

The Sizewell C Project

Water Management Working Group ("WMWG")

Terms of Reference

This Group is established in accordance with paragraph 7.1 of Schedule 17 to the Deed of Obligation between (1) East Suffolk Council ('ESC') (2) Suffolk County Council ('SCC') and (3) Sizewell C Limited ('SZC Co') dated 08 October 2021 as varied by the first and second deeds of variation dated 13 April 2022 and 6 May 2022 respectively (the 'Deed of Obligation' or 'DoO').

This Terms of Reference includes the scope, obligations and agreed governance as set out within the DoO. Any revisions to the Terms of Reference have been agreed in accordance with the Terms of Reference themselves. Except where expressly stated otherwise, words and expressions used in this Terms of Reference will have the same meaning as defined in the Deed of Obligation.

1) Establishment

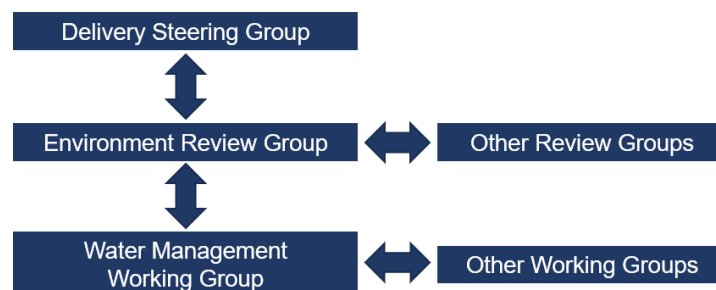
On or before Commencement, SZC Co shall establish the WMWG which shall exist from the date of Commencement until the end of the Construction Period.

2) Purpose

The purpose of the WMWG is to discuss matters related to the Water Monitoring and Management Plan (WMMP) approved pursuant to Requirement 11 of the Sizewell C (Nuclear Generating Station) Order 2022.

Specifically the WMWG will oversee the management of water within the Sizewell Marshes Site of Special Scientific Interest (SSSI), and surrounding area, in the context of the Sizewell C Project. The responsibility includes reviewing water levels, water quality and flow data against triggers and trends, and such other matters as may impact on the effective management of water from time to time.

The relationship between the WMWG and other relevant groups is set out below.



3) Scope of Work

- The WMMP provides a framework for monitoring and managing the water environment with the Sizewell Marshes SSSI. It defines the monitoring arrangements, such as water level, flow and water quality. It also sets out how monitoring data will be reported to ESC, the Environment Review Group and other relevant stakeholders such as the WMWG.
- Monitoring results, notification of triggers being reached, interpretation and proposed actions will be reported by SZC Co. to the WMWG. SZC Co. will then be responsible for implementing actions as approved by the WMWG.
- Should unanticipated changes to water quality occur then action may be required. This will be discussed and agreed with the WMWG.
- SZC will be responsible for implementing the WMMP and the entire process will be subject to continued oversight by the WMWG with ESC as chair.
- Monitoring results will be issued to the WMWG by SZC Co. in accordance with the details provided within the WMMP as discharged by ESC.

- The WMWG may additionally consider issues referred to it by the Water Levels Management Group.
- The WMMP will be subject to periodic review (frequency to be agreed by the WMWG) to ensure it remains relevant to the works being undertaken.

4) Membership

The WMWG shall comprise:

- one representative to be nominated by SZC Co;
- one representative to be nominated by SCC;
- one representative to be nominated by ESC;
- one representative to be nominated by EDF Energy Nuclear Generation Limited;
- one representative to be nominated by the Environment Agency;
- one representative to be nominated by Natural England;
- one representative to be nominated by Suffolk Wildlife Trust; and
- one representative to be nominated by the East Suffolk Water Management Board,

or such alternates as may be nominated by those representatives from time to time. Parties may be represented at meetings by more than one representative provided that each member shall only have one 'vote' on any matter to be determined by the WMWG.

Suffolk Wildlife Trust and the East Suffolk Water Management Board shall be members without voting rights.

5) Meetings and Quorum

The WMWG shall:

- be chaired by a representative of ESC.
- meet twice per calendar year either virtually or in a convenient location in East Suffolk or Ipswich to be identified by SZC Co from time to time (or at such other frequency as may be agreed by the WMWG acting reasonably).

Meetings of the WMWG shall be quorate if at least five members (at least one of which is a member representing SZC Co, one of which is a member from EDF Energy Nuclear Generation Limited, one of which is a member representing ESC, one of which is a member representing Natural England and one of which is a member representing the Environment Agency) are present.

Observers may attend a meeting of the WMWG at the invitation of the WMWG.

Whilst the agendas and meeting will remain separate, meetings can be convened on the same day as Water Levels Management Group (WLMG) as required.

6) Decision Making

The WMWG will, in the first instance, seek to make unanimous decisions on actions to be taken to address issues brought before it by any quorate member and/or as referred to it by other relevant working groups such as the Ecology Working Group and/or WLMG. In the event that the WMWG is unable to make a unanimous decision, it is the intention for the group to continue to work cooperatively to identify or specify additional evidence requirements including further monitoring. In the event that a unanimous agreement can still not be reached on a matter of relevance to the group it may refer on for consideration the matter on to the Environment Review Group.

Where the WMWG invites the Environment Review Group to consider an issue any quorate member of the WMWG may seek an urgent resolution by notifying the members of the Environment Review Group accordingly to invoke the urgency process in Schedule 11 paragraph 15.7 of the DoO.

In the event that a matter is referred to the Environment Review Group, the Environment Review Group shall issue whatever observation, determination or recommendation it considers appropriate having regard to the information available to it including referral to the Delivery Steering Group.

Nothing in these Terms of Reference prevents SCC or ESC from exercising their rights to a fast-track resolution in accordance with Schedule 17 paragraphs 9.2 of the DoO.

An observation, determination or recommendation by the Environment Review Group and Delivery Steering Group or following the determination of a dispute in accordance with clause 8 of the DoO will only be binding on EDF Energy Nuclear Generation Limited to the extent that such observation, determination or recommendation is consistent with EDF Energy Nuclear Generation Limited's statutory and regulatory obligations and with its rights and obligations under the contractual arrangements in place as between EDF Energy Nuclear Generation Limited and SZC Co (the "Contracts"). EDF Energy Nuclear Generation Limited will be the sole determining member in respect of this paragraph and any dispute hereunder will be resolved as between SZC Co and EDF Energy Nuclear Generation Limited in accordance with the dispute resolution provisions contained in the Contracts.

7) Reporting

The WMWG shall report to the Environment Review Group twice per calendar year on the following matters:

- the results of monitoring undertaken by SZC Co in accordance with the approved WMMP; and
- and any mitigation carried out by SZC Co pursuant to the approved WMMP.

8) Governance and Administration

The WMWG shall make such terms of reference for its governance and administration as it considers appropriate at the first meeting of the WMWG.

The WMWG may make such further administrative arrangements and terms of reference or amendments to this Terms of Reference, subject to unanimous agreement of the quorate members, as it considers appropriate for the proper and efficient functioning of the WMWG from time to time, with such arrangements and terms of reference to be approved by the Environment Review Group.

SZC Co shall perform the secretariat role and be responsible for the administration of convening and holding meetings of the WMWG as well as preparing and the meeting minutes.