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Hunterston B Nuclear Power Station

Environmental Statement Pre-Application Opinion

Environmental Statement Pre-Application Opinion Ref.: ONR-OFD-AR-22-026

Issue No.: 0

Date: 04 October 2022

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# Executive Summary

**Permission Requested**

EDF Energy (EDFE) has asked the Office for Nuclear Regulation (ONR) to provide an opinion on the proposed format and content of an application for consent to decommission the Hunterston B Nuclear Power Station under the Nuclear Reactors (Environmental Impact Assessment for Decommissioning) Regulations 1999 (as amended) (EIADR).

**Background**

ONR is the enforcing authority for EIADR. EIADR is a legal instrument that requires the environmental impact of decommissioning nuclear power stations, and other nuclear reactors, to be considered in detail before consent for the decommissioning work to commence is given.

Part of the EIADR provides for the applicant to seek the opinion of ONR on what should be included in the scope of the Environmental Statement (ES). EDFE has submitted a scoping report to ONR laying out the proposed format and content of their Environmental Statement (ES), and the scope of the Environmental Impact Assessment (EIA), and requested ONR provide a Pre-Application Opinion (PAO).

**Assessment work carried out by ONR in the consideration of this request**

ONR consulted with the statutory consultation bodies (as defined in regulation 2 of EIADR) and additional consultation bodies with whom ONR considered it appropriate to consult, for a period of one month. Consultation responses were considered and incorporated if deemed appropriate by ONR. Where we have received comments on style or general comments these have been shared as part of the debrief process held with the licensee. All consultation responses have been provided in full to the licensee.

A Technical Support Contractor (TSC) was used to review the scoping report and provide independent expert advice on the submission to help inform ONR’s PAO.

ONR has adopted a sampling approach in its review of the scoping report and has provided detailed feedback on the following technical chapters which were deemed to be of the most significance: noise and vibration, socio-economic, marine biodiversity, traffic and transport and air quality.

**Conclusions**

ONR has developed its PAO on the proposed scope of the ES for the Hunterston B decommissioning project. This includes some recommendations and comments on where the scope of the ES could be expanded or refined, for EDFE’s consideration.

# List of Abbreviations

AGR Advanced Gas Reactor

COMAH Directive” means Directive 2012/18/EU of the European Parliament and of the Council on the control of major-accident hazards involving dangerous substances

DWPF Decommissioning Waste Processing Facility

EIA Environmental Impact Assessment

EIADR Environmental Impact Assessment for Decommissioning) Regulations 1999 (as amended)

ES Environmental Statement

EDF Électricité de France

EDFE EDF Energy

GEART Guidelines for the Environmental Assessment of Road Traffic

GRR Guidance on Requirements for Release from Radioactive Substances Regulation;

ILW Intermediate Level radioactive Waste

LVIA Landscape and Visual Impact Assessment

NDA Nuclear Decommissioning Authority

NPF4 National Planning Framework (draft 4)

ONR Office for Nuclear Regulation

OWPF Operational Waste Processing Facility

PAO Pre-Application Opinion

SEPA Scottish Environment Protection Agency

SPA Special Protection Areas

SSSI Site of Special Scientific Interest

TSC Technical Support Contractors

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Introduction

Issue

EDF Energy (EDFE) has asked the Office for Nuclear Regulation (ONR) to provide an opinion on the proposed format and content of an application for consent to decommission the Hunterston B Nuclear Power Station under the Nuclear Reactors (Environmental Impact Assessment for Decommissioning) Regulations 1999 (as amended) (EIADR).

## Background

ONR is the enforcing authority for EIADR. EIADR is a legal instrument that requires the environmental impact of decommissioning nuclear power stations, and other nuclear reactors, to be considered in detail before consent for the decommissioning work to commence is given.

An application for consent under EIADR will primarily include an Environmental Statement (ES), which presents an Environmental Impact Assessment (EIA), for the project. The information to be included in an ES is referred to and specified in Schedule 1 of EIADR, this can be found in Appendix 1 of this report. The application for consent is subject to stakeholder consultation before consent is granted.

EIADR provides for the applicant to seek the opinion of ONR on what should be included in the scope of the Environmental Statement (ES). EDFE has submitted a scoping report to ONR laying out the proposed format and content of their ES and requested ONR provide a Pre-Application Opinion (PAO).As part of the PAO process, ONR is required to seek the opinion of key stakeholders via a consultation.

Approach

Consultation

ONR has consulted with the statutory consultees (as defined in regulation 2 of EIADR) and other bodies with whom ONR considered it appropriate to consult, for a period of one month. The list of consultees is provided in Appendix 2.

ONR received a number of responses from the consultation. Consultation responses were considered and incorporated if deemed appropriate by ONR. Where we have received comments on style or general comments these have been shared as part of in debrief process held with the licensee. A general summary of consultation responses can be found in Appendix 3. All consultation responses have been provided in full to the licensee.

Use of a Technical Support Contractor

A TSC with expertise in EIA was used to review the scoping report and provide an independent review of the submission to help inform ONR’s PAO.

ONR’s Pre-Application Opinion

The Hunterston B scoping report presents the proposed format and content of an application for consent to decommission the Hunterston B Nuclear Power Station under EIADR.

After due consideration of the scoping report, and taking into account comments received from the consultation and the expert EIA advice received from the TSC, ONR found the proposed scope to be generally appropriate, but a few specific points and issues that should be addressed in the ES were highlighted.

1. ONR’s opinion is provided below; the comments have been presented to align with the structure of the scoping report. ONR’s response to this scoping document is via recommendations and comments; recommendations are areas where the scope of the ES should be reviewed, comments are additional suggestions on areas where improvements could be made.

 Comments and recommendations:

Overall, the scoping report provided is considered appropriate at this stage, although there are a number of areas that will require attention in the ES, these have been highlighted in the sections below which follow the same format as the scoping report. ONR notes that the proposed scope of the ES is presently quite broad, possibly due to uncertainties in the decommissioning methodologies to be used, and there should be an opportunity to refine this through the EIA process.

