

## **Natural Resources Wales permitting decisions**

### **Natural Resources Wales initiated variation**

We have decided to issue an Natural Resources Wales initiated variation for Aberthaw power station operated by RWE Generation UK plc.

The variation number is EPR/RP3133LD/V010.

We consider in reaching that decision we have taken into account all relevant considerations and legal requirements and that the permit will ensure that the appropriate level of environmental protection is provided.

### **Purpose of this document**

This decision document:

- explains how the Natural Resources Wales initiated variation has been determined
- provides a record of the decision-making process
- shows how all relevant factors have been taken into account

### **Structure of this document**

- Key issues
- Annex 1 the decision checklist

### **Key issues of the decision**

In response to improvement condition IC34, the Operator has undertaken a review of the existing screening arrangements with reference to the Eels (England and Wales) Regulations 2009 (SI 2009/3344) and the Environment Agency "Safe Passage for Eel" Regulatory Position Statement version 1 dated July 2012 (and as amended February 2013).

The review has demonstrated that the site does not comply with the requirements for safe passage of eel and the Operator is now required to complete a cost benefits appraisal with reference to the Environment Agency "Safe Passage for Eel: Guidance on Exemptions" This variation adds a further improvement condition requiring a cost benefits appraisal in order to ensure compliance with the Eels Regulations.

## Annex 1: decision checklist

This document should be read in conjunction with the permit/ notice.

Aspect considered	Justification / Detail	Criteria met Yes
<b>European Directives</b>		
Applicable directives	All applicable European directives have been considered in the determination of the Natural Resources Wales initiated variation.	✓
Operating techniques	We have reviewed the techniques used by the operator and compared these with the relevant guidance notes.  As discussed in the key issues section, the Operator needs to carry out a cost benefit assessment of best available techniques, to ensure compliance with the Eels (England and Wales) Regulations 2009 (SI 2009/3344).	✓
Improvement conditions	We consider that we need to impose improvement conditions.  We have imposed an improvement condition to ensure compliance with the Eels (England and Wales) Regulations 2009 (SI 2009/3344)	✓