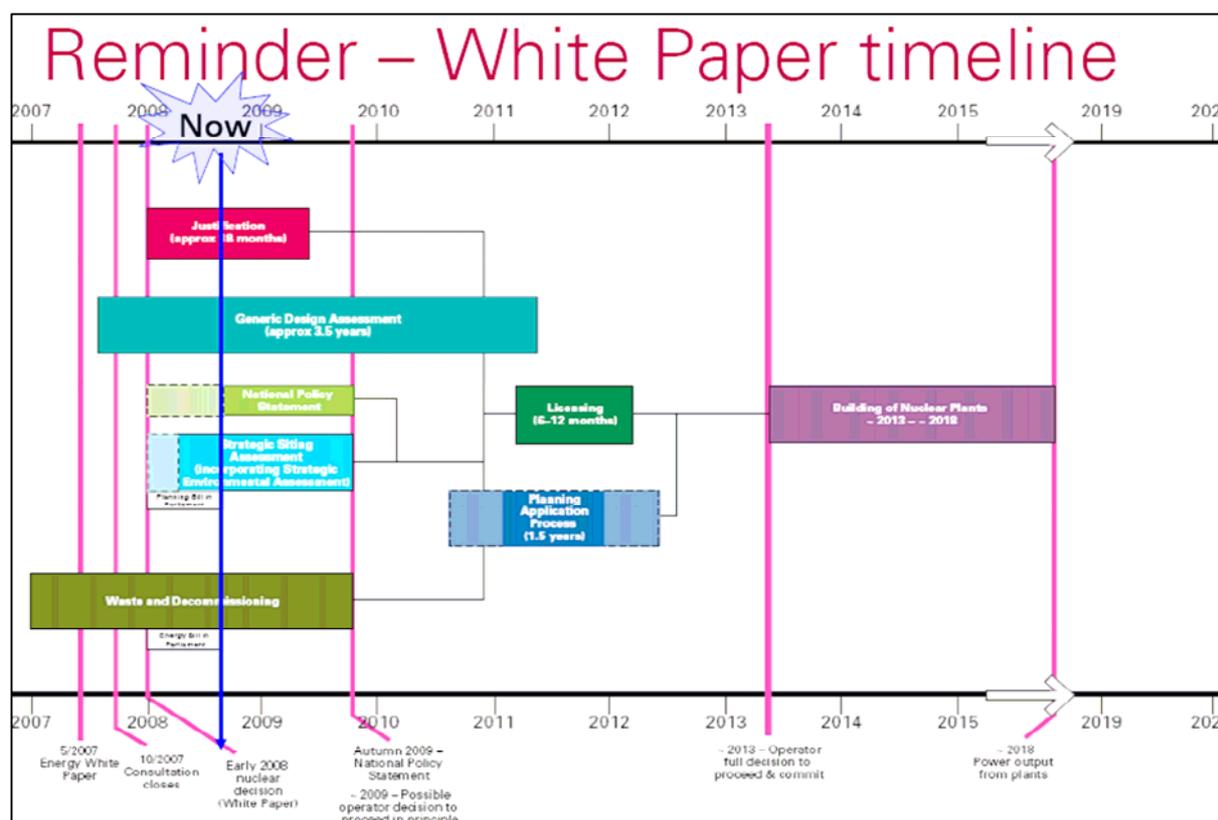


# Nuclear Free Local Authorities new nuclear monitor



Number 14. November 2008

## *The Government's Facilitative Actions to Speed Up Nuclear Developments<sup>†</sup>*



### 1.0 Facilitative Actions

1.1 On 10<sup>th</sup> January 2008, when the Government confirmed it wanted new reactors to go-ahead, it said it would carry out 'facilitative actions' to speed up their construction. [1] The timetable above shows what is planned it will all take time and there have already been delays.

1.2 In June the Government announced the creation of the Office of Nuclear Development (OND), to build more effective cross-Government working on nuclear energy, and facilitate new nuclear investment in the UK. [2] The OND has staff drawn from both the civil service and from industry, bringing together the relevant Government teams and resources to achieve its objectives. [3]

<sup>†</sup> This briefing was prepared by Pete Roche, NFLA (Scotland) Policy Adviser

## THE LOCAL GOVERNMENT VOICE ON NUCLEAR ISSUES

## **2.0 Strategic Siting Assessment (SSA)**

2.1 The SSA is the process for identifying and assessing potentially suitable sites. A consultation on the draft SSA process and criteria was launched in July (it was promised for March). [4] The consultation ran until 11 November 2008. The NFLA submission to this consultation is at Appendix A.