The Decommissioning Process

* + - 1. Site location and context

There is a high-level description of the site area and the context of the surrounding area. The information provided does not indicate whether there are any special scientific interests or designated areas. Any such areas should be identified and described.

* + - 1. Description of the decommissioning process

It is recommended that this chapter should clearly distinguish what activities are included in the scope of EIADR and what are out of scope and covered by other legislation. For example, the ES should make it clear what action constitutes the commencement of the EIADR project.

ONR notes that EDFE has scoped the ES against a current baseline, however it is noted that this baseline may change between now and the completion of the ES for the EIADR application. The ES submitted to ONR must be based on an up to date baseline.

Further recommendations and comments on the current and future baseline is provided in the feedback on the technical chapters.

There is limited information on the traffic and transport requirements during decommissioning. ONR understands that there are uncertainties on the levels of traffic during decommissioning and the transport requirements to support the project, however, there may be a range or an assumption on traffic levels and transport requirements, or a worst-case scenario, that the EIA can be based on. Further information on the assumptions made during the EIA should be provided in the ES.

Hunterston B is part of a fleet of Advanced Gas Cooled Reactors (AGRs) currently operated by EDFE. The current strategy for the AGR fleet is that they will be transferred from EDFE to Nuclear Decommissioning Authority (NDA) ownership and will then be operated by Magnox Ltd. This transfer will take place following completion of defueling. ONR notes that there are uncertainties for future activities in the decommissioning project, where the activities will take place after the site has transferred to the NDA ownership. The ES could also provide information on how EDFE has engaged with the NDA and Magnox Ltd to date, and how these organisations will progress the decommissioning project once they take ownership of the site, including the review and management of any uncertainties.

It is recommended that the ES provides further information on the use of the existing infrastructure to support decommissioning activities. For example, the ES should provide information on whether the current access roads are suitable to support decommissioning activities even if there are uncertainties associated with this.

In addition to this, information on the need for any associated developments and additional land use requirements are not included in this section. It is recommended that the ES should make it clear if there are any associated developments required at each stage of the decommissioning project and what the potential environmental impact of such a development is.

It would be useful for the scoping report to include information on indicative employment numbers (both temporary and permanent workforce) throughout the decommissioning phases as this would provide further context to the scoping of the socio-economic assessment. ONR appreciates that there may be uncertainties at this stage, but an indicative range or assumption could have been included. The ES should include information on any assumptions made for employment numbers in the EIA.

It is recommended that each of the section areas summarise the mitigation methods that have been identified or are being considered to demonstrate that environmental effects are being minimised or avoided..

* + - 1. Waste Management

The scoping report states that there are studies ongoing to confirm the requirement of an Operational Waste Processing Facility (OWPF) on site. The intermediate level radioactive waste (ILW) generated from decommissioning during the “Preparations for Quiescence Phase” would be processed in this facility and therefore the use of this facility would be in scope of EIADR. The scoping report states that this facility’s construction may overlap with the end of defueling and that the construction of the OWPF would be consented under the Town and Country Planning (Scotland) Act 1997 (as per Table 3.1 in the scoping report). However, it is not clear if this consent will require an EIA under the Town and Country Planning Regulations, and whether the timing of the construction of this facility means that it will also need to be included in the scope of the EIADR project. EDFE should provide clarity on this aspect in the ES.

Alternative options to the OWPF are to use waste processing facilities at the adjacent Hunterston A site or use a new Decommissioning Waste Processing Facility (DWPF). ONR notes that section 2.4 of the scoping report provides more information on the DWPF which provides information on the accommodation of the DWPF within existing plant on site. It would be useful for the ES to highlight the environmental benefits of this approach.

The approach to managing the decommissioning waste during the ‘Preparations for Quiescence Phase’ should be confirmed in the ES. The Hunterston A site is currently decommissioning and is in scope of EIADR; if facilities on the Hunterston A site are to be used then this should be considered in terms of the potential cumulative impacts of the two decommissioning projects.

The scoping report states that it is assumed that ILW generated during the ‘Preparations for Quiescence Phase’ will be stored in the Hunterston A ILW Store; this is subject to further development work and regulatory approval. The ES should include information on the potential environmental impacts/benefits of using the Hunterston A ILW Store and what the alternative options for ILW management are in the case that this approach is not taken. The scoping report noted that new facilities would be required to process the accumulated operational waste that would arise.

* + - 1. Deplanting and Deconstruction

A high-level description of the buildings requiring demolition is provided here but there are uncertainties on the exact methods that will be used. It is not clear what assumptions have been made on the methodology for deplanting and deconstruction to inform the EIA scoping. The ES should make it clear where there are uncertainties in the future decommissioning techniques and how these uncertainties will be managed.

There is no description of the construction/deconstruction methods that will be used in the decommissioning project other than the potential use of explosives in the marine environment chapter. It would have been useful for the scoping report to include information on the methods that will be used, or assumptions on the methods that may be used, to provide context on the scope of the EIA. ONR considers that the ES should provide information on the construction and deconstruction methods that will be used throughout the decommissioning project and the potential environmental impacts of these methods.

* + - 1. Safestore Construction

The Safestore structure which will be constructed over the reactor buildings to protect them from the weather conditions for the duration of the quiescent phase will have a 100-year design life. The scoping report does not include consideration of the resilience of the Safestore and other facilities such as the OWPF and DWPF to climate change. The ES should include information on how the design of facilities on site for the duration of the quiescent phase ensures resilience against future climate change and more extreme weather events.

* + - 1. Enabling Projects

The scoping report provides a high-level overview of the enabling works that will be required to support decommissioning including new active effluent discharge arrangements, OWPF and DWPF. It is not clear if these activities are in scope of the EIADR project and/or if they will be permissioned under the Town and Country Planning Regulations. ONR notes that work is ongoing to identify the location of these activities and the method for how they will be implemented, however if they are in scope of EIADR, then they should be included within the Indicative Dismantling Works Area (red boundary area) (Figure 1.1) in the ES.

