



**BRITISH-IRISH
INTER-PARLIAMENTARY BODY**

**COMHLACHT IDIR-PHARLAIMINTEACH
NA BREATAINE AGUS NA hÉIREANN**

REPORT

from

COMMITTEE D (The Environmental and Social Committee)

on

SELLAFIELD

THE BACKGROUND TO THE ENQUIRY

1. On 5 December 2001, in the course of the Plenary Session of the Body in Bournemouth, Committee D (Environmental and Social) decided to conduct a short enquiry into recent developments regarding Sellafield nuclear power station. The same day, an important adjournment debate on Sellafield bore witness to the deep interest across the Body in this issue^[1].

2. The interest of the Body and of Committee D in Sellafield goes back many years. In 1991-92 Committee D prepared two reports touching on Sellafield in the context of more general issues: "Environmental issues affecting the United Kingdom and Ireland" (1991) and "The environmental implications of energy policy" (1992). Then in 1996 the Committee prepared a follow-up report, also entitled "Environmental issues affecting the United Kingdom and Ireland". In the course of its inquiry the Committee visited Sellafield in order to study the development of the Thermal Oxide Reprocessing Plant (THORP) and to hold discussions on the disposal of nuclear waste. In each of these enquiries the Committee's work was conducted against a background of Irish opposition to the United Kingdom's continued operation of the Sellafield plant, reflected in a 1986 decision of the Dáil to call for its closure. In the same year Tynwald, the Parliament of the Isle of Man, also passed a resolution calling for the closure of Sellafield.

3. The present enquiry is in part a follow-up to this earlier work. The concern over the environmental impact of the Sellafield site has in no way diminished, not only in Ireland, but in the Isle of Man and in parts of the United Kingdom itself. Indeed, it has been sharpened by the build-up of waste stored on the site, and by the development of the Sellafield MOX Plant (SMP), which some fear may contribute to an expansion of reprocessing activity. A recent manifestation of such concern is the campaign sponsored by Ali Hewson and the Chernobyl Children's Project, in which Irish citizens were invited to send postcards to the British Prime Minister, the Prince of Wales and Mr Norman Askew, calling for the closure of Sellafield.

4. Such has been Ireland's concern over the SMP that late last year the Irish Government launched a legal challenge to the British Government's decision to commission the plant before the International Tribunal for the Law of the Sea in Hamburg. Ireland asked the Tribunal to make a provisional injunction, ordering the United Kingdom to refrain from authorising the operation of the MOX plant, and to halt any preparatory activities relating to the plant pending a full hearing of the case. In response, the United Kingdom challenged the Tribunal's jurisdiction to hear the case at all. The provisional judgement of the Tribunal, issued on 3 December, did not grant the provisional injunction requested by Ireland, which would have required the United Kingdom to halt its plans to operate the SMP. However, the Tribunal rejected the United Kingdom's argument

that it had no jurisdiction over the case. As a result, the substantive case brought by Ireland regarding the United Kingdom's decision to authorise the SMP remains to be heard by the Tribunal. In the meantime, the plant was commissioned on schedule on 20 December 2001 with the introduction of plutonium into the plant. The dispute over the SMP figured prominently in the Body's debate in Bournemouth on 5 December.

5. Another major concern is security. Since the events of 11 September 2001 the security of nuclear sites has leapt into prominence. It has been suggested that the nuclear installation at Three Mile Island might have been the target of the fourth hijacked airliner on 11 September, and the potentially catastrophic consequences of a similar attack on Sellafield have aroused alarm on both sides of the Irish Sea.

6. It was with a desire to obtain information on the security issue, as well as on safety and the treatment of nuclear waste (particularly with regard to the SMP), that the Committee undertook its enquiry. In addition, the Committee was charged by the Steering Committee with considering the responses from the Governments and devolved administrations to the debate in Bournemouth.

7. Committee D visited Sellafield on 28 January. We held discussions with the Chief Executive of BNFL, Mr Norman Askew, and with representatives of management and Trade Unions at the site. We also visited the THORP reprocessing plant and the newly-commissioned SMP. We are extremely grateful to Mr Askew and his staff for their help in arranging the visit. On 11 March we met again, in London, and discussed the issues with officials from British Government departments and agencies. Again, we are grateful to those officials for their assistance. A list of those who helped us with our enquiry is given in Appendix 1.

