

NII & Incorrect Evidence to Waste Planning Hearing

(Cumbria County Council Hearing – Nov '08)

Note by Rachel Western
20th August 2010

Introduction

At the (Nov '08) Cumbria County Council Planning Hearing into their Framework for Wastes ¹ I referred to the July 2008 NII Newsletter, to show that

- the NII required 'urgent' measures to be carried out by the nuclear industry to address problems with waste treatment facilities at Sellafield ²
- the NII were concerned that these measures may not be carried out due to lack of funding ³

The NII representative at the Hearing 'negated' my evidence.

References – Re: NII Evidence at (Nov '08) CCC Hearing

The note of the Hearing prepared by the representative from the Committee on Radioactive Waste Management (CoRWM), John Rennilson, who was present as an Observer, formally shows that the NII dismissed Dr Western's concerns. Thus,

*"Dr Western ... felt that funding problems at Sellafield were undermining its safety. This was heard, **received a negative response** from the regulators and I cannot see being taken forward in a planning document. "* ⁴ (page 4)

This is confirmed by the handwritten notes prepared by Sue Brett (CCC Planning Officer) at the Hearing.

"NII - 'NII made progress @ Sella [Sellafield] so review good'" ⁵

Subsequently – (in 2009 / 10) my concerns were confirmed.

¹ See http://www.cumbria.gov.uk/planning-environment/planning/policy/minerals_waste/mwdf/mwds.asp

² NII (July 2008) Newsletter - page 16
<http://www.hse.gov.uk/nuclear/nsn4308.pdf>

³ NII (July 2008) Newsletter – pp 11,12
<http://www.hse.gov.uk/nuclear/nsn4308.pdf>

⁴ See CoRWM document 2506 (December 2008)

NB – CoRWM subsequently amended the note such that this text was changed.

⁵ Hand written Notes for Day Five of the (November 2008) Hearing (18th November 2008) page 33

Chronology of Correspondence / Meeting with NII

(Dec '08) Complaint to HSE based on CoRWM Note

When a formal minute of the NII Evidence statement was available – in the form of a note prepared by a CoRWM observer – I wrote to the Head of the Health and Safety Executive (HSE), who are responsible for the NII, to complain that the evidence given to the (Nov '08) CCC Planning Hearing was inaccurate.

NII (22 Jan '09) First Response

The initial NII response contained further inaccuracies, so I wrote a second letter to the HSE (27th Jan '09).

NII (5th March '09) – Second Response

The second NII response contained ten inaccuracies. I compiled an analysis outlining these ten problems.

NII meeting – (8th July '09)

At this meeting I provided a copy of my analysis of the second NII letter. I was told that the NII would assess the document and provide me with a response.

NII (3rd Nov '09) Response and offer of Second Meeting

In November 2009 the NII wrote to me to say that my document had been reviewed and to offer me a second meeting. However, no documentary basis concerning the review was supplied and so I did not take up the offer of a meeting,

CoRWM (2nd Nov '09) alteration of note on CCC Planning Hearing

The Committee on Radioactive Waste Management (CoRWM) altered their original note of the (Nov '09) CCC Planning Hearing such that it no longer provided an accurate report of the NII evidence to the Inspector – ie the reference to the NII '*negation*' of my evidence was removed. ⁶

I requested that the NII resolve this situation – but they did not deem it appropriate.

⁶ See E-mail from Adam Scott (CoRWM Secretariat) to me 2nd November 2009 - Attachment

Confirmation of my Original Concerns

Risks at Sellafield – cf - Available Funding (2009)

June '09

Keith Case, Sellafield's commercial director, says ⁷

"the work that needs to be addressed is of such a high hazard nature that the money will still need to be spent, even if Sellafield's budget comes under pressure."

Oct '09

NII inspector Mark Foy warns ⁸ that the risks at Sellafield are:

"far too high."

Nov '09

The Times report that the Government is drawing up plans for large spending cuts at Sellafield.. ⁹

NDA (March 2010) Business Plan - Sellafield Funding not agreed

On the 31st March 2010 the NDA published it's 2010 / 2013 Business Plan ¹⁰

The Budget for Sellafield is £1,175 out of a total of £3,789 – ie over 40%. However, although the March Business is the final document the Sellafield budget was still under review. ¹¹

NDA & Sellafield - Job Cuts Announced (June 2010)

⁷ 'Contractors warm up for £1.3bn Sellafield clean-up' Contract Journal, Weds 10th June 2009
<http://www.contractjournal.com/Articles/2009/06/01/68289/with-13bn-to-spend-per-annum-nuclear-decommissioning-work-has-a-long-half-life.html>

⁸ 'Sellafield's risks are too high – NII' Whitehaven News, Weds 7th Oct 2009
http://www.whitehaven-news.co.uk/news/sellafield_s_risks_are_too_high_nii_span_style_color_red_add_your_comments_span_1_620879?referrerPath=news

