

Response by Daniel Viesnick

Dear Sir/Madam,

I wish to adopt and endorse the attached responses from Kick Nuclear to the DECC consultations on the revised Funded Decommissioning Programme guidance and an updated Waste Transfer Pricing Methodology as my personal responses to the respective consultations.

I would be grateful if you would acknowledge receipt.

Kind regards,
D. Viesnik

Consultation on the Revised Funded Decommissioning Programme (FDP) Guidance – March 2011

This is a collective response from Kick Nuclear, a London-based group established in 2010 to campaign against nuclear power and support sustainable alternatives. Eight regular members of the organising group have had the opportunity to contribute to this document.

We completely oppose any new nuclear build in the UK.

If any new nuclear reactor(s) is/are given the go ahead, we agree that the operator should bear the full costs of decommissioning - including in the event of early decommissioning, such as due to a reactor meltdown – that it should be required to produce fully-costed plans for decommissioning - using currently-available technologies - and waste and spent fuel management and disposal; and that they should have to make adequate provision for these costs from the outset, demonstrating how they would finance their plans without risk of recourse to public funds. We would seek strong reassurance from the Government that there would be adequate protection to the public from the risk of default on the part of the operator.

We emphasise the importance of the operator and Government factoring in adequate provision for the risks and costs associated with environmental factors, such as climate change mitigation, which would require protection from coastal erosion and flood risk due to rising sea levels and

water tables, and security. Such provision would be required well beyond the operational lifetime of the reactor, for the period of decommissioning and during waste / spent fuel management and storage / disposal, which, in the case of onsite storage, could be for 100 years or longer following the end of plant operation. Under no circumstances should any such costs or financial risks be borne by the taxpayer, and there must be suitable measures in place to ensure that this does not occur. If this is not possible – and one must consider the high degree of uncertainty involved in these calculations - then no reactor should be built. It would be wholly unacceptable to pass on the burden, financial or otherwise, to future generations, particularly given that there is, in our view, no justification for building any new nuclear reactor(s) in the first place.

Since the revised guidance provides greater flexibility to the operator and is not intended to be prescriptive, there must be provision for adequate parliamentary, local authority and public oversight to provide protection to the public from the major financial and other risks involved. Whilst we welcome the requirement for the operator to publish their proposals, the proposed arrangements for change of ownership give cause for concern, as do the exemptions from the need to inform the Secretary of State (SoS) of certain changes.

The possibility of the Fund being based offshore, beyond UK jurisdiction, is of particular concern and should be explicitly prohibited. In the alternative, there must be robust legal and liability arrangements in place to guard against any risk of future recourse to public funds in the case of insolvency, unexpected political developments in the jurisdiction of the Fund, etc.

It is unclear what, if any, opportunities there would be for oversight of the operator's plans, or the SoS's proposed modifications, from Parliament, the local authorities, other stakeholders and the general public. The plans should not be signed off solely by the SoS and the operator, without adequate external scrutiny. The Government says it will encourage operators to publish (retrospectively) as much information as possible regarding the agreements in the public domain, i.e. after the agreement has been settled (commercial and security issues notwithstanding). The only

way an agreement could be challenged by a third party would be through Judicial Review.

However, it is unclear how or at what stage the operator's plans would be made public.

Modifications to any agreement which impact significantly on funding, or the practical arrangements concerning decommissioning, waste and spent fuel management and disposal, must be open for input and scrutiny by Parliament, local authorities, other stakeholders and the general public.

None of these matters - how and when reactors are decommissioned, who pays, where waste and spent fuel are stored and for how long - should be left solely to the operator and Government to decide upon between themselves.