THE ISSUES

Safety and Waste

8. Our 1996 Report covered two main areas, safety and waste. On safety, the Committee welcomed the reduction in discharges into the Irish Sea, and expressed the hope that the reduction would continue. However, the Committee was concerned at the unknown impact that THORP might have on future discharges. The Committee was also dissatisfied with the system for incident reporting at Sellafield, and called for a bi-lateral agreement between the two Governments concerning nuclear safety. The Committee was reassured by the high standards required of BNFL ships transporting radioactive material to and from the site, but recommended that the Governments should consider a joint scheme for reporting such ship movements within the Irish Sea.

9. On waste, the Committee expressed concern at the proposal from UK Nirex to construct at Sellafield a repository for low and intermediate level nuclear waste. This project was later abandoned following a public inquiry.

10. Concerns over some of these issues remain. The THORP reprocessing plant continues to operate, and existing contracts will keep it working until at least 2010. However, we were told by Mr Askew that there was no guarantee that further contracts would be forthcoming—with the low price of uranium on the international market potential customers were increasingly likely to store spent fuel rather than sending it for reprocessing. Nevertheless, BNFL is actively pursuing more reprocessing contracts, and the British Government confirmed that the company was free to do so, though any such contracts would require Government approval. We were also told that THORP was built in such a way as to be decommissioned without leaving a legacy of waste, and that if no further contracts were forthcoming it would be decommissioned in 2010.

11. The operation of THORP does not seem to have added significantly to discharges—they were described by Mr Askew as "negligible", and we have no evidence on which to question his assertion. This is not to say that even "negligible" discharges of radioactive material are acceptable—however, there is no doubt that THORP is a much "cleaner" plant than the older Magnox reprocessing plant. We were reassured to hear from Mr Askew that there is no intention to apply for an extension to the scheduled end-date for the Magnox plant, which is set for 2012. This closure appears to hold out the prospect of significant reductions in discharges in the longer term, and is thus an essential element within the Strategy for Radioactive Discharges 2001-2020, published by the United Kingdom Government in draft form in 2000. According to this strategy the United Kingdom, in fulfilment of its obligations under the OSPAR Convention on the Protection of the Marine Environment of the North-East Atlantic, is committed to a reduction of radioactive discharges to levels close to zero by 2020.

12. However, up until 2012, when the Magnox plant closes, discharges from Sellafield are unlikely to fall significantly. Concerns over this level of discharges show no sign of diminishing. Recently there has been particular controversy over the discharge into the Irish Sea of the radionuclide technetium 99, most of which derives from the Magnox reprocessing plant. In March, during the Fifth International Conference on the Protection of the North Sea, the Norwegian Government publicly threatened legal action against the United Kingdom over discharges from Sellafield of technetium 99, traces of which have been found in fish stocks off the Norwegian coast. Press reports suggest that the Environment Minister, Mr Michael Meacher MP, acknowledged the legitimacy of Norway's concerns^[2].

13. Although the operation of THORP appears to have little effect on incremental discharges, it does have a knock-on effect on the amount of

radioactive material stored at Sellafield. By virtue of the existing contracts, for which BNFL has already been paid, large quantities of spent nuclear fuel have been sent to Sellafield by overseas customers, and are stored on site. This spent fuel remains the property of those customers, and having already been paid BNFL has no choice contractually other than to reprocess it. Reprocessing then separates out the fuel's constituent elements, and reclaims both uranium and plutonium. At the same time liquid High Level Waste is generated.

14. BNFL's customers are contractually obliged to take back these highly toxic materials. However, Mr Askew confirmed that no materials had so far been returned. Indeed, he conceded that whatever the contracts might say it was difficult in the present climate to envisage customers accepting back cargoes of plutonium and High Level Waste. In the meantime there was no option but to store the materials at the Sellafield site. We raised these issues with the British Government, who confirmed that since 1976 all reprocessing contracts had included provisions for the return of uranium, plutonium and waste to their countries of origin. We were told emphatically that the Government was committed to the honouring of these contracts—the waste would be returned. The timetable, however, was described as an operational matter for BNFL and its customers.