* + - 1. Final Site Clearance

The Final Site Clearance section states that at this point some works may be required to de-contaminate land on site to enable the requirements of the ‘Guidance on Requirements for Release of Nuclear Sites from Radioactive Substances Regulation’ to be met. Clarity is required regarding the use of in-situ disposal or disposal for a purpose in terms of Guidance on Requirements for Release from Radioactive Substances Regulation;(GRR), this should be made clear in the ES. Consideration will also need to be given to delicensing requirements relevant to ONR. In addition to this, the ES should make it clear what activities will be required at this stage to enable the site to be delicensed and when these activities are expected to be carried out.

The scoping report refers to the Scottish Government Higher Activity Radioactive Waste Policy (2011) and the assumption that a near-surface facility for the management of higher activity waste will be available to receive the ILW generated at Final Site Clearance. Given the long timescales of the decommissioning project, the ES should set out how government policy will be kept under review for the duration of the project as changes may impact future decommissioning and waste management activities.

ONR appreciates that due to the long timescales of the decommissioning project, there are currently uncertainties about the later stages of the project but we expect the ES to include information on how future decommissioning phases will be reviewed and re-assessed, and reported.

* + - 1. Development of Decommissioning Strategy

The scoping report provides an overview of the decommissioning approaches that have been considered and the reasons that they have been discounted or selected, this is useful information to include in the scoping report to provide context for the planned approach to decommissioning. It would be useful for the ES to make it clear what engagement has been undertaken between EDFE and the NDA on the decommissioning strategy for the site and how this has influenced the development of the decommissioning strategy.

In addition to this, it would be useful for information on the decommissioning strategy to be included upfront in the ES as this will provide context for the approach to decommissioning.

Legislative Context

Paragraph 3.2.3 of the scoping report lists the EU Directives that are implemented by UK domestic legislation and are therefore relevant to the decommissioning project. It would be useful for the ES to state how these directives are implemented in UK law (i.e. the relevant regulations), why these apply to the EIADR project and how they have been considered in the EIA.

In addition to this, it would be useful for the ES to include a description of how the assessments undertaken under the Habitats Regulations, Water Framework Directive and Environmental Authorisations (Scotland) Regulations interact, for example where assessment findings have been shared and used within the EIA.

The Legislative Context section provides tables summarising relevant national policy and development policy (Tables 3.2 and 3.3); it would be useful for the ES to state why each policy is relevant to the project and how it has been considered in the EIA.

The consultation identifies some legislative refences which are not applicable to Scotland. For example, in Chapter 11 the Environmental Protection Act cannot be used to consider a risk assessment framework for land contamination.

EIA Process

The assessment methodology presented in chapter 4 of the scoping report follows good practice and clearly sets out the criteria to use for determining sensitivity, magnitude of change and significance level. Paragraph 4.4.14 clearly sets out what level of effect is considered to be significant.

Within the technical chapters, there is some repetition of the information presented in Chapter 4 and there is some inconsistency with the presentation of the significance matrix in some technical chapters but not others. Receptor sensitivity is also missing from some of the chapters.

ONR notes that, while this is not included in the scoping report, the ES would benefit from a summary, for example in a table format, of the receptors/ environmental areas that have been assessed and where these have been considered in the technical chapters. This would provide a useful guide, particularly for consultees who will want to focus on specific aspects of the report, to where information can be found. It would also indicate where there are interfaces between different topic areas for example between costal management and water quality (Chapter 9) and surface water and flood risk (Chapter 10).

The scoping report describes the temporal scope of the project and how environmental effects will be compared to the situation prevailing before the decommissioning project commences (the current baseline), and to the situation that would prevail in the future without the decommissioning project (the projected future baseline). However, no description of how the environmental baseline has been established to inform the scoping process is provided. Please see ONR’s comments on the technical chapters for further feedback on the projected future baseline.

EDFE recognises that interim consideration of the evolving baseline will be required due to the extended duration of the decommissioning project; interim reviews will be built into the decommissioning programme and refinements to assessments implemented as necessary. ONR considers that understanding the evolving baseline over the long timescales of the decommissioning project is an important factor and it is good to see this recognised here. The ES should make it clear how uncertainties in the future baseline prediction will be managed as the project progresses.

The project is split into three discrete phases of work, the preparation for the quiescent phase (~12 years), the quiescent phase (~70 years) and the final site clearance phase (~12 years). ONR notes that each of the technical chapters has considered the EIA scope for all three decommissioning project phases, however, it is not clear which year within these phases has been used to scope the EIA. It is good practice to consider the ‘worst case’ year when assessing environmental impact.

* + - 1. Assessment of effects and determining significance

The scoping report provides an overview of the methodology that will be used for assessing environmental effects and the proposed assessment methodology follows good practice.

The project has a ~96 year period and is split into three discrete phases of work, the preparation for the quiescent phase, the quiescent phase and the final site clearance phase. Each technical chapter refers back to Chapter 2 of the scoping report when referring to the temporal scope of the assessment and have considered each phase of the Project (however this is unclear in some chapters). However, as noted in an earlier comment, it is not clear which points in time in each phase within the project duration have been used as the basis for the assessment. In addition, the majority of chapters conclude that the future baseline is hard to predict and so the current baseline was used for scoping. It is not clear whether this approach will also be used for the EIA and this should be clarified in the ES. If a future baseline cannot be determined at this stage, the ES should set out how this limitation is to be managed.

* + - 1. Environmental Measures

The definition of mitigation measures considered in the EIA process is clearly set out in this section.

* + - 1. Assessment of Cumulative Effects

The proposed methodology to define the types of development for the assessment of cumulative effects is considered appropriate. ONR notes that a zone of influence for determining cumulative effects is defined in Figure 4.1 but a rationale for this zone has not been provided in the scoping report, nor has a review of the potential significant effects been conducted. The scoping report does clarify that in the ES the zone of influence will be defined by each environmental topic and be combined into a single area. This approach is deemed appropriate.