2.2 Once the criteria have been finalized around the beginning of 2009, third parties will be invited to nominate potentially suitable sites. In mid-2009 a list of nominated sites will be issued as part of a consultation on the National Policy Statement on nuclear power. (Nuclear NPS) The finalised Nuclear NPS will be published at the beginning of 2010. Assuming the Planning Bill, which is currently going through Parliament, is passed, the Nuclear NPS will establish the 'need' for new reactors, so the subsequent planning process will only deal with site specific issues.

## **3.0 Speeding up the planning process**

3.1 The Government says the Planning Bill will speed up nuclear development. The Bill, which will finish its third reading in the House of Lords in November, aims to establish a streamlined procedure for approving large infrastructure projects.

3.2 The Bill will create the Infrastructure Planning Commission (IPC) which will decide on projects of national significance for England and Wales. The IPC will act according to the National Policy Statements, such as the Nuclear NPS. [5] But public inquiries run by the IPC will mostly be conducted in writing, and there will be no public right for objectors to cross examine developers. [6] Greenpeace and the Campaign to Protect Rural England called it a "developer's charter" which stripped away the public right to a say. [7]

3.3 FoE calls the new system "deeply undemocratic, it marginalises communities ... a profound constitutional issue". Most things will be decided even before plans are put before the IPC - no one will be able to question the location of a new reactors, or safety and technical issues. And the decisions taken by the IPC will not be directly accountable to anyone. Ministers argue that a new duty on developers to organise consultation on their own applications provides important opportunities for public engagement. But it is difficult to see how the public can have confidence in a process run by the developers themselves.

3.4 The government argues that the bill is vital to deliver the technology to tackle climate change. In fact, there are no duties even to think about climate change issues. Neither does the climate bill create any legal obligation on the IPC, a non-governmental body, to consider climate issues. [8]

## **4.0 Generic Design Assessment**

4.1 The nuclear regulators – the Health and Safety Executive (HSE) and Environment Agency – have been carrying out a new process called 'Generic Design Assessment' (GDA), which looks at the safety, security and environmental implications of new reactor designs before an application is made to build that design at a particular site. [9] In March 2008, the initial assessment of four nuclear power station designs was completed. No shortfalls in any of the four designs were found, and reports on each design were published. [10]

4.2 The next stage was going to be a prioritisation process to reduce the number of designs to three, but Atomic Energy of Canada Ltd pulled its ACR-1000 design out of the process, [11] and General Electric and Hitachi Ltd. asked for a temporary halt to the assessment of its Economic Simplified

Boiling Water Reactor (ESBWR), [12] leaving only the Toshiba-Westinghouse AP1000 design and the Areva-Siemens European Pressurised Water Reactor (EPR) still in the process.

4.3 The GDA should be completed around spring 2011, when the regulators would issue statements about the acceptability of the designs. [13] But staff shortages at the Nuclear Installations Inspectorate (NII) could lead to delays. The HSE is attempting to recruit 50 new nuclear inspectors, but Alistair Darling said in September that too few people were applying. [14] Mike Weighman, the Chief Inspector of Nuclear Installations told the Government in June, “that there is a significant resource shortfall against that planned to be in place” by now. [15]

4.4 The National Metals Technology Centre, has identified the GDA as a significant bottleneck in the new build process. Without the GDA coming to fruition, no building can take place. Delays in its completion will affect confidence throughout the supply chain. [16]

4.5 The Environment Agency said in a letter to the Government in June 2008 that the nuclear industry had failed to provide the necessary information to allow a determination of whether the designs would use best available techniques (BAT) to meet high environmental standards. [17]

4.6 Dr Tim Stone, chair of KPMG's global infrastructure and project group, who advises the Government on nuclear issues, is carrying out a review of the NII, which is expected to be completed in Autumn 2008, and will make recommendations about what might be done to enhance its ability to deliver. [18] This might involve higher wages for inspectors and working more closely with overseas regulators.