15. One option for dealing with liquid High Level Waste is vitrification—the liquid is converted into a stable, solid glass form. Vitrified waste has been returned to customers by French reprocessing facilities—for example, a shipment left Cherbourg for Japan on 5 December 2001. Hitherto, although vitrification has taken place at Sellafield, it has failed to keep pace with reprocessing, or with the targets set by the Nuclear Installations Inspectorate. However, Mr Askew confirmed that a third vitrification line was about to be commissioned at Sellafield, which should allow BNFL to achieve its targets. Furthermore, if these targets were breached then reprocessing at THORP would be halted.

16. In considering the long-term commercial viability of reprocessing operations at Sellafield one has to take into account the impact on the local economy. We discussed these issues with Trade Union representatives at the plant, who emphasised the loyalty of staff to the company, and the reliance of local communities on BNFL as the major employer in the region. It is clear that the consequences of closing the plant, in an area as economically depressed as West Cumbria, and with such under-developed infrastructure, would be very serious—a fact confirmed by the recent report of the Environment Council^[3]. However, we were also told, in the course of an informal meeting with Cumbrians Opposed to a Radioactive Environment (CORE), that potential employers might be deterred from coming to the region by the reputation of Sellafield.

17. The immediate catalyst for our enquiry was the case brought by Ireland before the International Tribunal in Hamburg, already referred to above. The British Government's decision to authorise the commissioning of the SMP had been made on 3 October 2001. Following the Tribunal's refusal, on 3 December, of Ireland's request for provisional measures to prevent the plant's operation, the Health and Safety Executive (HSE) granted final permission for plutonium commissioning, which duly took place on 20 December. However, the substantive case before the Tribunal is still to be heard, and in an address to the Body during the Dublin Plenary Session, on 25 March 2002, the Irish Minister for Foreign Affairs, Mr Brian Cowen TD, confirmed that "the nuclear safety and public health dimensions of Sellafield remain of great concern to our Government".

18. The purpose of the SMP is to manufacture Mixed Oxide (MOX) fuel, which is a mix of plutonium and uranium (the products of reprocessing), along with enriched uranium oxide. Powders of uranium dioxide and plutonium dioxide are ground, milled and mixed to produce a fine powder. This is pressed and, with the addition of a lubricant and a conditioner, formed into small ceramic pellets. These are stored until they are loaded into fuel rods, which can ultimately be transported to reactors.

19. It will be apparent that the SMP gives BNFL a new option in dealing with the products of reprocessing. It allows both plutonium and uranium to be converted into a relatively safe, stable form, which can in turn be used to generate nuclear power. In principle, it should facilitate the return of nuclear material to BNFL's customers. However, there is a problem: in 1999 it was revealed that data concerning MOX fuel pellet diameter had been falsified at the MOX Demonstration Facility (a separate facility to the SMP itself). This led to an investigation by the Health and Safety Executive, and a range of recommendations. The HSE finally concluded in December 2000 that its various recommendations in response to this incident had been fully implemented. However, the data falsification incident had already deterred some potential customers from Japan, and this in turn meant that the economic case for the SMP had to be substantially revised. As Mr Askew told us, between £300 million and £400 million had already been spent on developing the SMP—the choice following the data falsification incident was between writing this money off completely, or, by commissioning the plant, recovering at least some £250 million of value. In short, though it is unlikely that the SMP will be profitable over its complete life-span the economic case for minimising its loss-making potential remains potent.

20. Mr Askew confirmed that the commissioning of the SMP would not for some time be irreversible—if the Tribunal were to find in favour of Ireland, the plant could be decommissioned. However, once the plant were fully committed decommissioning would become more difficult, taking some

years to complete. However, like THORP the plant was designed not to leave a legacy of waste when it came to the end of its operating life.

21. The consequences of the commissioning of the SMP are difficult to assess. The processes within the plant are dry and are unlikely to lead to any significant radioactive discharges—a fact confirmed in our informal discussions with the environmental group CORE. Furthermore, it allows BNFL to convert highly dangerous plutonium, which could potentially be used for nuclear weapons, into relatively inert MOX fuel pellets. It may be that the SMP will allow a significant reduction in the quantity of plutonium that is stored at the Sellafield site. Looking further afield, Mr Askew suggested that the manufacture of MOX fuel could help deal with the legacy of military nuclear waste worldwide, particularly in Russia, and he confirmed that BNFL was in discussion with the Russian authorities.