It would have been beneficial for the scoping report to provide an understanding of what potential significant environmental effects could arise for both intra and inter-project cumulative impacts, with a clear statement concluding that these assessments are scoped into the EIA. Within the ES, the scope of the cumulative impact assessment should be clearly set out, and a proportionate approach should be applied.

* + - 1. Transboundary Effects

It is not clear if transboundary effects have been scoped in or out of the EIA; the report states that they are unlikely but does not make a clear statement on the inclusion of transboundary effects in the scope of the EIA. This should be clarified in the ES.

The information in the scoping report (section 4.7) is focused on potential doses to members of the public but the assessment of potential transboundary effects should consider potential significant effects on all environmental and social aspects. This should be considered further in the EIA process. If the effects can be scoped out of the EIA, further engagement with the ONR should be sought and the ES should capture the rationale.

* + - 1. Radiological Effects

Section 4.8 states that radiological discharges (solid, liquid and gaseous) and their impacts are assessed in detail during the process for applying for a permit (or a variation) under the Environmental Authorisations (Scotland) Regulations 2018 and are regulated by the Scottish Environment Protection Agency (SEPA) through routine regulatory interactions, and are therefore scoped out of the EIA.

Section 4.8 also states that the effects of working with ionising radiation as a result of the decommissioning works is also scoped out of the EIA as they are specifically regulated by ONR under the Ionising Radiation Regulations 2017 and through compliance with the site licence conditions. ONR considers the rationale for both aspects to be reasonable.

The description of the scope would benefit from clear statements about how other radiological effects, such as radioactive waste management, and the management of contaminated land are considered in the scope of the EIA and an explanation of where this is covered in the technical chapters. This could be clarified in the ES.

Technical Chapters

General comments:

The following general feedback applies to the technical chapters in the scoping report:

A justification of the study area (for scoping purposes) has not been provided for each environmental aspect.

The proposed baseline data to be collected to inform the EIA process and the methodology for baseline data collection has not been provided in each technical chapter.

The approach to identifying the environmental management and control measures that could be incorporated into the decommissioning project has not been provided in each technical chapter.

1. The future baseline is required to understand the likely evolution of the environment without the implementation of the project so that future phases of a project can be assessed against a reference point. The future baseline has been considered for each topic in the scoping process which is considered good practice. Most topics have included a ‘without scheme’ scenario (e.g. Air Quality), however the Climate Change section states that the ‘without scheme’ is unrealistic as it is government policy to decommission the site. A consistent approach should be applied to the assessment, and if it differs, a justification should be provided in the ES.
2. The majority of the chapters conclude that long-term changes in the baseline cannot be predicted and therefore the current baseline will be used for the assessment. It is unclear if this was for the scoping process or if it is the approach for the EIA. It is appreciated that predicting the future baseline is challenging for many topics and receptors, however further evidence to understand why this is the case should be provided in the ES. If this is the approach for the EIA, this is a limitation to the assessment, which should be clearly accounted for in the ES.
3. The ES should provide a clear justification of how the study areas were defined and set out the baseline for the EIA, focusing on the receptors and resources that could be significantly affected. As per section 4.5 of the scoping report, the ES should include a description of the mitigation measures that will be implemented to minimise the environmental impact of the project.
4. The purpose of the scoping report is to set out the environmental issues that should be assessed further as they have the potential to be significantly affected by the decommissioning project, with the overall aim of having a proportionate and focused ES. ONR considers that the proposed scope of the ES set out in each technical chapter of the scoping report is quite wide. This may be due to insufficient baseline information to enable understanding of what impact an activity could cause and what receptors could be affected. There is opportunity to refine the scope through the EIA process.
5. The scoping report does not detail how uncertainty will be managed in the scoping phase or in the EIA. Given the long timescales of the decommissioning project, having uncertainty is acceptable, however it is important to detail how uncertainty is addressed. If a methodology for managing uncertainty was set out and assumptions made to accommodate these limitations, this may support the conclusions drawn on why certain receptors are scoped in or out of the EIA.
6. There is potential to reduce the scope through the EIA process, in particular scoping out phases for some topics as well as scoping out some receptors and activities. Once further information becomes available, EDFE should aim to refine and finalise the scope of assessment, so that a proportionate ES (that documents significant effects) can be delivered to the ONR.

Detailed Feedback

ONR has not reviewed every technical chapter in detail but has adopted a sampling approach of topics deemed to be of the most significance: noise and vibration, socio-economic, marine biodiversity, traffic and transport, and air quality. Detailed feedback is provided on these technical chapters, and some high-level comments are provided on others.

* + - 1. Air quality

ONR received a consultation comment that the impact of air emissions and depositions on designated sites should be considered as part of the EIA. This should be considered in the ES.

1. ONR considers that the scope of assessment which sets out activities that will generate road traffic emissions is suitable, but the ES should include a clearly defined and justified study area.
2. The potential receptors include human and ecological receptors. The scoping report states that key transport routes have been identified and will be confirmed as part of the iterative EIA process, along with any additional sensitive human receptors. This is an acceptable approach. ONR notes that the ES should define the human receptors as there is uncertainty as to whether other sensitive human receptors have been considered other than residential properties.
3. The determination of significance for dust effects and road traffic emissions is mostly considered appropriate, however there are omissions regarding how significance will be determined with respect to impacts on nature conservation sites and short-term impacts on human health receptors from road traffic emissions.
4. The ES should also detail why the monitoring data presented is suitable, and how the EIA has considered the data particularly when some of the data was collected from kerbside sites in urban areas while the proposed project is in a rural coastal setting.
5. The air quality chapter concludes that the impacts of dust emissions from demolition activities, earthworks, construction, track out and road traffic emissions, and the effects on both human and ecological receptors are scoped in. Point source emissions of combustion products and their effect on human and ecological receptor; effects of climate change on air quality; and effects of pollutant emission from non-road mobile machinery are scoped out of the assessment. The proposed scope is considered appropriate.
	* + 1. Climate Change

In addition to the comments raised on the resilience of the Safestore to climate change, the EIA should consider available climate change data already in the public domain such as the 2018 Ayrshire Shoreline Management Plan. In addition to this, the EIA should take into account potential “soft” coastal management techniques deployed in the area to manage coastal flooding.

