



**BRITISH-IRISH  
INTER-PARLIAMENTARY BODY**

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

**REPORT**

from

**COMMITTEE D (The Environmental and Social Committee)**

on

**SELLAFIELD: RECENT DEVELOPMENTS**

## BACKGROUND

1. On 26 November 2002, during the Plenary Session in Manchester, the Body debated a short report by Committee D (Environmental and Social) entitled *Sellafield: an Update*. The debate demonstrated that concerns over operations at the site are as strong as ever. The Committee decided subsequently to appoint two co-rapporteurs, Jeff Ennis MP and Senator Mary O'Rourke, to maintain a "watching brief" on developments. This report contains a summary of the rapporteurs' work over the past year.

2. We visited Sellafield on 10 March, and talked to the Director of the Sellafield site, Mr Brian Watson, along with members of his staff. The Committee as a whole, in the course of its ongoing inquiry into waste management, visited Guernsey on 7-8 July, and the Isle of Man on 15 September. On both occasions we were fortunate to have an opportunity to discuss relations between the island authorities and those responsible for the neighbouring nuclear sites - in the case of Guernsey, the Cogema La Hague plant, and in the case of the Isle of Man the Sellafield plant. During our visit to Guernsey we were also able to visit Cogema La Hague, and talk to senior staff responsible for environmental and public relations issues. We offer our warmest thanks to all who took the time to talk to us, and who made our visits so informative and indeed educational. We also thank the parliamentarians and officials in Guernsey, the Isle of Man, Sellafield and Cogema La Hague who worked so hard to ensure that the visits ran smoothly, and who showed us much hospitality. A list of those who helped us is given in Appendix 1.

## THE ISSUES

### *Reprocessing at Sellafield*

3. In the course of an earlier visit to Sellafield, in January 2002, the Committee discussed the future of reprocessing operations there with Mr Norman Askew, the Chief Executive of British Nuclear Fuels Limited (BNFL). He informed us that the Magnox reprocessing plant, which is responsible for the bulk of discharges from the site, was scheduled for closure in 2012. He also informed us that the Thermal Oxide Reprocessing Plant (THORP) had contracts that would keep it in operation until 2010. He indicated that while BNFL was pursuing new contracts, such contracts would require United Kingdom Government approval. In our Report we called on the Government to "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".

4. In the course of our most recent visit to Sellafield in March Mr Watson restated BNFL's position on the future of THORP. However, on 26 August similar articles in both the *Guardian* newspaper and the *Irish Times* reported that closure had now been fixed for 2010, and implied that no new contracts were being sought. It is now clear that these reports were erroneous, and that the position remains as it was stated in our earlier report: BNFL is committed to fulfilling existing reprocessing

contracts, which will keep THORP in operation until 2010. Furthermore, the company continues to seek new contracts, subject to Government approval[1].

5. Nevertheless, we note Mr Watson's comment to us, that the priority at Sellafield was beginning to shift from commercial reprocessing to the management of the historic waste legacy at the site. The establishment of the Nuclear Decommissioning Agency (formerly known as the Liabilities Management Authority), which will take over responsibility for all the facilities at the site, along with BNFL's huge waste-related debts, will further underline the change in the company's priorities.

6. We also note the ambivalence of the recent Energy White Paper[2]. This sets out the Government's strategy for the reduction of carbon emissions, largely through increased use of clean renewable energy sources. Although it does not propose new nuclear build, the Government states that "we do not rule out the possibility that at some point in the future new nuclear build might be necessary if we are to meet our carbon targets" (paragraph 4.68). It was clear from our discussions with Mr Watson that BNFL believe that the door is still slightly ajar - if renewables fail to deliver, nuclear power remains an option for helping the United Kingdom meet the Kyoto targets. It is not surprising that such uncertainties fuel the longstanding suspicion in neighbouring jurisdictions.