22. Set against these considerations is the possibility that the SMP will contribute to an expansion of reprocessing activity at Sellafield, attracting more customers to THORP. This might in turn lead to an increase in the traffic of nuclear materials through the Irish Sea, with increased risk of accidents, and possibly also to an absolute increase in the volume of radioactive material, in whatever form, stored at Sellafield. Furthermore, although BNFL clearly has a commercial interest in commissioning the SMP, it remains the case that it has few customers for MOX fuel, particularly in Japan. Although BNFL is in discussion with the Russian authorities, we were unable to ascertain whether any new contracts for MOX fuel are likely. The commercial viability of the plant remains open to question.

Information exchange

23. We have already alluded to the conclusions of our 1996 Report, in which we called for a bi-lateral agreement between the two Governments concerning nuclear safety, and recommended that the Governments should consider a joint scheme for reporting ship movements within the Irish Sea. These recommendations remain pertinent today. On the whole we were impressed by the amount of information that appears to be routinely exchanged between the two Governments. We were informed by Mr Colin Potter, of the Health and Safety Executive (HSE) that the HSE and the Radiological Protection Institute of Ireland (RPII) had a written agreement on information exchange, and that the HSE has helped to arrange visits by the RPII to nuclear sites within the United Kingdom. There were six-monthly meetings for the reporting of incidents, in addition to informal exchanges of information between the RPII and the various agencies of the Department for Trade and Industry and the Department for the Environment, Food and Rural Affairs. With regard to the movement of ships, the Irish Government was routinely provided with information in confidence on sea transport of MOX and High Level Waste in advance of any movements. We were also assured that the United Kingdom Government responded positively to

requests for information from the independent jurisdictions such as Jersey, Guernsey and the Isle of Man.

24. Most of the arrangements described above are informal. The British Government had more difficulty envisaging formal procedures for the exchange of information. Ms Helen Leiser, Director of the Nuclear Industries Directorate of the DTI, confirmed that her Department would encourage dialogue between the HSE and RPII with a view to allaying public concerns over Sellafield within Ireland. However, she and her colleagues were adamant that each nuclear industry must be supervised by its own national regulator—in the case of the United Kingdom the Nuclear Installations Inspectorate (NII). There could be no formal role for the RPII in regulating the United Kingdom nuclear industry. Mr Askew made the same point: he was happy for the NII and the RPII to work together, and even for international regulators to have a role in inspections, but any such arrangements must be channelled through the NII—BNFL needed a single regulator with a firm statutory basis and clear lines of responsibility.

The Liabilities Management Authority

25. On 28 November 2001 Patricia Hewitt, the Secretary of State for Trade and Industry, made a statement to the House of Commons on civil nuclear liabilities. Ms Hewitt estimated the total cost of these liabilities to BNFL at £35 billion, exceeding the company's assets by some £1.7 billion. In addition liabilities of £7 billion fall to the United Kingdom Atomic Energy Authority (UKAEA). The Minister emphasised, however, that these liabilities do not represent financial obligations owed to creditors. Instead they are made up of "redundant radioactively contaminated facilities, equipment and materials which need to be dismantled and disposed of under demanding safety and environmental regulatory conditions"[\[4\]](#).

26. The Minister announced the creation of a Liabilities Management Authority (LMA) to develop an overall strategy for dealing with nuclear liabilities. She also announced that the Government would take on responsibility for most of BNFL's liabilities and the associated assets (the Government is already responsible for UKAEA liabilities). Responsibility for assets and liabilities associated with BNFL's commercial fuel, reactor services and international clean-up services will remain with the company. Ms Hewitt simultaneously announced that the earliest possible date for the introduction of public-private partnership (PPP) into BNFL would be put back to 2004-05.

27. At this early stage it is difficult to predict the impact of the decision to set up the LMA—a White Paper will be published in the spring or early summer[\[5\]](#). We were told by Ms Leiser that it signalled the British Government's clear focus on the legacy of nuclear waste, and its commitment to developing a coherent strategy for decommissioning the

Sellafield site. This commitment was welcomed by Mr Askew—the Government was shareholder, regulator and customer of BNFL, and he hoped that the LMA, in bringing together these responsibilities and functions, along with the liabilities of the UKAEA, would encourage the development of a joined-up approach to dealing with the legacy of nuclear waste. He stressed BNFL's commitment to playing a full part in this process.