## **5.0 The Justification process**

5.1 The Justification Process is required under European Union regulations. Companies hoping to build a nuclear facility must show the benefits outweigh the potential health risks. In March 2008 the Government issued Guidance and invited nuclear companies to put forward new reactor designs by June for a justification decision. [19] The process is expected to take about 18 months to complete, taking us up to the middle of 2009. [20]

5.2 An application was made by the Nuclear Industry Association on behalf of those energy utilities interested in developing new reactors. [21] At the end of October 2008 the new Department of Energy and Climate Change (DECC) wrote to NIA seeking further information within 28 days. [22]

5.3 DECC will publish a package of information, including the application, before the end of 2008 for comment, and will issue a draft decision document for consultation. [23]

## **6.0 Funding provision for nuclear decommissioning**

6.1 The Government pledged not to subsidise new reactors, and to 'make sure that the full costs of new nuclear waste are paid by the market'. This has now mutated into the more nuanced “fixed unit price” which the Government will set for waste disposal at the time when approvals for the station are given. This effectively caps the costs of nuclear waste disposal to the operator and transfers the risk of cost overruns on to the taxpayer. [24]

6.2 A draft framework on how decommissioning and waste costs would be paid for was published for consultation in February 2008. [25] The Government responded to the consultation in September 2008. [26] Companies must produce a detailed funded decommissioning programme before new reactors are approved. This will include a commitment to pay into a secure and independently managed fund to cover all the costs of decommissioning, clean up and disposing of the waste.

6.3 A Nuclear Liabilities Financing Assurance Board (NLFAB) will be set up, under the Energy Bill 2008, to monitor these funds [27] and provide advice to the Government on all aspects of the financial arrangements operators plan to put in place. [28] The arrangements will give nuclear operators a fixed price they are required to pay for waste and decommissioning, leaving the taxpayer with all of the risk. The NLFAB, which will be chaired Lady Balfour of Burleigh. Members of the Board are being recruited during November 2008, and its first meeting is expected to take place in January 2009. [29]

6.4 The Office for Nuclear Development has issued the first of three discussion papers, for informal consultation, on the development of estimates of the costs of decommissioning and waste management. These estimates will assist NLFAB in its work by providing a benchmark against which operators' own estimates can be assessed. The first paper is about the methodology to determine how the fixed costs of building a geological disposal facility should be apportioned to and shared between operators of new nuclear power stations. [30]

6.5 The two further papers will cover (a) the methodology for establishing an indicative fixed unit price for the disposal of ILW and spent fuel; and (b) the Department of Energy and Climate Change (DECC) cost model, and updated estimates of total costs for waste management, disposal and decommissioning. A formal consultation is expected to take place in early 2009.

## **7.0 Nuclear Site licence**

7.1 To construct and operate a nuclear power station in the UK, a nuclear site licence must be granted by the Health and Safety Executive (HSE). [31] HSE anticipates that most potential reactor operators will use a design which has completed the GDA process before submitting a site licence application, so the process should be much quicker than previously and take only about one year. The Government expects potential operators of the first new reactors to apply for a site licence around the beginning of 2011, with approval granted in early 2012. This process can run concurrently with the planning process.

7.2 The licence application must include, amongst other things: evidence showing that the reactor is 'justified' as required by the Justification of Practices Involving Ionising Radiation Regulations 2004; evidence the site complies with UK Government siting policies (in other words it would have to be a site included on the list of potential sites in the National Policy Statement); a statement on the decommissioning arrangements; and a pre-construction safety report.

## **8.0 Other facilitative actions**

8.1 The Government also says it is working to strengthen the EU Emissions Trading Scheme so that investors have confidence in a meaningful, long-term carbon price.

8.2 The Government's "Managing Radioactive Waste Safely" process, has now reached the White Paper stage - setting out the framework for implementing geological disposal, [32] and inviting local authorities in England and Wales to consider hosting a nuclear waste dump in deep underground vaults in return for government investment in jobs, road improvements and health screening.

## **9.0 Supply Chain**

9.1 The Government says facilitating new nuclear build is one of the key elements its energy strategy. According to the Government's new Manufacturing Strategy, published on 8<sup>th</sup> September 2008, there is an opportunity for manufacturing to have a significant role in the construction,

operation, and decommissioning of new nuclear power stations in the UK and worldwide. The Government's objective is to create a globally competitive supply chain. [33]

9.2 A report produced for the Government by the National Metals Technology Centre, has reviewed the strengths and weaknesses of the supply chain. [34]

9.3 A programme of regional & sectoral initiatives will be developed to improve the capability of the UK supply chain. The Nuclear Industry Association will lead this with the Office of Nuclear Development, Regional Development Agencies and UK Trade & Investment (UKTI) - the Government's international business development organisation.

## **10.0 Nuclear Skills**

10.1 The Office for Nuclear Development will work with skills bodies, employers, universities and colleges to help identify skills shortages and gaps to deliver learning, research and training at every level of the education system.

