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Dear Ms Barton

**Title: - Crash damage Safety Case Dungeness A and B – Lydd Airport' planning applications Y06/1647/SH and Y06/1648/SH**

Thank you for your letter of 7<sup>th</sup> July 2008 in which you raise a number of points regarding the assessment of the risks posed to the current and potential future nuclear power stations at Dungeness as a result of operations at Lydd Airport. I am sorry that we failed to reply your letter in a timely manner. We are currently investigating how we overlooked your letter with a view to making suitable improvements to our processes and procedures.

Our decision not to discuss the topic of Lydd airport developments at the site stakeholder group meeting is a deliberate one. We do not consider it appropriate that this forum be used for the purposes of discussing proposed planning applications beyond the site boundary. This is a view shared by the SSG chairman, Magnox South and British Energy.

As the HSE CEO, Geoffrey Podger, has explained in his letter to you of December 2008, British Energy has the legal responsibility for keeping its licensed sites safe. It is legally bound to look for ways of reducing risks of their site operations causing harm, and it is thus quite understandable that the company would object to any proposal which will increase the risks to any of its sites, no matter how small that increase is predicted to be. It is a simple and "reasonably practicable" matter for British Energy to write a letter of objection. We would be surprised if nuclear site licensees did react in such a way.

For HSE, we are obliged to take a proportionate and consistent view. We cannot be totally risk averse as this could place significant limits work activities which otherwise benefit society as a whole. Some risks must be judged to be tolerable if society is to thrive. Tolerability is set out in our discussion document *The Tolerability of Risks from Nuclear*