⁹ 'Cuts loom over UK's nuclear clean-up budget' **The Times**, Nov 25th '09
http://business.timesonline.co.uk/tol/business/industry_sectors/natural_resources/article6930592.ece

¹⁰ NDA – "NDA confirms £2.8 Billion Plan for 2010" – 31st March 2010
<http://www.nda.gov.uk/news/business-plan-2010-2013.cfm>

¹¹ "NDA Business Plan - 2010–2013" (March 2010)
www.nda.gov.uk/loader.cfm?csModule=security/getfile&pageid=38406
Appendix 5 – "2010/2011 Planned Income and Expenditure Summary"
page 39 - Footnote 5

In June 2010 the NDA began a month long consultation with its staff over a proposed reduction of 30% in its current staffing of just under 300.¹² It was reported that Unions at Sellafield have warned that 1,200 jobs are at risk.¹³

Chris Huhne - £4 Billion Black Hole in Waste Budget (1st June 2010)

“Chris Huhne warns of £4bn black hole in nuclear power budget”

Energy secretary blames predecessors for avoiding tough decisions in 'classic example of short-termism'

Patrick Wintour, political editor
Guardian Website - Tues 1st June 2010

<http://www.guardian.co.uk/politics/2010/jun/01/chris-huhne-black-hole-nuclear-power-budget/print>

Chris Huhne Chris Huhne, the new energy secretary, said: ‘What we are effectively paying for here is decades of cheap nuclear electricity.’

Britain is facing a £4bn black hole in unavoidable nuclear decommissioning and waste costs, Chris Huhne, the energy and climate change secretary disclosed tonight.

The decommissioning costs over the next four years revealed by officials to Huhne are so serious that he has already flagged the crisis up to the cabinet.

The revelation places an unexpected burden on his department's £3bn annual budget ahead of difficult spending negotiations this summer. "As you can imagine, this is a fairly existential problem. The costs are such that my department is not so much the department of energy and climate change, as the department of nuclear legacy and bits of other things," Huhne told the Guardian.

The additional costs derive from slowly rising expenditure on nuclear decommissioning, and falling income due to the closure of ageing power plants, Huhne said.

Huhne disclosed that in current financial year the Nuclear Decommissioning Authority's budget is expected to be in balance. **From 2011-12, the deficit suddenly rises to £850m, in 2012-13 the gap increases further to £950m and then to £1.1bn in the two subsequent years.**

¹² “NDA begins consultation on new organisational structure”

22nd June 2010

<http://www.nda.gov.uk/news/consultation-structure.cfm?renderforprint=1&>

¹³ The Guardian – Thurs 24th June 2010

<http://www.guardian.co.uk/environment/2010/jun/24/huhne-renewable-energy-security/print>

See also Telegraph - 21st Apr 2010

<http://www.telegraph.co.uk/finance/newsbysector/energy/7612427/Jobs-risk-to-Sellafield-and-Lindsey-refinery.html>

The black hole is equivalent to wiping out one-sixth of the overall cuts in public spending identified by the Treasury with such fanfare last week.

But Huhne insisted: "I do not think it is possible for anyone responsibly to stand aside and say we are not going to deal with it. We just have to, but what we are effectively paying for here is decades of cheap nuclear electricity for which we have suddenly got a massive post-dated bill."

The revelation will also hand further ammunition to those who say a new generation of nuclear power stations in Britain will end up being more expensive than the industry claims.

Huhne – a Liberal Democrat and nuclear sceptic – refused to make that argument directly, saying instead it just underlined the need to ensure that any new nuclear stations had watertight agreements that debar all public subsidy. In any case there are growing signs that the nuclear new-build timetable is slipping as costs rise.

Huhne, already in talks with the Treasury about the black hole, said **it was very hard to avoid the expenditure: "There are genuine nuclear safety issues here that means it has to be paid for."**

If the Treasury refuses to shoulder the full costs, Huhne's department would inevitably have to make cuts with possible implications for energy efficiency and climate change programmes.

Huhne revealed that as soon as he discovered the problem, he travelled to Sellafield nuclear plant in Cumbria and concluded: "There is no way of dealing with this, but by making sure this expenditure goes ahead."

Since the NDA was formed in 2004, the clean-up of legacy nuclear facilities has been paid for with a mix of funds – roughly half in direct government grants and half generated commercially by the NDA – and allocated in three-year cycles.

Huhne said: "My predecessors avoided taking tough decisions when they should have done and the result is that it is much more expensive to deal with than if we had dealt with it in a timely manner back in the 70s and 80s. A lot of it is spent fuel, and was not dealt with at the time. It is a classic example of short-termism. I cannot think of a better example of a failure to take a decision in the short run costing the taxpayer a hell of a lot more in the long run."

The Liberal Democrats oppose new stations, but have said they will abstain in any key Commons votes on the issue so long as their Conservative coalition partners ensure no new station enjoys any overt or hidden public subsidy.

Huhne said: "New build is clearly more efficient, there is less waste, and the decommissioning can and should be designed in, but ... we need to make sure all the costs are properly dealt with."