Please also see the comments on the section on soils, geology and hydrology chapter regarding the potential impacts of climate change on groundwater on the site.

* + - 1. Terrestrial and Freshwater Biodiversity

Following a review from a consultee, it is suggested that the following Special Protections Areas (SPA) can be scoped out of the EIA. These are the Renfrewshire Heights SPA , Arran Moors SPA and Ailsa Craig SPA due to the distance from the site.

1. The scope of the assessment includes the effects on birds, recognising that this spans terrestrial, freshwater and marine environments, this is considered appropriate. However, please see ONR’s opinion on the scope of the marine biodiversity topic area and the consideration of potential impacts on diving birds.
2. ONR considers that the scope of the potential biodiversity receptors that may be affected by the decommissioning project is appropriate, and EDFE has provided a justification for the receptors scoped out. ONR notes that more detail on the sensitivity of the receptors should be provided in the ES to support conclusions on the significance of the potential environmental impacts.
3. ONR received a consultation response reflecting positively on the inclusion of the terrestrial, freshwater and marine biodiversity receptors covered in the scoping report, including biodiversity sites (International to local), coastal habitats and species, intertidal habitats and species, subtidal habitats and species, vegetation, fish populations, marine mammals, otters, badgers, bats, breeding birds and wintering/passage birds.
4. In addition to this, the consultation response welcomed EDFE’s commitment to protect existing biodiversity features during the decommissioning process, as well as following its completion. The response noted that in line with the draft National Planning Framework (NPF4) that is currently being developed by the Scottish Government, there is notable opportunity through this proposed decommissioning project to deliver positive effects for biodiversity and suggested that opportunities are investigated for the enhancement of habitats and species on the site during the long decommissioning process.
5. ONR supports these comments and notes that the scoping report recognises NPF4 as a relevant policy to the decommissioning project and identifies the policy issues related to terrestrial and freshwater biodiversity (e.g. Natural Places and Blue and Green Infrastructure).
	* + 1. Marine Biodiversity

ONR notes that birds are not covered in the marine biodiversity chapter and are instead covered in Chapter 7: Terrestrial and Freshwater Biodiversity. This is considered an acceptable approach but impacts on diving birds should be assessed in the EIA e.g. underwater noise effects, potential for disturbance of sediments, and adverse effects on prey species.

ONR notes that the study area to inform the scope of the EIA for marine biodiversity is not clearly defined and more information should be provided on this for the ES. Further to this, information on the baseline is provided and refers to the habitats in the vicinity of the site presented in Figure 8.1. This figure identifies a ‘discharge boil area’ but it is not clear from the scoping report what this is, and how it impacts on marine biodiversity. This should be explained in the ES.

In determining the significance of an effect on potential receptors, the report states in paragraph 8.5.10 that ecological features that are not considered ‘important’ from a geographic context are those that are sufficiently widespread, unthreatened and resilient and will remain viable and sustainable irrespective of the decommissioning project. ONR notes that all marine receptors that are potentially affected by the project should be included in the scope and cannot be scoped out on the basis that they are widespread. The ES should provide further clarity on the term ‘importance’ in the context of a receptor sensitivity.

During the removal of marine structures, there is a potential for nearby sediment to be disturbed and suspended in the water column. It is not clear from the scoping report whether any sampling of the sediment has been undertaken to understand the potential for the mobilisation of existing contamination in the sediments. Consideration of changes in water quality due to suspended sediments should also be included in the ES.

As reported in Table 8.8 of the scoping report, there is potential that explosives could be used in the marine environment. This may result in disturbance to marine fauna as a result of underwater noise. The impact of noise and vibration on marine fauna, and physical harm/damage to marine habitats and species as a result of the use of explosives should be assessed, along with the possible disturbance to sediment and potential contaminant release.

ONR received a consultation comment that EDFE should ensure engagement with the relevant bodies on the proposals for remedial work on offshore infrastructure to ensure that the known non-native species within this region are not spread from this area.

Further to this, a consultee responded with a suggestion that the ES reviews the local Sites of Special Scientific Interest (SSSI) in the vicinity of the site and includes an assessment of the impacts of water and airborne pollution (including noise and light), as well as hydrodynamic change, both direct and indirect impacts. ONR agrees with this suggestion.

As the site is no longer operating, the thermal plume from the warmer cooling water effluent being discharged into the marine environment has ceased. Whilst the impact of this activity ending on marine habitats and species is out of scope of EIADR, it would be useful to understand how this has been considered in establishing the current baseline for the EIA. In addition to this, section 8.3.11 states that seaweed removal campaigns will cease during the decommissioning project. Consideration as to how this may alter the existing habitat at the site needs to be considered when establishing current and future baselines and the potential effects on the marine environment as a result of this should also be considered in the EIA.

* + - 1. Coastal Management and Water Quality

Comments have been made under the climate change and marine biodiversity section that are relevant to these topic areas.

* + - 1. Surface Water and Flood Risk

It noted that the Hunterston A and B sites use the same sewage treatment works; consideration needs to be given to higher tides and high rainfall due to climate change, which could result in the potential increase in surface water discharges from both sites simultaneously, in the EIA.

* + - 1. Soils, Geology and Hydrogeology

It is unclear if radiological contamination is considered in the scope of this chapter. ONR notes that contaminated radiological runoff is considered in Chapter 9 Coastal Management and Marine Quality. The ES should clearly demonstrate how the potential impacts of radioactive contamination of groundwater, surface water and land have been assessed and where this is described within the report. A rationale should also be provided for the study area for receptors associated with contaminated land.

