

Sizewell C Marine Technical Forum: Quarterly Meeting [No3]

NOT PROTECTIVELY MARKED

Level:	Marine Technical Forum
Date:	21st March 2024
Location:	Microsoft Teams
Chair:	Peter Barham; Independent Chair (PB)
Attendees:	Stephen Roast; SZC Ltd (SR) Ben Hughes; SZC Ltd (BH) Andrew Griffith; Cefas for SZC Ltd (AG) Lucy Goodman; ESC (LG) Chris Finbow; ESC (CF) Ethan Lakeman; MMO (EL) Laura Calvert; MMO (LC) Ayden Hassan; EA (AH) Simon Barlow; EA (SB) Sean Mahoney; NE (SM) Polly Mills; NE (PM) Vanessa Gouldsmith; NE (VG)
Apologies:	Amy Trakos (MMO)

Meeting Note

Discussion Item	Comments	By when
1	<u>Welcome and Introductions</u> PB welcomed and introduced everybody. PB noted that this was the first full MTF meeting formally operating to the newly agreed Terms of Reference.	
2	<u>Safety Message</u> Microplastics and marine life	
3	<u>Project Update</u> SR provided an update on the current status of the project and matters arising:	
3.01	The project is still working hard to confirm the financial investment arrangements and currently working on due diligence with potential investors. As UK government will be the majority shareholder, both main political parties are now taking an interest in the financial model etc given that a General Election is likely this year.	
3.02	The DCO was 'triggered' on January 15 th 2024. Site clearance and construction continues at the Sizewell C site but there will be no DML related marine activities in 2024 (see also Discussion Item 6)	
3.03	The company has been re-structured and Dr Pete Bryant, previously Head of Environment, Decommissioning and Radiation Safety and to whom SR and BH reported, has now taken the role of Director of ESG and Radiation Strategy. Pete has been replaced by Stuart	

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	Woodings as Head of Environmental Consenting and Compliance – Stuart has a great deal of experience of nuclear new build having previously been Head of Environment during the Hinkley Point C DCO and WDA applications,	
3.04	SR confirmed that the Terms of Reference for the MTF had formally been agreed on 3 rd January 2024 and thanked everybody for their contributions to that process.	
4	Minutes from Last Meeting	
4.01	SR confirmed that all actions from the previous meeting had been closed apart from MTF031023.10, for which he apologised. SR noted that this particular action (provision of a forward look for DML submissions) will be a standing action (see also Discussion Item 5).	
5	DML and DCO Returns	
5.01	SR summarised the DML Condition and DCO Requirement submissions that had been made in 2023 and confirmed their status:	
5.02	DML Condition 33 (Sediment Sampling Plan and Sample Analysis Phase 1) has been approved by MMO.	
5.03	DCO Requirement 12 (Coastal Processes Monitoring and Mitigation Plan (Terrestrial); CPMMP) has been approved by ESC (see also Discussion Item 5.06).	
5.04	DCO Requirement 19 (Marine Infrastructure) has been approved by ESC. (see also Discussion Item 5.06).	
5.05	DML Condition 14 (CPMMP (Marine)) was submitted 4 th July 2023. MMO is preparing responses to representations made by Together Against Sizewell C (TASC) prior to approval. LC confirmed that the MMO was ready to approve the CPMMP from a technical perspective but had been advised to de-risk legal challenge by providing responses to TASC. LC noted that this was somewhat exceptional as marine licence Returns are not normally subject to public consultation.	
5.06	SR stated that TASC has sent a Pre-Action Protocol (PAP) letter, or letter before claim, to ESC challenging the legality of ESC's approval of Requirement 19 and, by association, Requirement 12. Grounds of challenge related to the Sizewell C parameter plan and the lifetime of the Sizewell C site. SR stated that although SZC Ltd is only an "Interested Party" it has prepared a letter of response that firmly refutes the challenge. LG confirmed that she and colleagues had been supporting the ESC legal team in preparing a letter of response to TASC and that further meetings were planned to finalise the letter.	
5.07	SB stated that the EA had recently received further correspondence from Mr Nick Scarr following the last regular "Meet The Regulator" meeting. SB said it wasn't immediately obvious if this was related to the TASC PAP, or indeed if Mr Scarr is affiliated to TASC. SR said he was unsure of any affiliation but believes Mr Scarr's main interest is in flood risk, and that Mr Scarr had recently made a Freedom of Information (FOI) request to Cefas for several BEEMS reports.	
5.08	SR summarised the DML Condition Returns that were expected to be made in 2024: <ul style="list-style-type: none"> Condition 7: Programme of Works (Quarter 2 2024) 	