10.2 The Government has also created the National Skills Academy for Nuclear to address the key skills and training challenges facing the nuclear industry. [35]

## **11.0 The Nuclear Development Forum**

11.1 As well as the Office for Nuclear Development the Government set up a Nuclear Development Forum, chaired by the relevant Secretary of State, to bring together the key players from across Government into a joint forum with key delivery partners from across industry. The Nuclear Development Forum will keep industry informed, and enable the Government to listen to the industry.

11.2 The idea of the NFD is that it will "lock in momentum" towards building new reactors. [36] It will meet three times a year.

11.3 The next meeting of the Nuclear Development Forum will be held early in 2009 and will discuss, amongst other things, a programme integration report. [37]

### **Recommendations:**

**That the NFLA Steering Committee continues to take part in consultations on the facilitative actions.**

That the NSC asks staff to produce a response to the informal consultations issued on the development of estimates of the costs of decommissioning and waste management.

That the NSC asks staff to produce a response to the Justification consultation which is expected to be issued soon.

## References

- [1] BERR Press Release 10<sup>th</sup> January 2008, <http://nds.coi.gov.uk/environment/fullDetail.asp?ReleaseID=343892&NewsAreaID=2&NavigatedFromDepartment=True>
- [2] BERR Press Release 12<sup>th</sup> June 2008 <http://nds.coi.gov.uk/environment/fullDetail.asp?ReleaseID=370431&NewsAreaID=2&NavigatedFromDepartment=True>
- [3] New Nuclear: Situation Report, Talk by Mark Higson, Chief Executive of the Office of Nuclear Development, to the first meeting of the Nuclear Development Forum 18<sup>th</sup> September 2008. <http://www.berr.gov.uk/files/file48485.pdf>
- [4] Towards a National Nuclear Policy Statement: Consultation on the Strategic Siting Assessment Process and Siting Criteria for New Nuclear Power Stations in the UK, BERR, July 2008. <http://www.berr.gov.uk/files/file47136.pdf>
- [5] FT 7<sup>th</sup> Nov 2007 <http://www.ft.com/cms/s/0/fb47d61a-8c98-11dc-b887-0000779fd2ac.html>
- [6] See FoE Briefing on the Planning Bill, December 2007. [http://www.foe.co.uk/resource/briefings/plan\\_bill\\_campaigner\\_brief.pdf](http://www.foe.co.uk/resource/briefings/plan_bill_campaigner_brief.pdf)
- [7] Guardian 7<sup>th</sup> Nov 2007 <http://www.guardian.co.uk/guardianpolitics/story/0,,2206381,00.html>
- [8] Guardian 29<sup>th</sup> October 2007 <http://www.guardian.co.uk/environment/2008/oct/29/climatechange-greenbuilding>
- [9] See <http://www.hse.gov.uk/newreactors/>
- [10] The Design Assessment Reports can be viewed at <http://www.hse.gov.uk/newreactors/BuilderandEngineer> 18<sup>th</sup> March 2008 <http://www.builderandengineer.co.uk/news/environment/designs-for-nuclear-stations-clear-first-hurdle-1736.html>
- [11] Toronto Star 5<sup>th</sup> April 2008 <http://www.thestar.com/Business/article/410418>
- [12] Bloomberg 17<sup>th</sup> September 2008 [http://www.bloomberg.com/apps/news?pid=20601101&sid=a4bBI51\\_pzjk&refer=japan](http://www.bloomberg.com/apps/news?pid=20601101&sid=a4bBI51_pzjk&refer=japan)
- [13] HSE Press Release 18<sup>th</sup> March 2008 <http://nds.coi.gov.uk/Content/Detail.asp?ReleaseID=361424&NewsAreaID=2>
- [14] Guardian 25<sup>th</sup> Sept 2008 <http://www.guardian.co.uk/politics/2008/sep/25/2>  
Guardian 20<sup>th</sup> Oct 2008 <http://www.guardian.co.uk/world/2008/oct/20/nuclear-inspectors-energy-power>
- [15] Letter from Mike Weightman to Mark Higson, 6 June 2008 <http://www.hse.gov.uk/newreactors/mwletter.pdf>
- [16] The Supply Chain for a UK Nuclear New Build Programme, NAMTEC, September 2008. [http://www.dius.gov.uk/publications/Nuclear\\_Supply\\_Chain\\_Report.pdf](http://www.dius.gov.uk/publications/Nuclear_Supply_Chain_Report.pdf)
- [17] Letter from Joe McHugh at the Environment Agency to Mark Higson at the Department for Business, Enterprise and Regulatory Reform. 6 June 2008 <http://www.hse.gov.uk/newreactors/jmchughletter.pdf>
- [18] BERR Press Release 12 June 2008 <http://nds.coi.gov.uk/environment/fullDetail.asp?ReleaseID=370431&NewsAreaID=2>
- [19] The Justification of Practices involving Ionising Radiation Regulations 2004: Guidance for applications relating to new nuclear power, BERR, March 2008. <http://www.berr.gov.uk/files/file45384.pdf>
- [20] Forbes 31<sup>st</sup> March 2008 <http://www.forbes.com/markets/feeds/afx/2008/03/31/afx4833538.html>
- Reuters 31<sup>st</sup> March 2008 <http://uk.reuters.com/article/domesticNews/idUKL314396220080331?rpc=401&feedType=RSS&feedName=domesticNews&rpc=401>
- [21] NIA Justification Application