7. Our earlier conclusion thus remains valid, and has indeed acquired new force in the last year. The continuation of reprocessing at Sellafield beyond 2010, and indeed the fate of the British nuclear industry as a whole, which has always supplied the bulk of the spent fuel that is reprocessed there, are matters ultimately for decision by the United Kingdom Government. The longer the position remains uncertain, the more suspicion of the Government's motives will grow - a more forthright approach would benefit all parties. We welcome the assurance in the White Paper that any decision on new nuclear build will be subject to "the fullest public consultation", and also the assurance that before deciding on any future proposal to agree new THORP contracts the Government would "consult publicly" [3]. The Government must ensure that any such consultation takes full account of the views in Ireland, the Isle of Man and the Nordic region.

#### *Vitrification and Return of Waste*

8. We drew attention in our last report to the slow pace of vitrification of liquid High Level Waste at the Sellafield site. We welcome the fact that the third vitrification line is now working, albeit one year behind schedule. Rendering such waste inert must remain a high priority. Mr Watson told us that BNFL's target was to reduce the level of liquid High Level Waste on site to the practical minimum by 2013: we shall continue to keep the company's progress towards this target under review. We also note BNFL's continuing determination to return waste to customers, in accordance with customers' contractual obligations, and the fact that no such waste has yet been returned. We therefore reiterate our earlier conclusion, that the United Kingdom Government "should itself apply pressure at the political level to ensure

that Sellafield does not become a permanent dumping ground for nuclear waste and plutonium".

### *Information Exchange*

9. In 2002 we concluded that while there was in reality considerable information exchange between officials on both sides of the Irish Sea, the public was not in general aware of it. We recommended that both Governments should be more open about the kind of information being shared, and argued that the process should be formalised, perhaps by establishing a regular calendar of meetings. We also recommended that British-Irish Council should explore the possibility of giving the Radiological Protection Institute of Ireland (RPII) an enhanced status with regard to access to United Kingdom nuclear facilities.

10. We have now had an opportunity to gain a wider perspective on these issues. When we visited Guernsey Deputy Roger Berry paid tribute to the good co-operation existing between Guernsey and the authorities at Cogema la Hague. Guernsey continues to be involved in monitoring the site, and emission levels are publicised via the Guernsey Government web-site. In contrast, Dr Paul McKenna, Chief Scientist at the Isle of Man Government Laboratory, reported that there was no consistency of approach from the United Kingdom authorities. While there was a degree of openness from the Environment Agency, he said that the Department of Trade and Industry, which, through the Nuclear Installations Inspectorate (NII), has overall responsibility for the site, was less helpful. The Isle of Man authorities had only been able to pay fact-finding visits to Sellafield thanks to the "largesse" of BNFL. While the Isle of Man's legitimate interest in the site had been recognised as far back as the 1970s, its status on the Sellafield Local Liaison Committee was no different from that of an English local authority.

11. The United Kingdom Government's handling of international concerns over Sellafield remains unsatisfactory. The Government should learn from the cordial relations existing between Guernsey and the French authorities, which are the result of openness, respect for legitimate concerns, and consistency of approach. In contrast, we are puzzled that the Isle of Man, an independent jurisdiction located just 32 miles from Sellafield, is accorded only the same status as an English local authority.

12. With regard to the RPII there appears to have been no progress since our last report. The apparent willingness of BNFL to provide facilities for international fact-finding visits and inspectors is not matched by BNFL's regulator, the NII. This is a short-sighted approach. Public concerns over radioactive pollution, both in the Irish Sea and further afield, are entirely legitimate. Such concerns are longstanding: in 1986, in the aftermath of the disastrous accident at Chernobyl both Dáil Éireann and Tynwald passed resolutions calling for the closure of Sellafield. Opposition to operations at the site has if anything intensified since then, thanks to developments such as the commissioning of THORP and the Sellafield MOX Plant. High discharges of Technetium 99 into the Irish Sea, particularly in the late 1990s, have affected

shellfish not only in the Irish Sea, but as far away as Norway. It is incumbent on the United Kingdom Government to respond to such legitimate concerns in neighbouring jurisdictions in a spirit of openness and co-operation. Despite this Committee's constructive visits, some of our concerns too remain to be resolved.

13. We welcome the fact that on 16 January 2003 the British-Irish Council Environmental Sectoral Group considered a discussion paper presented jointly by Ireland and the Isle of Man. We note that discussion of the paper was deferred, and are aware that it will be difficult for the Council to make progress while the legal challenges of the Irish Government to Sellafield operations remain unresolved<sup>[4]</sup>. However, we are pleased to note that the issue will, in the words of the Environmental Sectoral Group's communiqué, "remain on the agenda". We look forward to further developments in this forum.