28. More generally, Mr Askew pointed out that management of the legacy of waste is now central to BNFL's business. Even if all the commercial activity at Sellafield were to end tomorrow, the legacy of waste at the site would take many years to resolve, during which time large numbers would continue to be employed at the site. Much of this legacy dates back to the 1950s and 60s—more recent installations, such as THORP and the SMP, are designed to leave little or no legacy of waste. But waste is not just a United Kingdom problem. Throughout the world, not least in the former Eastern Block, military and civil nuclear waste presents huge problems. It is apparent that BNFL sees this aspect of its business, waste management and clean-up services, as increasingly important to its future success in the world market.

29. As for PPP, both the British Government and BNFL argued that despite the initial delay the LMA would in the long term increase the likelihood of attracting private finance into the nuclear industry. Mr Askew suggested that by taking civil nuclear liabilities off BNFL's balance sheet the LMA would enable the Government at some stage to invite private companies to share in the management of commercial operations at Sellafield. The Government also argued that the LMA was designed in part to create the conditions within which it would be easier to attract private finance into the industry. This issue would be re-examined in 2004-05.

Security

30. The attacks on the World Trade Centre and the Pentagon on 11 September 2001 have raised the possibility that terrorists might use a hijacked airliner as a weapon in an attack on a nuclear installation. Understandably, there are intense concerns on both sides of the Irish Sea over the security of the Sellafield site if such an attempt were to be made. One of the objects of our enquiry was to seek reassurance on behalf of the Body that all possible measures have been taken to minimise the risk of an attack.

31. While the Government and BNFL were for obvious reasons unable to go into detail, they were able to assure us that there had been a full review of security since 11 September. This review involved all relevant agencies, and looked at security in the round, rather than focusing on particular aspects. Thus as well as looking at air defence—for instance, RAF cover—the review examined security at points of embarkation, with a view to preventing

terrorists from gaining control of any aircraft that could pose a threat to Sellafield. The review also looked at the existing no-fly zone, concluding that it did not need to be changed at present. The review took into consideration all possible forms of airborne attack, not just the hijacking of an airliner. Mr Buckland-Smith, Director of the Office of Civil Nuclear Security, confirmed that the British Government was confident that appropriate measures were in place to prevent an 11 September-style attack on Sellafield.

32. The review was conducted against a backdrop of tight security both at the perimeter of the site and within it. As Mr Askew reminded us, Sellafield has been acknowledged as a potential terrorist target for many years, and measures have been adopted accordingly. Such measures have been strengthened in recent months, and staff at the site have been briefed on developments. There are stringent vetting procedures for all staff, including sub-contractors. The British Government is confident that measures are in place to ensure that any act of sabotage within the site does not lead to a major release of radioactive material. We hope that the Government's confidence is justified.

Responses to the Debate in Bournemouth

33. Responses to the debate in Bournemouth on 5 December were received from the Secretary of State for Trade and Industry, for the United Kingdom Government, the First Minister of the Welsh Assembly and the Vice-President of the States of Guernsey and the Isle of Man.

34. The response from the Secretary of State provides a full defence of the United Kingdom's position, and confirms much that we were told in the course of our enquiry. Of particular relevance is the Minister's acknowledgement that "a better understanding of the industry and the way it is regulated would, I am sure, go a long way towards addressing public concerns". This comment is of special relevance in the context of our recommendations on relations between the British and Irish regulatory bodies.

35. The First Minister of the Welsh Assembly drew our attention to the debate on the health effects of Sellafield that took place in the Assembly on 8 January. Serious concerns were expressed in the course of this debate, particularly given the close proximity of Sellafield to the north coast of Wales. Concerns over discharges of technetium 99, and the resulting contamination of lobster stocks, were expressed in a paper submitted by the Isle of Man. We were also told, by the Vice-President of the States of Guernsey, of the comprehensive monitoring of discharges from the nuclear plant at Cap de la Hague, and the "excellent working relationships" with laboratories in France and Germany and with United Kingdom central government.