<http://www.defra.gov.uk/environment/radioactivity/government/legislation/pdf/nia-application.pdf>

[22] Notice under Regulation 16 of the Justification of Practices involving Ionising Radiation Regulation 2004, DECC 30<sup>th</sup> October 2008. <http://www.berr.gov.uk/files/file48750.pdf>

[23] BERR website, "Justification".  
<http://www.berr.gov.uk/whatwedo/energy/sources/nuclear/whitepaper/actions/justification/page45386.html>

[24] The Future will not be Nuclear, by Tom Burke, Prospect Magazine, September 2008.  
[http://www.prospect-magazine.co.uk/article\\_details.php?id=10336](http://www.prospect-magazine.co.uk/article_details.php?id=10336)

[25] Consultation on Funded Decommissioning Programme Guidance for New Nuclear Power Station, BERR, February 2008 <http://www.berr.gov.uk/files/file44486.pdf>  
Telegraph 22<sup>nd</sup> February 2008  
<http://www.telegraph.co.uk/earth/main.jhtml?xml=/earth/2008/02/22/eanuc122.xml>

[26] The Government Response to the Consultation on Funded Decommissioning Programme Guidance for New Nuclear Power Stations, BERR September 2008.  
<http://www.berr.gov.uk/files/file47629.pdf>

[27] FT 22<sup>nd</sup> February 2008 <http://www.ft.com/cms/s/0/70bd3824-e0d4-11dc-b0d7-0000779fd2ac.html>

[28] Modern Power Systems 17<sup>th</sup> January 2008  
<http://www.modernpowersystems.com/story.asp?sectioncode=131&storyCode=2048395>

[29] Guardian 4th Nov 2008  
<http://www.guardian.co.uk/business/2008/nov/04/business-news-in-brief>

[30] Pre-consultation discussion paper No.1 on a methodology to determine how the fixed costs of building a geological disposal facility should be apportioned to and shared between operators of new nuclear power stations. Office for Nuclear Development, October 2008.  
<http://www.berr.gov.uk/files/file48571.pdf>

[31] Applying for a nuclear site licence for new nuclear power stations: A step-by-step guide, HSE, August 2008 <http://www.hse.gov.uk/newreactors/application.pdf>

[32] Managing Radioactive Waste Safely: A Framework for Implementing Geological Disposal, DEFRA, BERR, Devolved Administrations for Wales and Northern Ireland, June 2008 <http://www.defra.gov.uk/environment/radioactivity/mrws/pdf/white-paper-final.pdf>

[33] Manufacturing: New Challenges, New Opportunities, BERR & DIUS, September 2008  
[http://www.dius.gov.uk/publications/New\\_Challenges\\_New\\_Opps.pdf](http://www.dius.gov.uk/publications/New_Challenges_New_Opps.pdf)

[34] The Supply Chain for a UK Nuclear New Build Programme, NAMTEC, September 2008. [http://www.dius.gov.uk/publications/Nuclear\\_Supply\\_Chain\\_Report.pdf](http://www.dius.gov.uk/publications/Nuclear_Supply_Chain_Report.pdf)

[35] See <http://www.nuclear.nsacademy.co.uk/about-us/about-skills-academy>

[36] The Role of the Nuclear Development Forum. <http://www.berr.gov.uk/files/file48487.pdf>

[37] Minutes and Papers for the first NDF Meeting held on 18<sup>th</sup> September 2008.  
<http://www.berr.gov.uk/whatwedo/energy/sources/nuclear/development-forum/meetings/page48497.html>

## ANNEXE A

### **Response from the Nuclear Free Local Authorities to the: Consultation on the Strategic Siting Assessment Process and Siting Criteria for new nuclear power station in the UK.**

#### **1.0 The Consultation Process**

We have found little evidence of a wide ranging consultation of local communities and stakeholders in the development of these draft criteria. There appears to have been no attempt made to promote this consultation in the areas around potential sites for new reactors either amongst the public or their elected representatives. The significance of this consultation should have been drawn to the attention of emergency planning authorities, local authorities and parish and town councils in potentially affected areas.

