Plutonium Management Team

Department of Energy and Climate Change

Third Floor Area D

3 Whitehall Place London SW1A2AW

14 August 2012

Dear Sir or Madam

MANAGEMENT OF THE UK'S PLUTONIUM STOCK: A CONSULTATION ON THE PROPOSED JUSTIFICATION PROCESS FOR THE REUSE OF PLUTONIUM

Thank you for providing the Scottish Environment Protection Agency (SEPA) with the opportunity to comment on the above consultation document.

In summary, we believe that the provision of guidance for those applying for justification of a new practice is helpful but that it should be included in existing Government guidance, not just in relation to the management of the UK's plutonium stocks. We also believe that the manufacture of mixed oxide fuel for power reactors is an existing practice so needs no further justification in relation to the management of the UK's plutonium stocks.

Our detailed responses to the consultation questions are included in the annex to this letter.

As a public body committed to openness and transparency, SEPA feels it is appropriate that this response be placed on the public record. If you require further clarification on any aspect of this correspondence, please contact Angela Wright, Principal Policy Officer, SEPA Corporate Office, at the address shown.

Yours faithfully

Calum MacDonald Director of Operations

ANNEX

Question 1 – Do respondents agree with the Government's view that it is sensible to issue generic guidance for the reuse of plutonium? We welcome comments on the proposed approach.

SEPA agrees that it is sensible to issue generic guidance for those applying for justification of a new practice, but we think it would be helpful if the guidance in Table 2 is included in the Government's document "The Justification of Practices Involving Ionising Radiation Regulations 2004: Guidance on their application and administration" to apply to all applications not just to management of the UK's plutonium stocks.

Question 2 – Is the proposed application and decision-making process clear, appropriate and proportionate? If not, how can they be improved?

SEPA considers the application and decision-making process given in Table 1 of the consultation document to be clear, appropriate and proportionate, but no different to the process for any other application for justification and therefore this process should be included in Government's existing guidance as described in our response to question 1. However, we request DECC to ensure that reference to the "Scottish Environment**al** Protection Agency" in stage 3 is amended to the "Scottish Environment Protection Agency" to reflect our correct name.

Question 3 – Is the indicative list of information in Table 3 sufficient and appropriate to assist in the making of justification applications and justification decisions? Does the indicative list omit any relevant information, or include any unnecessary information?

SEPA believes that the first three stages of Table 3 (plutonium retrieval, preparation of separated plutonium and fuel fabrication) are unnecessary because the "manufacture of mixed oxide fuel for power reactors" is listed as an existing class or type of practice in Annex 3 of the Government's document on "The Justification of Practices Involving Ionising Radiation Regulations 2004: Guidance on their application and administration" and therefore there is no need for further justification of these stages.

Justification is needed for the use of mixed oxide fuel in new nuclear reactors as the use of this type of fuel is explicitly excluded from the justification decisions made for generation of electricity by the AP1000 and EPR nuclear reactors so it is appropriate that this is included.

The justification of transport, waste management and spent fuel management is not necessary because they should be considered in justifying the use of mixed oxide fuel in new nuclear reactors as transport and waste management are integral to the practice.

Question 4 – Are there any other ways in which the draft justification process can be improved? If so, how?

SEPA would ask that the Department consider the legislative requirements under "The Justification of Practices Involving Ionising Radiation Regulations 2004" and its own guidance carefully in deciding how to proceed with its justification process for the reuse of plutonium.