CONCLUSIONS

Safety and Waste

36. We discovered in the course of our enquiry that existing contracts, for which BNFL has been paid in advance, will keep THORP in operation until at least 2010. It would therefore be unrealistic to expect reprocessing at Sellafield to halt overnight. The spent fuel is stored at the plant, and the company has no option but to reprocess it. However, we understand that BNFL are actively seeking new reprocessing contracts, which will keep THORP in operation beyond 2010. Given the sensitivity of this issue, the lack of clarity in the British Government's position on new contracts is unfortunate: the Government should be more forthright in expressing a view on the desirability of such a development, rather than treating it as merely a commercial matter for BNFL.

37. We were pleased to learn that the end-date for the Magnox plant will not be extended, and that BNFL have planned ahead for the safe decommissioning of THORP once existing or possible future reprocessing contracts have been fulfilled. But although the United Kingdom is committed to reducing discharges into the sea to near zero by 2020, it appears likely that over the next ten years, while Magnox remains in operation, discharges from Sellafield will not fall significantly. It is incumbent on the British Government to respond constructively to the serious concerns over such discharges throughout these islands and beyond.

38. It appears that hitherto none of the products of BNFL's reprocessing operations have been returned to the customers who own them and are contractually committed to taking them back. This is a matter of grave concern to the Committee, as Sellafield is increasingly becoming a quasi-permanent storage facility for highly dangerous materials, including plutonium and liquid High Level Waste. There is no guarantee that BNFL will be able to enforce its contracts, and so compel customers to take back this waste. Any such decision would have to be political, not merely commercial or operational. It is therefore essential that the United Kingdom Government, rather than relying on BNFL to enforce its contracts, should itself apply pressure at the political level to ensure that Sellafield does not become a permanent dumping ground for nuclear waste and plutonium.

39. We welcome the high priority being given to vitrification of liquid High Level Waste at Sellafield, and trust that the new third vitrification line will be more effective than its predecessors. It is essential that waste should be rendered inert—not only to reduce discharges from the site in the event of accident and to help minimise the impact of any terrorist attack, but to increase the likelihood that BNFL's customers will be willing to accept back the waste that belongs to them.

40. Given that the case between Ireland and the United Kingdom before the Hamburg Tribunal is still pending, we do not propose to express a view on the commissioning of the Sellafield MOX Plant.

However, we note the widespread concern that the SMP may lead to an increase in the total volume of material being reprocessed. We note further that the SMP could be used to help dispose of military radioactive waste, including plutonium from eastern Europe. We believe that as a general rule countries generating radioactive waste should be encouraged and enabled to deal with it, and that technology exchange to this end should be fostered. We note the fact that like THORP the SMP has been constructed with a view to being decommissioned safely and without leaving a legacy of waste.

Information Exchange

41. It appears that there is rather more information exchange across the Irish Sea than is generally imagined. Indeed, if the public were to be made aware of just how much information with regard to nuclear safety is shared between the United Kingdom and Ireland, their concerns might be somewhat allayed. It is incumbent on both Governments to be more open about the kind of information that is shared, and the level of co-operation between agencies on both sides—it is not enough for officials on both sides of the Irish Sea to exchange information.

42. We believe, moreover, that there is scope for formalising such information exchange, for example by setting up a regular calendar of meetings. Such arrangements could be publicised without in any way compromising the confidentiality of the information itself, and could provide the public with valuable reassurance.

43. We acknowledge that BNFL is answerable to a single regulator, the NII, and that any confusion over lines of responsibility should be avoided. However, we note that Mr Askew was not opposed in principle to granting the RPII a more prominent role in inspections. One option could be to give the RPII a status comparable to that of the International Atomic Energy Agency, with a wide right of access to nuclear facilities. We recommend that such an initiative could be explored by the British-Irish Council.

The Liabilities Management Authority

44. We welcome the assurance given to us by Mr Leiser, of the NID, that the establishment of the LMA signals the United Kingdom Government's commitment at the highest level to dealing in effective fashion with the historic legacy of radioactive waste. We note the similar commitment made by Mr Askew, the Chief Executive of BNFL, who stated that his top priority was to make such waste safe. The impact of the LMA on the long-term

prospects for PPP is less clear—however, we take this opportunity to underline that any arrangements for PPP must ensure that proper controls over safety, security and the handling of waste are maintained.