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Discussion Item	Comments	By when
	<ul style="list-style-type: none"> Condition 16: Marine Archaeological WSI (Quarter 2 2024) Condition 17: Fisheries Liaison & Coexistence Plan (Quarter 2 2024) Condition 35: Aids to Navigation Management Plan (Quarter 2 2024) Condition 15: Marine Environmental Management Plan (Quarter 4 2024; tbc) Condition 46: Desalination Plant Construction Method Statement (Quarter 4 2024; tbc) Condition 32: Dredging Details (Quarter 4 2023; tbc) <p>SR referred to Action MTF031023.10 from MTF Quarterly meeting 3 and confirmed that SZC Ltd will include an updated programme of DML and DCO returns as an appendix to the Minutes of the Quarterly meetings. SR reiterated that these dates are estimates only and depend on overall project programme.</p>	
5.09	Action 1: SR to include the draft Returns programme for 2024 as Appendix to the Minutes. This will be a standing Action from each meeting.	With minutes
5.10	<p>SR noted that MMO consultation on DML Returns would likely vary depending on the subject matter but presumed that, of those listed, Conditions 15, 32 and 46 would ordinarily be circulated to MTF members for comment.</p> <p>SR added, that as usual, SZC Ltd would seek to have pre-application consultation with MTF members before submission.</p>	20/10/23
5.11	SR stated that although Conditions 16, 17 and 35 would not likely require MTF consultation, SZC Ltd will engage with Historic England, Eastern Inshore Fisheries Conservation Authority (EIFCA) and Trinity House, respectively, prior to submission.	
6	Other Marine Licences	
6.01	BH provided an overview of the other (non-DML) licence applications anticipated for 2024.	
6.02	BH confirmed that an application to vary Marine Licence MLA/2019/00029/5 will be made soon to allow further Geotechnical Investigation (GI) of the offshore area to be undertaken, planned for July to September 2024. The application will be submitted Q2 2024. The works will be very similar in nature to the previous (GI) campaigns from 2022 and 2019, involving sonic boreholes, cone penetration tests and grabs to be made from jack-up barges. Part of the sampling plan is to collect sediment samples for analyses in accordance with Phase 2 of the Sediment Sample Plan (DML Condition 33).	
6.03	BH stated that SZC Ltd is looking at the possibility of incorporating UXO identification surveys into the scope of works for the GI campaign to provide additional evidence for a UXO clearance marine licence application (see also Discussion Item 6.06).	
6.04	BH stated the GI works will be preceded by a geophysical survey and desk-based metocean study. While not a marine licensable activity, BH raised a query on the requirement for a Wildlife Licence should sub-bottom profiling (SBP) be undertaken.	
6.05	<p>Action 2: PM (NE) and EL (MMO) to enquire internally regarding likely need for a Wildlife Licence to undertake SBP.</p> <p>Post-meeting note: EL has provided feedback; PM is waiting for information from NE Technical Team.</p>	12/04/24

