



**Cyfoeth
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Wales**

Andy Black
E.On UK Ltd
Connah's Quay Power Station
Kelsterton Road
Connahs Quay
Flintshire
CH5 4BP

Our Ref: MP3337SH/IC22

Your Ref:

Date: 09 October 2013

Dear Andy,

THE ENVIRONMENTAL PERMITTING (ENGLAND AND WALES) REGULATIONS 2010

Permit reference: MP3337SH

Your environmental permit was varied in March 2013 to add the Improvement Condition IC22:

The Operator shall undertake a review of the existing screening measures at the intakes and outfalls which provide and discharge water to and from the Installation. The review shall be undertaken with reference to the Eels (England and Wales) Regulations 2009 (SI 2009/3344) and the Environment Agency "Safe Passage of Eel" Regulatory Position Statement version 1 dated July 2012.

The Operator shall submit details of the arrangement suitable to meet the requirements for the safe passage of eels [of the Eels (England and Wales) Regulations 2009 (SI 2009/3344)] by either:-

- Providing a written proposal for the installation of an eel screen.*
- Providing a written proposal to the modification of existing screening arrangements.*
- Providing a written response with an explanation and description of how the existing screening arrangements can be regarded to meet the requirements for the safe passage of eels [of SI 2009/3344] either without change or with mitigation measures.*
- Providing a written response setting out a case for an exemption*

In all cases, the proposal shall be submitted in writing for the approval of the Environment Agency. Where appropriate, each proposal shall contain an assessment of alternative options considered including impacts on other fish species and an explanation of why the proposed option has been chosen.

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	INITIALS	DATE
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Where installation of eel screen; modification of existing arrangements; or mitigation measures are proposed, the submission shall contain relevant timescales for installation in accordance with the Safe Passage of Eel Regulatory Position Statement version 1 dated July 2012.

The proposals shall be implemented in accordance with the Environment Agency's written approval. The IC has a required response date of September 30th 2013.

As a consequence of a change in legal advice relating to how any mitigation may be associated with any resulting exemption further guidance is required on how this aspect will be managed. We recognise this clarity may be significant to your submission.

We are therefore writing to inform you that the deadline for your response to this condition will be now extended to **31st January 2014**, to allow you time to consider any changes in the process which may affect your submission.

Note that the change of date for compliance with this condition does not change any of its other requirements.

We anticipate that final agreement of a revised process should be resolved in the coming months. We will keep you updated and ensure that you are informed as soon as a way forward has been agreed.

Yours sincerely,

Stuart Ross
Regulatory Officer (PPC/RSR) / Swyddog Rheoliadol 1 (RhDP/RhSY)
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