Security

45. We note that there has been a fundamental review of security since the events of 11 September. The precise details could not be disclosed to us, but from what we were told it was clear that the review had looked at all aspects of security at Sellafield and at other nuclear sites. No Government can ever provide an absolute guarantee of safety. However, we look to the United Kingdom Government, together with BNFL, to ensure that security remains a top priority, and that the measures now in place are subject to ongoing review in the light of the ever-changing terrorist threat.

Draft Resolution

That the Body takes note of the Report of the Committee on Environmental and Social Affairs on Sellafield: an Update, and agrees with the conclusions and recommendations of the Report, which should be forwarded to both Governments for their observations.

1 We decided to complete our inquiry before the Irish General Election, in order to avoid any changes in membership mid-inquiry. We therefore agreed our Report on 10 April. However, we are fully conscious that more than six months have passed since we met, and that recent developments (including progress in the case before the International Tribunal for the Law of the Sea in Hamburg, the publication of the United Kingdom Government's White Paper "Managing the Nuclear Legacy: A Strategy for Action" in July, and the announcement of a draft Bill on the management of nuclear liabilities in the Queen's Speech on 13 November) have in some respects overtaken the Report.

2 See "Minister admits Sellafield waste is a worry", in *The Times*, 21 March 2002.

3 See *West Cumbria Socio-economic Study*, The Environment Council, November 2001.

4 HC Deb, col. 990.

5 Published in July: *Managing the Nuclear Legacy: A Strategy for Action* (Cm 5552).

APPENDIX

Minutes of Proceedings relating to the Report:

Members visiting Sellafield on 28 January 2002:

Jean Corston MP
Cathie Craigie MSP
Jeff Ennis MP
Brian Hayes TD
Conor Lenihan TD
Barry McElduff MLA
Marian McGennis TD (Co-Chair)
Kevin McNamara MP (Chairman)
Iain Smith MSP

Meeting in London on 11 March 2002:

Jeff Ennis MP
Conor Lenihan TD
Marian McGennis TD (Co-Chair)
Kevin McNamara MP (Chairman)
Iain Smith MSP

Meeting in Dublin on 10 April 2002:

Eleanor Burnham AM
Jeff Ennis MP
Brian Hayes TD
Brendan McGahon TD
Marian McGennis TD (Co-Chair)
Kevin McNamara MP (Chairman)
Iain Smith MSP

The Committee deliberated.

Draft Report [Sellafield: an Update] proposed by the Chairman, brought up and read.

Ordered, that the Report be read a second time, paragraph by paragraph.

Paragraphs 1 and 2 read and agreed to;
Paragraph 3 read, amended and agreed to;
Paragraphs 4 to 9 read and agreed to;
Paragraphs 10 and 11 read, amended and agreed to;
Paragraphs 12 and 13 read and agreed to;
Paragraph 14 read, amended and agreed;
Paragraphs 15 to 34 read and agreed to;
Paragraphs 35 to 39 read, amended and agreed to;
Paragraphs 40 and 41 read and agreed to;
Paragraphs 42 to 45 read, amended and agreed to.

Ordered, That the Report be made to the Body.

Witnesses who met the Committee:

Sellafield, 28 January 2002

Mr Norman Askew, Chief Executive, BNFL
Mr Brian Watson, Director of Operations, Sellafield
Mr John Clarke, Head of Environment Health and Safety, Sellafield
Mrs Sian Beaty, Head of Safety for the Sellafield MOX Plant
Trade Union representatives from Sellafield

On 27 January 2002 the Committee had an informal meeting with Mr Martin Forward and Ms Janine Allis-Smith of Cumbrians Opposed to a Radioactive Environment, and with Lord Inglewood, MEP for the North West Region.

London, 11 March 2002

Ms Helen Leiser, Director, Nuclear Industries Directorate (DTI)
Mr Michael Buckland-Smith, Director, Civil Nuclear Security (DTI)
Mr Denis Walker, Director, Nuclear Liabilities and BNFL Directorate (DTI)
Mr Patrick Robinson, Director, Nuclear Energy Agency, (DTI)
Ms Karen Pierce (FCO)
Mr Colin Potter, HSE Safety Policy Directorate