A condition imposed on a 'Credible Nuclear Power Operator' (CNPO) that wants to nominate a potential site that they must demonstrate they "have taken steps to engage local communities living in the vicinity of the nominated site." [1]. But there are no guidelines laid down about what constitutes an adequate consultation process. It should not be sufficient merely to organize an exhibition, hold public meetings and invite views. Engagement with the community should involve open deliberation and participation in the decision making process. A set of consultation guidelines need to be developed for Credible Nuclear Power Operators who may be considering nominating a site which are based on the Principles drawn up by CoRWM and are based on an open, deliberative engagement of local communities.

In this context, it is extremely worrying that a public meeting planned for Burnham-on-Sea near the Hinkley Point site, where there is concern about cancer levels, was cancelled and replaced with an exhibition. [2]

The statement on page 127, para 2.265 of the White Paper on Nuclear Power [3] that: "The Government expects that applications to build new nuclear power stations will focus on areas in the vicinity of existing nuclear facilities" appears to have pre-judged the outcome of the Strategic Siting Assessment. This suggests the criteria may have been drawn up with specific sites in mind. The draft criteria suggest that none of the existing reactor sites will be automatically ruled out. There are only four exclusionary criteria and they are set at levels that are highly unlikely to exclude any existing reactor sites. One might have expected flooding for example to be an exclusionary criterion, but it is only discretionary.

We are, therefore, concerned that the SSA process is simply a way of legitimising siting decisions which have already been taken. The SSA process looks very much like a step backwards to the old and discredited 'Decide Announce Defend' approach with nuclear facilities imposed on communities.

#### **2.0 Public Acceptability**

In this context, it is worrying that public acceptability is not one of the criteria mentioned in the SSA document.

It is generally assumed that people living near existing nuclear sites will be more supportive of new reactors than the population in general, but a recent opinion survey shows that as many as 38% of those living in close proximity to reactors would only reluctantly accept new reactors if they are essential for energy security and tackling climate change. [4] The conditional support for new reactors is, therefore, potentially quite fragile.

The Government has already been forced to run a second consultation on its proposals for new reactors after the High Court ruled it's the first consultation to be procedurally flawed. The second consultation process was attacked by a group of academics specifically on the grounds that the Government was failing to point out the small contribution nuclear power can make to reducing the UK's CO<sub>2</sub> emissions, and was giving the public biased and incomplete information. [5]

Furthermore, in October 2008 there was yet another damning rebuke for the government's objectivity in the nuclear power debate when the Marketing Research Standards Board found that the market research company Opinion Leader Research, which conducted much of the public opinion work on nuclear power for BERR, breached its Code of Conduct, and that "information was inaccurately or misleadingly presented, or was imbalanced, which gave rise to a material risk of respondents being led towards a particular answer".[6]

It is quite possible that the reluctant public support for new reactors would evaporate quickly if, for example, expenditure on alternatives such as energy efficiency and combined heat and power plants came to be seen as a much more efficient way of saving carbon dioxide emissions per pound spent.[7]

### **3.0 Nuclear Waste Stores**

New power stations will also be long term spent fuel and waste stores. These stores will be present on sites for around a hundred years and perhaps longer. It is logical, therefore, that the voluntary partnership approach developed by the Committee on Radioactive Waste Management (CoRWM) should be applied to sites for new reactors. [8]

The absence of any ethical criteria is a serious defect in the SSA process. In particular consideration of the potential impacts on future generations from the operation of power stations and the storage of wastes should be considered.

CoRWM stated that:

*"New build wastes would extend the timescales for implementation possibly for very long but essentially unknowable, future periods. Further, the political and ethical issues raised by the creation of more wastes are quite different from those relating to committed – and therefore unavoidable – wastes. Should a new build programme be introduced, in CoRWM's view it would require a quite separate process to test and validate proposals for the management of wastes arising"*.

CoRWM points out that its recommendations were supported by an extensive Public and Stakeholder Engagement programme. During this process it was made clear that the inventory under consideration was committed waste only, and that its recommendations apply to an unavoidable problem only. [9] The Energy Review consultations were not an adequate substitute for the "quite separate process" on new build waste which CoRWM has called for.

