin, 07.05.2018

Dear Mr. Svedas,

hereby, I would like provide the information the Implementation Committee has requested concerning the Hinkley Point C nuclear power plant.

Topic (a): Results of the consultations with the United Kingdom since March 2017 with regard to the activity

Answer:

By letters of 24 and 28 July 2017 the United Kingdom (UK) explained that it would not propose to formally notify the project because “notification” according to the Espoo Convention was designed to take place ahead of a decision authorizing the activity being taken. However, instead of a formal notification the UK offered to establish a process “similar to a formal notification process, as envisaged by the Espoo Convention”. To this end the UK provided “the information that would have been made available to States had they participated in a transboundary consultation for the project ahead of planning consent being granted” and offered the opportunity for Germany to comment on the current environmental information in relation to potential transboundary impacts by 20 October 2017. The UK also promised to consider the responses received. A summary of those responses and





Seite 2

the UK's response to any substantial issue raised would be published in a summary and shared with Germany. If likely significant adverse transboundary effects would be identified based on scientific evidence by way of this process, the UK would look at how the regulatory regime might address these effects.

In addition, the UK offered that if a material change to the existing Hinkley Point C development consent would be submitted to the Planning Inspectorate, it would again be considered whether there could be likely transboundary effects. Germany would be informed of the application even if the UK would come to the conclusion that there would not be any likely significant adverse effects.

Germany responded that a formal notification would be preferred but the procedure proposed by the UK would be accepted. For Germany it was most important that the process offered by the UK was equivalent to the procedure foreseen by the Espoo Convention. In the follow up, by 20 October 2017 the responsible Ministry for Environment, Energy and Climate Protection of the State of Lower Saxony sent comments to the UK on the information received.

Topic (b): Considered the Government of Germany that the activity at Hinkley Point C was likely to cause a significant adverse transboundary impact on the territory of Germany?

Answer:

According to what the Implementation Committee has stated previously "notification is necessary unless a significant transboundary impact can be excluded" (ECE/MP.EIA/IC/2014/2, annex para. 47). The German Federal Ministry for Environment, Nature Conservation and Nuclear Safety considers that with regard to Hinkley Point C a significant adverse transboundary impact cannot be excluded.

Topic (c): Position of the Government of Germany regarding the application of the Convention, including on:



Seite 3

(i) whether the discussion with the United Kingdom in reaching the agreement on whether there was likely to be a significant adverse transboundary impact will be continued in accordance with the article 3 para.7, and whether in absence of such agreement the matter will be submitted to the inquiry commission in accordance to the provisions of appendix IV of the Convention, or:

(ii) whether, after consultations with the United Kingdom, the application of the Convention was considered no longer necessary.

Answer:

See our answer to topics (a) and (b). In the case of Hinkley Point C, the UK and Germany have found a pragmatic solution. Therefore, it will not be necessary to continue the procedure foreseen in article 3 para 7 and to submit this matter to the inquiry commission according to appendix IV of the Convention. However, with regard to similar cases, in the future Germany would prefer to be formally notified.

Kind regards

Christof Sangenstedt