OND / EDF Challenge Meeting

11.30 a.m. Monday 30 January 2012

Room LG06, 55 Whitehall (not 3 Whitehall Place)

Agenda

The meeting will address what is needed to enable a EDF/Centrica FID for Hinkley Point by the end of 2012.

This will include understanding key milestones, risks and constraints and the respective roles of parties with regard to each of the agenda items :

1. Planning
   - Note by DECC attached

2. FDP, Waste Transfer Pricing contract and Section 46 agreement
   - Note by DECC attached

3. GDA and Site licensing process
   - Note by DECC attached

4. EMR including CFD design

5. FID enabling project

OND / DECC

Planning

Milestones

- **Pre-examination** - 24 November to 22 March (4 months).
- **IPC decision on principal issues** – 13 February
- **IPC preliminary meeting to set examination timetable** – 22 March
- **Examination** – 23 March – 22 September (6 months)
    - -including hearings, written submissions and Local Impact Reports
- **Recommendation** – 23 September – 22 December (3 months)
- **Decision by SoS** – 23 December – 23 March 2013 (3 months)
- **Deadline for legal challenge** – 4 May 2013

Risks and constraints

- Individual stages over-run – IPC expect them to be sufficient but fully used.
- IPC take view that there is good reason to think that site licence / environmental permit will not be granted and that therefore they should not grant development consent.
- Local authorities or others raise issues which cause IPC to extend examination period.
- IPC will publish the fact that it has made a recommendation to SoS but not its content. Precedent is that planning recommendations being considered by SoS are not published to avoid new issues being raised, resources being diverted to dealing with representations and risk of making statements which prejudice final decisions.
- No role for DECC until after recommendation to SoS.
- No role for OND in advising SoS on his decision.

Roles

- IPC - Set terms of examination, conduct examination, seek further information needed and make recommendation to SoS.
- Regulators / local authorities – Provide advice to IPC on application.
- SoS – Make decision on basis of recommendation by IPC.
- DECC Consents team – Advise SoS on decision

FDP, Waste Transfer Pricing contract and Section 46 agreement

Milestones

- By Mid-March: EdF submission of FDP (critical for overall timetable)
- Early June: Consolidated Government response to EdF on FDP; Share draft Section 46 and Waste Transfer Contract with EdF for discussion.
- June – end September: FDP discussions and iterations.
- End September: EdF - Govt (incl NLFAB) reach agreement in principle (between principals) on FDP, S46 and Waste Transfer Contract. Resubmission of amended FDP for government consideration.
- End November: amendment of Waste and Decommissioning Regulations (subject to Parliamentary approval)
- End November: Secretary of State decision on FDP, agreement to S46 and WTC (if FDP approved).

Risks and constraints

- Insufficient resources in both teams at key points.
- Unavailability of key decision makers at key points (July,Aug,Sept)
- Insufficient clarity on EMR mechanism and FID enabling instrument to enable resubmission of FDP at end September.
- Inability to reach agreement within respective organisations.

Roles

EdF:

- Submission of FDP no later than mid march 2012.
- Good faith, constructive negotiation of issues in phase II – (June-Sept).
- Update FDP to accurately reflect agreements reached during phase II (June-Sept).
- Ensure that EdF is in a position to sign WTC and S46 agreement by end Nov.

DECC

- Collation and distillation and presentation to EdF of Government-side issues with FDP. Provision of draft WTC and S46 Agreement.
- Good faith, constructive negotiation of issues in phase II – (June-Sept).
- Update WTC and S46 Agreement to accurately reflect agreements reached during phase II (June-Sept).
- Ensure ministers are in a position to decide on FDP and agree (if FDP approved) the WTC and S46 agreements.

GDA and site licensing process

Milestones

- **GDA Quarterly Reports** – February, June, September 2012
- **Expected final GDA approval** – December 2012
- **Expected Site Licence approval** – December 2012
- **Expected Environmental Permit granted** – December 2012

Risks and constraints

- ONR / EA divert resources from EPR to AP1000
- Failure to complete GDA resolution plans in full lead to delay in reactor construction
- EA consultations on application and draft permit not completed to time.

Roles

- EDF / Areva / NNB GenCo working with ONR / EA to complete GDA.