It was identified via the consultation responses that there was a potential for cross contamination from other radioactive sources outside the current permitted site boundary, including a closed former landfill and in respect to the 39” outfall and its two associated lagoons which were not fully considered in the report. In addition, the ES should provide further detail on the interactions with Hunterston A regarding receptors and co-polluters and the interactions with potential sources of radioactive contamination. The assessment should also consider the risks posed by existing contamination and how the contamination may change over time.

A consultee recommended that the 2020 geotechnical investigation report and previous ground investigations identified in the 2020 report referred to in the Land Quality Assessment are taken into account as part of the EIA. ONR agrees with this suggestion.

The soils, geology and hydrology chapter states that there are no viable hydrological pathways to the surface water environment, but it is unclear whether the potential for hydraulic connection via shallow groundwater has also been taken into consideration as the scoping report does not review the potential for hydraulic connection between the superficial and bedrock aquifers. In addition to this, consideration of groundwater in the superficial deposits is limited to the east of the site. The ES should provide a justification as to why this is not considered for the wider site.

It is recommended that EDFE clarifies the claim that there is no private water supply within 1km of the site. A consultee identified a potential reservoir within 1km to the southeast of the site.

EDFE should review the existing groundwater dataset for the site to identify if there are any gaps or areas of uncertainty as this will help to determine if additional investigations or monitoring is required to inform the EIA. Consideration needs to be given in the EIA to the potential effects of climate change on the local hydrogeology regimes such as changes to recharge and sea level rises that may influence the groundwater regime.

The scoping report states in the Deplanting and Deconstruction section that below ground structures will be left in situ and voids will be backfilled with demolition material. ONR notes that the soils, geology and hydrology section considers the impacts of removing foundation slabs and drains, but not the impacts of leaving them in situ. Consideration of the re-use of site material as in-fill will require appropriate assessment and management to ensure the materials are suitable for the proposed usage and will not pose any unacceptable risks to the water environment. ONR notes that this will also require a permit and will need to be included in the waste management plan and the site-wide environmental safety case. This should be clarified and appropriately assessed in the ES.

In addition to this, it is recommended that the following information is included as part of the overall assessment of environmental impacts:

Before any works starts, the boundary of any area of SSSI which might be affected, be clearly marked and contractors advised not to enter it or use it for storage.

If crushed stone and recycled aggregates are to be used to construct hard-standing areas, they should be sourced from materials free from contaminants, so that there is no possibility of run-off onto the intertidal areas of the SSSI.

Any materials from the decommissioning of structures should be sensitively re-used on land and or disposed of appropriately and not released onto the intertidal areas of the SSSI.

* + - 1. Historic Environment

ONR received a consultation response reflecting positively on the proposed scope and assessment methodology presented in the ‘Historic Environment’ chapter of the scoping report. The response noted that the scoping report identified some nationally important heritage assets in paragraph 12.6.11 for which it is considered that a more detailed assessment will be required to understand if they will be impacted by the decommissioning project.

* + - 1. Landscape and Visual Impact Assessment (LVIA)

Consideration should be given in the ES to landscape and visual impacts on the landscape in the area including relevant Nation Science Areas (NSAs) within a 20Km zone.

The EIA should consider a landscape and habitat enhancement strategy including proposals for a landscape and ecology migration and monitoring arrangements.

* + - 1. Noise and Vibration

The EIA needs to consider noise and vibrations effects on the local marine species for potential disturbance whilst carrying out pipe and below waterline decommissioning. See the additional comments on this topic area in the marine biodiversity section.

1. ONR notes that while the study areas set out in the methodology are suitable for the assessment, there is no substantiation as to why these distances were applied. This should be provided in the ES. Further to this, it is not clear how the spatial scope of the traffic noise assessment will be determined, this should be clarified in the ES. The receptors listed in Table 14.8 include receptors outside the 2km distance from the works area used for the study area but a rationale for this has not been included. A rationale would be useful to include in the ES to determine if the scope of the EIA is proportionate.
2. When determining the future baseline, it is stated that the Preparations for Quiescence Phase is expected to be the worst-case phase for the decommissioning project with respect to noise and vibration effects as a result of the substantial dismantling, demolition and construction activities. The ES should clarify if a specific ‘worst-case’ year within this phase of work has been used for the purpose of the assessment.
3. Paragraph 14.6.6 states that potentially significant effects could occur during the decommissioning project cross all three phases but the quiescence phase and final site clearance phase are then scoped out of the EIA. A clear scope should be provided in the ES along with evidence for phases of the work being scoped out.
4. The proposed methodology meets industry good practice and follows widely accepted standards. However, the ES should provide more detail on the methodologies to define high, medium, low or negligible magnitudes of impact and how receptors sensitivities have been applied in the assessment. ONR also notes that paragraph 14.5.7 and section 3.1.4 describe how uncertainty is managed if there is unavailable information on plant, however, they do not provide detail on how the assessment will accommodate this uncertainty. This should be explained in the ES.
	* + 1. Traffic and Transport

The use of a combination of traffic data sources with October 2021 counts, and a mix of automatic traffic counts and manual counts ranging from 2017 to 2020 is deemed suitable data to inform the scoping process.

For determining the future baseline, reference is made to estimating future year traffic flows for the years under assessment which will use growth factors based on nature trip end model growth rates. Clarification on which future years will be assessed should be provided in the ES.

Further information on the source of the information presented in Table 15.6 detailing receptor sensitivity would be beneficial. Table 15.7 details the sensitivity of roads in the study area and states whether Rule 1 or 2 of the Guidelines for the Environmental Assessment of Road Traffic (GEART) applies. In the absence of predicted traffic flows from the decommissioning project, further information could be provided on the method used to determine the application of Rule 1 or 2.

Table 15.8 details the magnitude of change but does not include the potential impact of hazardous loads; ONR would expect to see the impact of hazardous loads considered in the EIA.

In terms of the assessment scope, further information should be provided on the definition of the study area and the temporal scope of traffic and transport impacts.

ONR considers the scoping out of rail and marine routes to be suitable. The A78 south of West Kilbride is scoped out as there are limited receptors along the route and much of the route is a dual carriageway. ONR considers that this is reasonable but notes that this may have been prematurely scoped out as traffic numbers are yet to be determined.