The high burn up spent fuel which new reactors are expected to produce will be more dangerous than existing spent fuel, because high burn up fuel uses more enriched uranium, and it is left in the reactor for longer. This gets more output from the fuel, but increases the dangers of radioactive releases as the fuel cladding gets thinner. This increased danger persists throughout its storage and disposal. [10] This makes further open and transparent local engagement all the more imperative.

### **4.0 The Nomination Process**

As indicated above we have serious concerns about the nomination process. The process will only last 8 weeks, during which time the Department for Energy and Climate Change and the company wanting to make a nomination will 'engage' with the local community to test for new reactors. But

it is not clear how this engagement process will be implemented. Presumably it will be carried out by the nominator with support from DECC, but this cannot be judged to be an impartial and fair way to engage with the local community. No information is given on how the community response will be judged, and by whom, or indeed how the community is to be defined.

Public acceptability is not included as a criterion. Nor is whether the plans fit in with local authority/regional development plans included as a criterion. The Government needs to explain exactly why it is proposing to do any local consultation at all and under what circumstances, if any, the local engagement process would lead to the rejection of a nominated site. The process appears to be designed to give the greatest possible advantage to the nuclear industry to deliver new nuclear power stations at existing sites as fast as possible.

A fair siting process fully involving the local community would take far longer than eight weeks. The Government would presumably argue that we need an accelerated and centralised process because the issue of climate change is urgent. Even so, this process is unlikely to see any new reactors begin operation much before 2020. We need to begin tackling climate change much sooner, and the contribution new reactors might be able to make after 2020 is very small. It seems, therefore, that **we are sacrificing the opportunity to implement a fair local democratic process in order to introduce a technology which cannot meet the required objectives.**

## **5.0 Strategic Environmental Assessment**

A Strategic Environment Assessment requires giving full and proper consideration to alternatives. The Government says it is undertaking a Strategic Environmental Assessment in relation to proposed new reactors and that it will publish an Environmental Report which assesses the environmental impacts of new reactors when it consults on the draft Nuclear National Policy Statement in 2009. But it has not said how it will consider alternatives to nuclear power at the sites which might be nominated.

The Government should consider both alternative uses for the sites and alternative energy options for the local community. It should also say how it intends to prevent nominators sitting on potential sites and causing planning blight. Grid access is one of the main reasons why existing reactor sites are favoured for new reactors. This access could be just as valuable to other potential energy sources. Access to the grid is flagged in the consultation document for local consideration, but there needs to be a national discussion about how we make best use of our existing transmission grid.

## **6.0 Demographic Criteria**

The Government is proposing to drop the remote siting criteria used at the time of the Sizewell B public inquiry and allow new reactors to be sited on a semi-urban site. The new, less stringent, criteria on demographics are exclusory. However criteria on emergency planning are flagged only for 'local consideration'. The consultation document hardly refers to the risk of an accident or terrorist attack.

The local criteria will be considered by the Infrastructure Planning Commission at a site-specific planning application stage, but the Nuclear National Policy Statement will set out the Government's view on how these local criteria should be viewed by the IPC when they consider planning applications.

It is important, therefore that a full independent assessment and report on the possible effects of a nuclear accident or emergency (from terrorist attack) on either a reactor or spent fuel stores is undertaken - no matter how small the likelihood of such an event because the impacts could be so massive – for each new reactor proposal. A similar assessment should be made of the routes of any nuclear material to and from the site.

## 7.0 Flooding

This criterion is discretionary. Yet if a site is liable to be inundated within the period that the power station is operating or being decommissioned, or the waste is still stored on site, then, in our view, it should be excluded. Final clearance of a new reactor site may not take place until around the year 2180.

The criterion requires developers to ‘confirm that they can protect the site against flood-risk throughout the lifetime of the site’ as well as ‘take into account the wider impacts of their flood protection countermeasures on areas surrounding potential power station sites’. Evidence strongly suggests that several sites likely to be nominated will be highly vulnerable to flooding within the period when the site will still be operational for the purposes of waste management.

Reports on flooding published by British Energy in November 2007 which argue that no new major engineering projects will be needed to protect the site, appear to be based on information in the IPCC’s 3<sup>rd</sup> Assessment report of 2001, which is now eight years old. The IPCC’s 4<sup>th</sup> Assessment report suggests that sea levels will rise more quickly and therefore site protection will, in fact, require major engineering. British Energy’s response is that the most recent IPCC report “has yet to be given the UK interpretation”. [11] In fact even more recent research suggests that sea level rises will be double what was expected in the 4<sup>th</sup> Assessment report by the end of the century. [12]

Decision about whether a proposed site will require engineering work or should be excluded because of the likelihood of flooding should not be left to the waste producer alone.

