

ENVIRONMENT AGENCY BRIEF FOR WCSSG DECOMMISSIONING SUB-GROUP

1 Introduction

This brief summarises our role at nuclear licensed sites and provides an update on key issues we have with the Sellafield decommissioning programme.

Note that it should be read in conjunction with our latest report to WCSSG main committee – attached.

2 Our role

Our role is to ensure the protection of the public and the environment from the radiation exposure that may result from the disposal and discharge of radioactive waste. We also aim to prevent pollution, to protect and enhance the environment, and to contribute to the sustainable development of the UK. In relation to nuclear sites, we work very closely with NII, which has various powers related to the regulation of decommissioning.

Under the Radioactive Substances Act (RSA) 1993, we do not have any direct regulatory remit specific to the rate of decommissioning since the Act is principally aimed at the regulation of radioactive waste disposal. However, as part of the authorisation, we require Sellafield Ltd to demonstrate that operations that generate wastes (e.g. decommissioning) represent the Best Practicable Environmental Option (BPEO) and to demonstrate the application of Best Practicable Means (BPM), when implementing those options.

The Environmental Permit (which covers non-radioactive pollution) requires a site closure plan, which demonstrates how the site's activities can be decommissioned to avoid any pollution risk and return the site to a satisfactory state.

3 Strategy

We have a site specific regulatory strategy which includes objectives related to decommissioning activity. This builds on the wider Environment Agency strategies and principles, to provide a regulatory strategy for the unique and complex environmental challenges at Sellafield. It identifies what the operator, we and others must do to ensure that environmental impacts are prevented and minimised, and that environmental damage is remedied. The strategy identifies key objectives which centre on hazard and risk reduction, preventing and minimising effects on people and the environment now and in the future, and avoiding future legacies.

In our view, a decommissioning strategy should optimise the extent, timing and techniques for decommissioning, taking into account uncertainties in disposal of both ILW and LLW, and the ultimate end-point or re-use of the Site. The implementation of the strategy must comply with relevant regulations including demonstration of ALARP, address environmental principles and represent value for money.

4 Current Issues

See also main WCCSG report for Apr-Jun 2008.

The main issue currently is the impact of constrained funding and its potential impact on decommissioning projects.

We want to see old nuclear industry sites cleaned-up as soon as possible. This is not only good practice but consistent with Government and international policy. We are therefore concerned about continual delays to decommissioning work at the site.

The combined effects of funding shortfalls, which is an issue across the NDA estate, and project delays mean that clean-up is not progressing in line with regulatory expectations. Such delays could mean increased environmental impacts, resulting from increased discharges, groundwater contamination and the creation of additional and avoidable solid waste. Delays could also lead to increased risks to our environment from the deterioration of physical assets and the associated presence of significant hazards for extended periods.

We have continued discussions over Lifetime Plan 08 and funding shortfalls with the other regulators, NDA and Sellafield Ltd. We have provided advice to Sellafield Ltd on the process for justifying (from an environmental perspective) any significant changes to the Lifetime plan brought about by funding shortfalls. We acknowledge the work that is now underway to ensure that a more transparent process is derived for changes to Lifetime Plans. The justification for such changes will need to be robust, time bound and supported by plans which include suitable plant surveillance and asset care programmes and suitable contingency plans in the event that problems arise.

We expect that any proposals to delay decommissioning and clean-up should be made on the basis of a thorough assessment of the environmental implications both short term and long term (including retention of core skills and corporate knowledge) and not just affordability.