* + - 1. Socio-Economics

Based on the information provided in this chapter, the potential socio-economic effects identified are appropriate. However, as the socio-economics chapter also considers health, this section would benefit from greater consideration of the health consequences of the effects. For example, greater consideration of policy relating to health outcomes, and technical guidance relating to assessing health impacts could be included in the ES.

In the data gathering methodology, reference to national statistics and datasets are appropriate. There is opportunity for the ES to expand on this by identifying local businesses, settlements and community facilities that could be impacted by the decommissioning project.

Information provided on the current health baseline could include information on different population groups, behaviour risk factors, child health indicators and limiting long-term health problems.

The information provided in the ‘influence of Hunterston B’ section to help define the current baseline is very helpful and helps to provide context for the presentation of the baseline data. The information in Table 16.10 and Table 16.11 is useful in looking from 2022 to 2026. However, no information is provided on the future decades of decommissioning activity on site that are described in Chapter 2. In addition to this, the baseline section discusses change to permanent members of staff, but it is not clear how many temporary staff will be required to undertake the activities described in Chapter 2. Paragraph 16.5.3 states that ‘work is on-going to estimate the workforce profile required for decommissioning’. This seems to be an information gap that may lead to a change in scope for the assessment for potential effects relating to socio-economics, communities and health. The ES should make it clear how uncertainties have been managed in the EIA, and how any assumptions will be reviewed as the decommissioning project progresses.

The factors identified as influencing magnitude are considered to be appropriate. The magnitude ratings for employment are set out but not for other potential effects. Similarly, definitions for sensitivity criteria for employment receptors are provided, but not other receptors; this should be clarified in the ES.

In the consideration of potential receptors, ONR notes that additional consideration of specific population groups that could be more vulnerable to socio-economic impacts would be beneficial.

There is also an opportunity to link some of the potential socio-economic effects to some likely positive outcomes, such as increased opportunities for training and skills development, which may mean that receptors such as the providers of education, training and transitional support services are introduced as receptors.

In receptors scoped out of the assessment, there is no discussion of whether residents and visitors to the area may experience potential socio-economic effects due to new (temporary or permanent) activities at the site. Information on distances to local residential areas, construction and commuting routes and cross-references to findings from related assessments (e.g. noise, traffic and transport) would assist in justifying if this is scoped into or out of the assessment.

* + - 1. Major Accidents and Disasters

No comments.

* + - 1. Waste (Conventional and Radioactive)

To provide context for the scope of the EIA, it would have been useful to provide information and assumptions on the types and volumes of waste that will be generated throughout the decommissioning project.

In terms of waste management activities, additional clarity is required regarding the use of the Safestore and whether it will also include storing debris wastes.

In addition to this, the ES should consider the impact of the location of the OWPF and DWPF in respect of potential climate change impacts, for example rising sea levels.

The ES should include the potential environmental benefits of managing waste via off-site facilities (for example waste sent off-site for incineration, storage and disposal), rather than building new facilities on site.

The scoping report states that on-site disposal of low activity waste is not part of the current proposals but may be considered in the future for the decommissioning process and therefore is scoped out of EIADR. As raised in the comments on the Soil, Geology and Hydrology chapter, the use of in-situ disposal for below ground structures should be clarified in the ES and should be assessed if this approach is being taken.

It is also not clear how the potential impacts of the waste generated from the remediation of contaminated land will be considered in the assessment; if this will be included in the scope of the waste chapter then this should be made clear in the ES.

Other considerations

There are some potential topics that do not appear to have been considered (or considered sufficiently) in the scoping report. These are:

Human health impacts

Impacts on fishing, maritime recreation and maritime commercial services

Material and resources use

Marine archaeology and shipwrecks

It may be that these topic areas have been scoped out of the assessment but that this has not been explicitly stated. However, ONR considers that EDFE should consider whether these topics need to be included within the scope.

Next stages of the EIADR Process

When appropriate, the licensee will progress with the production of the ES and submit this to ONR as an application for EIADR consent. The ES is subject to a 90-day public consultation, following which ONR will make a decision on whether to grant consent for the decommissioning project described.

Contact Information

The ONR EIADR Team can be contacted via contact@onr.gov.uk

General information on EIADR can be found at: <https://www.onr.org.uk/eiadr.htm>

Appendix 1 – Schedule 1 of the Nuclear Reactors (Environmental Impact Assessment for Decommissioning) Regulations 1999 (as amended)

**Regulation 17: Schedule 1**

**Regulations 5(1)(f) and 10(1)**

**Information which may need to be included in an environmental statement**

1. A description of the project, including in particular—
2. a description of the location of the project;
3. a description of the physical characteristics of the whole project, including, where relevant, requisite demolition works, and the land-use requirements during the construction and operational phases;
4. a description of the main characteristics of the operational phase of the project (in particular any production process), for instance, energy demand and energy used, nature and quantity of the materials and natural resources (including water, land, soil and biodiversity) used;
5. an estimate, by type and quantity, of expected residues and emissions (such as water, air, soil and subsoil pollution, noise, vibration, light, heat, radiation) and quantities and types of waste produced during the construction and operation phases.
6. A description of the reasonable alternatives (for example in terms of project design, technology, location, size and scale) studied by the licensee, which are relevant to the proposed project and its specific characteristics, and an indication of the main reasons for selecting the chosen option, including a comparison of the environmental effects.
7. A description of the relevant aspects of the current state of the environment (baseline scenario) and an outline of the likely evolution thereof without implementation of the project as far as natural changes from the baseline scenario can be assessed with reasonable effort on the basis of the availability of environmental information and scientific knowledge.
8. A description of the factors specified in regulation 10B(3) likely to be significantly affected by the project: population, human health, biodiversity (for example fauna and flora), land (for example land take), soil (for example organic matter, erosion, compaction, sealing), water (for example hydromorphological changes, quantity and quality), air, climate (for example greenhouse gas emissions, impacts relevant to adaptation), material assets, cultural heritage, including architectural and archaeological aspects, and landscape.
9. A description of the likely significant effects of the project on the environment resulting from, among other things—
10. the construction and existence of the project, including, where relevant, demolition works;
11. the use of natural resources, in particular land, soil, water and biodiversity, considering as far as possible the sustainable availability of these resources;
12. the emission of pollutants, noise, vibration, light, heat and radiation, the creation of nuisances, and the disposal and recovery of waste;
13. the risks to human health, cultural heritage or the environment (for example due to accidents or disasters);
14. the cumulation of effects with other existing or approved projects, taking into account any existing environmental problems relating to areas of particular environmental importance likely to be affected or the use of natural resources;
15. the impact of the project on climate (for example the nature and magnitude of greenhouse gas emissions) and the vulnerability of the project to climate change;
16. the technologies and the substances used.