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6.06	BH confirmed that a marine licence application will be submitted for UXO clearance within the marine footprint of project works, with first clearances anticipated in 2025. The application will be submitted Q3/Q4 2024.	
6.07	BH said the current assumption (agreed with MMO) is that the UXO works will be classified as EIA due to association with the SZC project (and based on precedent set at HPC). On this basis, scoping opinion will be sought in April/May 2024.	
7	Members updates	
7.01	MMO: LC explained that MMO had undergone some personnel changes since the last meeting: Ethan Lakeman has replaced Jack Coe as the Case Officer for SZC; and, Amy Trakos has replaced Lindsey Mullan as the Senior Case Manager for SZC.	
7.02	EA: SB also announced personnel changes in the EA and confirmed that Ayden Hassan has now joined the EAs SZC team and will attend the MTFs.	
7.03	EA: SB confirmed that from a marine perspective the EA was presently mostly occupied with discussions around SZC Ltd's construction Water Discharge Activity (cWDA) Permit applications. In relation to this, SB noted that the temporary marine outfall (TMO) was now likely to be used for discharge of early groundwater and asked whether the likelihood of a gully being cut into the beach due to the more continuous discharge had been assessed. SB added the beach is a popular area for walkers so a gully across the beach could be an issue. SR concurred that the initial intent was for the TMO to only be required for surface water from a 1 in 30 year event (and therefore potentially not even used) but the project has identified the potential need for early dewatering discharges to be made before the combined drainage outfall (CDO) is available. SR stated that scour was not part of the original assessment; adding that, although the flow rate is low and would likely infiltrate quickly, he would check whether the necessary assessment had been made.	
7.04	Action 3: SR to check what assessment had been made in relation to the potential for scour arising from the TMO discharge.	30/04/24
7.05	ESC: LG confirmed that Paul Patterson had now retired, adding that him leaving was a great loss to the ESC team. PB and SR agreed and confirmed that he had made a very significant contribution to the MTF. LG stated that the coastal team would now comprise several members including herself, Charles Krolik-Root (to whom LG reports), Tamzen Pope and Chris Finbow.	
7.06	NE: SM confirmed that NE had also undergone a few personnel changes with Adam Chambers stepping away from the project and SM being the new NE lead for SZC. PM will provide additional technical support and VG will continue to provide coastal processes expertise. SM confirmed that he and PM will draw in expertise from other parts of NE as required.	

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	SR said that he is acutely aware of the long history of the project and stated that he was very happy to provide SM and PM a 'background to the project' session; adding that he had done something similar when EL joined the MMO which EL found useful.	
7.07	Action 4: SR to arrange a background to the project session with NE if required.	30/04/24
7.08	EIFCA: SR stated that although the EIFCA has recently stepped away from MTF engagement he is still very keen to have them participate. SR has reached out to the EIFCA and understands that the resourcing issue previously stated is not necessarily one of people resource but one of technical resource (Stephen Thompson had specific inshore fisheries ecology scientific knowledge but the EIFCA has not been able to replace that expertise). SR will keep dialogue open and hopes the EIFCA will re-engage in the MTF.	
8	Summing up and Confirmation of Actions	
8.01	PB summed up and confirmed the Actions	
8.02	SR confirmed the date of the next meeting is 04 June 2024	
9	RNIP and meeting close	
9.01	SR ran through the RNIP feedback form. EL and SB confirmed that the RNIP as completed on-screen by SR was accepted and could be submitted directly to RIO.	

Actions Summary

Minute Ref	Actions	Who	By when
MTF210324.01	SR to include the draft Returns programme for 2024 as Appendix to the Minutes.	SR	With minutes
MTF210324.02	NE and EL MMO to enquire internally regarding the necessity for a Wildlife Licence to undertake SBP. Post meeting note: MMO - closed	PM EL	30/04/24
MTF210324.03	SR to check what assessments had been made in relation to the potential for scour arising from the TMO discharge	SR	30/04/24
MTF210324.04	SR to arrange a background to the project session with NE if required.	SR	30/04/24

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Appendix: Draft DML Returns Programme for 2024

Number	Description	Pre-App?	Pre-App Date
7	Programme of Works	No	Quarter 2 2024
16	Marine Archaeological WSI	Historic England	Quarter 2 2024
17	Fisheries Liaison & Coexistence Plan	EIFCA	Quarter 2 2024
35	Aids to Navigation Management Plan	Trinity House	Quarter 2 2024
15	Marine Environmental Management Plan	MTF	Quarter 4 2024
32	Dredging Details	MTF	Quarter 4 2024
46	Desalination Plant Construction Method Statement	MTF	Quarter 4 2024