### Conclusions

A wide ranging engagement process needs to be carried out with local communities around existing nuclear sites which involves open deliberation and participation in the decision making process. This should not just cover the possibility of new reactor building, but should look at all the alternatives with a focus on producing energy.

The SSA process as is currently proposed appears to be simply a way of legitimising nuclear siting decisions which have already been taken - a step backwards to the old and discredited ‘Decide Announce Defend’ approach.

Regardless of the final process chosen, public acceptability needs to be included as a criterion. But the public also needs to be properly informed by an impartial body on issues such as the proposed storage of spent high burn-up fuel on proposed reactor sites, the limited contribution which nuclear power could make to tackling climate change, and on alternative carbon abatement techniques. Alternative uses for the sites will need to be considered as part of the Strategic Environmental Assessment.

A full independent assessment of the possible effects of a nuclear accident or emergency (from terrorist attack) on either a reactor or spent fuel stores should be undertaken. A similar assessment should be made of the routes of any nuclear material to and from the site.

An independent assessment of whether a proposed site will require engineering work or should be excluded because of the likelihood of flooding should be carried out which is fully informed by the IPCC’s 4<sup>th</sup> Assessment and more recent science.

- [1] Condition 2, page 9 of the Consultation Document. <http://www.berr.gov.uk/files/file47136.pdf>
- [2] Burnham-on-sea.com 2<sup>nd</sup> October 2008 <http://www.burnham-on-sea.com/news/2008/hinkley-meeting-cancelled-02-10-08.php>
- [3] Meeting the Energy Challenge: A White Paper on Nuclear Power, BERR, January 2008. <http://www.berr.gov.uk/files/file43006.pdf>
- [4] Nick Pidgeon, Karen Henwood, Karen Parkhill, Dan Venables and Peter Simmons, "Living with Nuclear Power in Britain: A Mixed-methods Study", Cardiff University and the University of East Anglia, September 30, 2008 <http://www.kent.ac.uk/scarr/SCARRNuclearReportPidgeonetalFINAL3.pdf>
- [5] Paul Dorfman (Ed) Nuclear Consultation: Public trust in Government, Nuclear Consultation Working Group, 2008. <http://www.nuclearconsult.com/>
- [6] Market Research Standards Board, Complaint by Greenpeace, October, 2008 <http://www.greenpeace.org.uk/files/pdfs/nuclear/MRSfindings.pdf>
- [7] See for example Amory Lovins interview on CNN, October 16, 2008 <http://edition.cnn.com/2008/WORLD/americas/10/10/amory.lovins/>
- [8] Implementing a Partnership Approach to Radioactive Waste Management: A Report to Government, CoRWM, April 2007 [http://www.corwm.org.uk/Pages/Archived%20Publications/Tier%202%20\(7\)%20-%20Implementation/Tier%203%20-%20Implementation%20advice/2146%20-%20%20Report%20to%20Government%202007%20-%20final.doc](http://www.corwm.org.uk/Pages/Archived%20Publications/Tier%202%20(7)%20-%20Implementation/Tier%203%20-%20Implementation%20advice/2146%20-%20%20Report%20to%20Government%202007%20-%20final.doc)
- [9] Reiteration of CoRWM's position on New Build, September 2007. [http://www.corwm.org.uk/Pages/Archived%20Publications/Tier%202%20\(7\)%20-%20Implementation/Tier%203%20-%20Implementation%20advice/2162%20%20-%20CoRWM%20position%20on%20new%20build%20reiterated.doc](http://www.corwm.org.uk/Pages/Archived%20Publications/Tier%202%20(7)%20-%20Implementation/Tier%203%20-%20Implementation%20advice/2162%20%20-%20CoRWM%20position%20on%20new%20build%20reiterated.doc)
- [10] Too Hot to Handle, by Hugh Richards, April 2008 <http://www.no2nuclearpower.org.uk/reports/TooHottoHandle.pdf>
- [11] See Sizewell Community Meeting 11<sup>th</sup> March 2008, Minutes [http://www.british-energy.com/documents/Sizewell\\_New\\_Build\\_Public\\_Meeting\\_minutes\\_110308.pdf](http://www.british-energy.com/documents/Sizewell_New_Build_Public_Meeting_minutes_110308.pdf)
- [12] Climate Change: Faster, stronger, sooner, by Dr Tina Tin, WWF, October 2008