



ROYAL NORWEGIAN MINISTRY OF
CLIMATE AND ENVIRONMENT

Elena Santer

Your ref

Our ref

Date

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Comments from Norway - letter from the Chair of the Implementation Committee regarding Hinkley Point C nuclear power plant

We refer to your e-mail of 5 April 2018 with an enclosed letter from the Chair of the Implementation Committee under the Convention on Environmental Impact Assessment in a Transboundary Context and its Protocol on Strategic Environmental Assessment.

In the enclosed letter dated 28 March 2018, the Implementation Committee asks the Government of Norway to inform the Committee on the following:

- a) The results of the consultations with the United Kingdom since March 2017 with regard to the activity;
- (b) Whether the Government of Norway considered that the activity at Hinkley Point C was likely to cause a significant adverse transboundary impact on the territory of Norway;
- (c) The position of the Government of Norway regarding the application of the Convention, including on:
 - (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.

Norway has the following responses to these questions in a chronological order:

- (a) A meeting was held in Oslo in May 2017 between representatives from the Norwegian Ministry of Climate and Environment, The Norwegian Radiation Protection Authority and representatives from United Kingdom Department for Business, Energy

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& Industrial Strategy (BEIS). The current status of the project, planning processes and routines relevant to Hinkley Point C project (HPC) was presented from the UK side and discussed.

In a letter dated 28 July 2017, BEIS asked Norway and other parties to the Espoo Convention to comment on the current environmental information in relation to the potential transboundary impacts of Hinkley Point C. Norway responded to the letter 12 October 2017. Norway stated that we appreciated the information received. We also asked the United Kingdom to provide us with any updated information, when it is available, related to the Environmental Impact Assessment of Hinkley Point C.

In November 2017 a delegation from the Norwegian Ministry of Climate and Environment and the Norwegian Radiation Protection Authority were invited to take part in a visit to the site of Hinkley Point C accompanied by BEIS. The Norwegian delegation was presented with a range of diverse information regarding the project and project site, including an overview of the project's progress to date. The delegation was also given a guided tour around parts of the site. Discussion focused on identification and implementation of safety improvements, how internal inspection works and how this aligns with regulatory engagement, as well as recent incidents and near misses.

As reflected above, the United Kingdom has provided Norway with a range of information and documentation relevant to the HPC nuclear power plant project. We are satisfied with and appreciate the contact and consultation with United Kingdom in this regard.

- (b) The Norwegian point of view on this question has not changed. We are of the opinion that it is not possible to exclude that a major accident or incident at a nuclear power plant, like the HPC, may cause significant adverse transboundary environmental impacts on the territory of Norway.
- (c) During the consultations, the United Kingdom have provided Norway with relevant documentation, assessments as well as answers to relevant questions. Furthermore, the United Kingdom invited the Norwegian delegation to take part in a visit to the site of Hinkley Point C, which provided the Norwegian government with more understanding of the project. It is in our understanding that the United Kingdom through these positive consultations, have shown recognition that notification is useful at the current stage.

As also stated above under point a, we have asked the United Kingdom to provide us with any updated information, when it is available, related to the Environmental Impact Assessment of Hinkley Point C. We therefore wish to continue consultations regarding the planned construction of the HPC nuclear power plant in Somerset, United Kingdom in accordance with the article 3 para. 7 of the Convention.

We also refer to MOP 7/3 draft decision VII/2 point 5.c., which was discussed at the Meeting of the Parties in Minsk last year. However not adopted, it is relevant. For certain activities, such as nuclear energy-related activities, while the chance of a major accident, accident beyond design basis or disaster occurring is very low, the likelihood of a significant adverse transboundary impact of such an accident can be very high. Therefore, on the basis of the principle of prevention, when considering the affected Parties for the purpose of notification, the Party of origin should be exceptionally prospective and inclusive, in order to ensure that all Parties potentially affected by an accident, however uncertain, are notified.

We understand through our consultations that the United Kingdom will ensure that in the context of future decision-making regarding planned constructions of nuclear power plants, notifications will be sent in accordance with the Convention. We are satisfied that the United Kingdom will ensure this.

Yours sincerely

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This document is signed electronically and has therefore no handwritten signature