### Draft Resolution

**That the Body takes note of the Report of the Committee on Environmental and Social Affairs on Sellafield: Recent Developments, and agrees with the conclusions and recommendations of the Report, which should be forwarded to both Governments, and the other administrations represented on the Body, for their observations. The report should also be forwarded to the British-Irish Council secretariat, for transmission to the members of the Environmental Sectoral Group.**

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1 A rebuttal of the *Guardian* article appeared on the BNFL web-site on 26 August; the position was subsequently confirmed by the DTI in a Parliamentary Question (Parliamentary Debates, 11 September 2003, Col. 385W).

2 *Our Energy Future - Creating a Low Carbon Economy*, February 2003 (Cm 5761).

3 See the Parliamentary Question cited in note 1 above.

4 The first case, brought under Article 9 of the OSPAR Convention in order to gain access to information in relation to the MOX plant at Sellafield, was dismissed on 2 July 2003, when the Court found that Ireland had failed to demonstrate that the categories of information it sought were either information on the "state of the maritime area" or that they were "likely to adversely affect the maritime area". The second case, brought in October 2001 under the UN Convention on the Law of the Sea, is currently adjourned until December 2003, while the European Commission considers whether to bring proceedings against Ireland, on the grounds that Ireland should have brought the matter before the Court of Justice of the European Communities rather than the International Tribunal for the Law of the Sea in Hamburg.

### APPENDIX

Minutes of Proceedings relating to the Report:

Members visiting Sellafield on 10 March 2003:

Jim Glennon TD  
Kevin McNamara MP (Chairman)  
Senator Mary O'Rourke (Co-Chair and Co-Rapporteur)

Members visiting Guernsey and Cogema la Hague on 7-8 July 2003:

Deputy Roger Berry  
Jeff Ennis MP (Co-Rapporteur)  
Deputy John Langlois  
Kevin McNamara MP (Chairman)  
Arthur Morgan TD  
Senator Mary O'Rourke (Co-Chair and Co-Rapporteur)

Members visiting the Isle of Man on 15 September 2003:

Jeff Ennis MP (Co-Rapporteur)  
Donald Gelling MLC  
Jim Glennon TD  
Dai Lloyd AM  
Kevin McNamara MP (Chairman)  
Arthur Morgan TD  
Senator Mary O'Rourke (Co-Chair and Co-Rapporteur)

Meeting at Hanbury Manor Hotel, 19 October 2003:

Senator Paul Coughlan  
John Ellis TD  
Jeff Ennis MP (Co-Rapporteur)  
Donald Gelling MLC  
Lord Glentoran  
Dai Lloyd AM  
Kevin McNamara MP (Chairman)  
Joe Sherlock TD  
Lord Temple-Morris

The Committee deliberated.

Draft Report *Sellafield: Recent Developments* proposed by the Rapporteurs, brought up and read.

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

Paragraphs 1 to 11 read and agreed to;

Paragraph 12 read, amended and agreed to;  
Paragraph 13 read and agreed to.

*Ordered,* That the Report be made to the Body.

***Witnesses who met the Committee:***

*Sellafield, 10 March 2003*

Mr Brian Watson, Director, Sellafield site  
Mr John Clarke (Head of Environment, Health, Safety and Quality)  
Peter O'Brien (Public Affairs Manager)  
Rory O'Neill (Manager, Parliamentary Affairs)

*Guernsey/La Hague, 7 July 2003*

Deputy Roger Berry  
Deputy John Langlois  
Mr Mike Prosser (Civil Defence Officer, States of Guernsey)

M. Lebar Serge (Environment Releases Specialist, Cogema La Hague)  
Mme. Laurance Pernot (Public Relations Manager)  
M. Thierry Langlois (Deputy Public Relations Manager)  
Mme. Jacqueline Vannestenne (Public Relations)

*Isle of Man, 15 September 2003*

Dr Paul McKenna (Senior Scientist, Isle of Man Government Laboratory)