

**ENERGY ACT 2004**

**NDA Designation of Berkeley (Modification and  
Revocation Direction No. 1)**

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Presented to Parliament by the Secretary of State for Energy and  
Climate Change pursuant to sections 3 and 5 of the Energy Act  
2004.

## **BERKELEY SITE INTRODUCTION AND SUMMARY**

*This summary is not part of the direction*

**The Secretary of State, in exercise of the powers conferred upon him by section 3 of the Energy Act 2004 (the “2004 Act”), made Directions on 3 December 2004 giving the NDA responsibilities in relation to certain nuclear sites.**

**The Secretary of State designated the Berkeley Nuclear Site for the purposes of section 3 of the 2004 Act in a Direction which came into force on 1 April 2005 (the “NDA Designation of Berkeley”).**

**The person with control of the Berkeley Nuclear Site is Magnox Limited, which has consented to this Direction.**

**This Direction modifies the area of land defined as the Principal Nuclear Site in the NDA Designation of Berkeley by removing from it land which has been de-licensed by the Office for Nuclear Regulation. This Direction also updates Schedule 1 of the NDA Designation of Berkeley to update the description of the activities required to be carried out on the Principal Nuclear Site to complete decommissioning.**

## **1. Citation and Interpretation**

- (1) This Direction may be cited as the NDA Designation of Berkeley (Modification Direction No. 1).
- (2) Where the context permits, words and expressions used in this Direction that are defined or used in the NDA Designation of Berkeley have the same meaning as in that direction.

## **2. Direction**

Under sections 3 and 5 the Secretary of State gives the NDA this Direction for the purposes set out in paragraph 3 below.

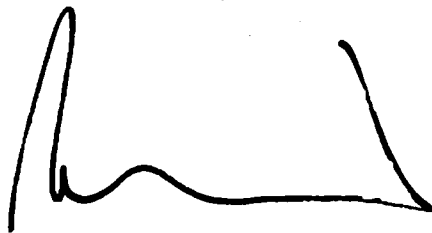
## **3. Designation**

- (1) The NDA Designation of Berkeley is modified as follows.
- (2) For Schedule 1 of the NDA Designation of Berkeley substitute Schedule 1 of this Direction.
- (3) For Annex A of the NDA Designation of Berkeley substitute Annex A of this Direction.
- (4) The NDA Designation of Berkeley is revoked in relation to any land which, by virtue of sub-paragraphs (1) and (2) of this paragraph, no longer falls within the land previously described as the principal nuclear site in accordance with Schedule 1 and Annex 1 of the NDA Designation of Berkeley.

## **4. Commencement**

The Direction is made on <sup>9<sup>th</sup></sup> January 2012 and shall come into force on that date.

Signed:



Minister of State, Department of Energy and Climate Change,  
On behalf of the Secretary of State for Energy and Climate Change.

**SCHEDULE 1****Designated Responsibilities**

<b>No</b>	<b>Site/Installation/Facility</b>	<b>Description</b>	<b>Designation purpose (paragraphs of section 3(1) of the 2004 Act)</b>
1	The Berkeley Nuclear Site (the "principal nuclear site")	Land situated near Berkeley in the District of Stroud in the County of Gloucestershire shown outlined in red on drawing referenced 16-01-09-002_iss01 dated 14 December 2006 and entitled "Berkeley Nuclear Site Licence Area" <sup>1</sup>	(c) the cleaning-up of the principal nuclear site. <sup>2</sup>
2	Facilities and other installations relating to Intermediate Level Waste ("ILW")	Management, non-processing treatment and storage of ILW; preparing ILW for transport; transport of ILW.	(d) operation for the treatment, storage and transport of hazardous material.
3	Facilities and other installations relating to Low Level Waste ("LLW") and Very Low Level Waste ("VLLW")	Receipt and storage of LLW and VLLW arising from site activities; management, treatment and encapsulation of LLW and VLLW; storage of treated and encapsulated LLW and VLLW; preparation for transport of LLW and VLLW.	(d) operation for the treatment, storage and transport of hazardous material.
4	Laboratory facilities and other related installations	Analysing the nuclear and chemical characteristics of spent fuel and other materials to facilitate storage and decommissioning activities.	(c) the cleaning-up of designated nuclear sites. (d) operations for treating, storing, transporting or disposing of hazardous material.

<sup>1</sup> Nuclear site licences are granted under section 1(1) of the Nuclear Installations Act 1965 c.57.

<sup>2</sup> Section 3(6) of the 2004 Act provides that unless the direction provides otherwise, the designation of a principal nuclear site for cleaning-up is to have the effect of including a designation to decommission every installation situated in or on that site.

- 5 Pipes, conduits and other apparatus**
- Including but not limited to: culverts, power and instrumentation cables and water pipes not situated in or on the principal nuclear site but which are connected to buildings, structures and apparatus in or on the principal nuclear site.**
- (a) operation, pending the commencement of decommissioning.**
- (d) operation for transporting and disposing of hazardous material.**

ANNEX A