The description of the likely significant effects on the factors specified in regulation 10B(3) should cover the direct effects and any indirect, secondary, cumulative, transboundary, short-term, medium-term and long-term, permanent and temporary, positive and negative effects of the project. This description should take into account the environmental protection objectives established in retained EU law or under the law of any part of the United Kingdom which are relevant to the project.

1. A description of the forecasting methods or evidence, used to identify and assess the significant effects on the environment, including details of difficulties (for example technical deficiencies or lack of knowledge) encountered compiling the required information and the main uncertainties involved.
2. A description of the measures envisaged to avoid, prevent, reduce or, if possible, offset any identified significant adverse effects on the environment and, where appropriate, of any proposed monitoring arrangements (for example the preparation of a post-project analysis). That description should explain the extent, to which significant adverse effects on the environment are avoided, prevented, reduced or offset, and should cover both the construction and operational phases.
3. A description of the expected significant adverse effects of the project on the environment deriving from the vulnerability of the project to risks of major accidents or disasters which are relevant to the project concerned. Relevant information available and obtained through risk assessments pursuant to retained EU law such as any law that implemented the COMAH Directive or the Nuclear Safety Directive or other relevant environmental assessments may be used for this purpose provided that the requirements of any law that implemented this Directive are met. Where appropriate, this description should include measures envisaged to prevent or mitigate the significant adverse effects of such events on the environment and details of the preparedness for and proposed response to such emergencies.
In this paragraph-
“the COMAH Directive” means Directive 2012/18/EU of the European Parliament and of the Council on the control of major-accident hazards involving dangerous substances, amending and subsequently repealing Council Directive 96/82/EC[[3]](#footnote-3);

“the Nuclear Safety Directive” means Council Directive 2009/71/Euratom establishing a Community framework for the nuclear safety of nuclear installations[[4]](#footnote-4) as amended by Council Directive 2014/87/Euratom[[5]](#footnote-5).

1. A non-technical summary of the information provided under paragraphs 1 to 8.
2. A reference list detailing the sources used for the descriptions and assessments included in the report.”

# Appendix 2 – Consultees on the Scoping Report

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| **Statuary Consultees**North Ayrshire Council Inverclyde CouncilRenfrewshire CouncilEast Renfrewshire CouncilEast Ayrshire CouncilSouth Ayrshire CouncilArgyll and Bute CouncilScottish Natural Heritage (Nature Scot)Scottish Environment Protection Agency (SEPA) |

**Other Consultees**

|  |
| --- |
| Ayrshire and Arran NHS Board |
| Ayrshire Radiation Monitoring Group |
| Civil Aviation Authority Clyde Muirshiel Regional Park |
| Crown Estates |
| Cumbrae Community Council |
| Food Standards Scotland |
| Friends of the Earth (Scotland)

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| --- |
| Glasgow Airport |
| Glasgow Prestwick Airport |
| Greenpeace |

Historic Environment Scotland |
| Largs Community Council |
| Marine Scotland |
| National Air Traffic Services |
| National Grid |
| Police Scotland |
| Scottish Ambulance Service |
| Scottish Environment Protection Agency |
| Scottish Fire and Rescue Service |
| Scottish Government :- Radioactive Waste and Nuclear Decommissioning Dept :- Directorate for Environment and Forestry  |
| Scottish Natural Heritage |
| Scottish Power |
| Scottish Water |
| The Health and Safety Executive |
| Transport Scotland |
| West Kilbride Community Council |
| Hunterston A Site Stakeholder Group |
| Hunterston B Site Stakeholder Group |

Magnox Ltd.

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| --- |
| Ministry of Defence |
| Nuclear Decommission Authority |
| Nuclear Free Local Authorities |

Peel Ports

RSPB Scotland

Scottish Wildlife Trust

Appendix 3 – General Comments from Consultees on the Scoping Report

ONR received 7 responses from our consultation exercise. The following summarises their response:-

* For those that responded, the Consultees welcomed the chance to comment on the report.
* A consultees highlighted the need for a marine licence regarding aspects covering the infilling of tunnel and pipes below the Mean highwater Springs tide and any proposed temporary or permanent deposits or constructions below the Mean highwater Springs.
* It was noted that the heritage assets highlight in the report were the most likely to be impacted by the proposed work.
* A consultee noted the opportunity through this proposed decommissioning project to deliver positive effects for biodiversity but asked the duty holder to investigated opportunities for the enhancement of habitats and species on the site during the long decommissioning.
* A consultee identified that useful guidance can be found at : [General pre-application and scoping advice for onshore wind farms | NatureScot](https://www.nature.scot/doc/general-pre-application-and-scoping-advice-onshore-wind-farms)
1. Acceptance of the PAR to allow release of LI [↑](#footnote-ref-1)
2. Approval is for publication on ONR web-site, after redaction where relevant [↑](#footnote-ref-2)
3. OJ No L 197, 24.7.2012, p. 1. [↑](#footnote-ref-3)
4. OJ No L 172, 2.7.2009, p. 18. [↑](#footnote-ref-4)
5. OJ No L 219, 25.7.2014, p.42. [↑](#footnote-ref-5)