

CONSULTATIONS MAP FOR NEW NUCLEAR

The following table sets out the key forthcoming opportunities for people to have their say in the new nuclear programme. This includes the main public consultations on various issues that will be led by DECC, other Government Departments, the nuclear regulators, and the Nuclear Decommissioning Authority (NDA), as well as other key public engagement activity. It does not attempt to cover all consultations in the nuclear sector – instead it focuses on those consultations that are likely to be most relevant to the new nuclear programme. The final column includes notes on what will be done with the outputs from the individual activities, and how they fit into the wider new nuclear programme.

The activity in the table is grouped together thematically, broadly according to four key ‘facilitative actions’ that are being taken:

- Waste and decommissioning funding arrangements;
- Regulatory Justification;
- Generic Design Assessment (GDA) and site licensing; and
- Strategic Siting Assessment (SSA), National Policy Statement (NPS) and development consent.

The table also covers:

- Other waste and decommissioning activity relating to the new nuclear programme (this includes consultations on the Managing Radioactive Waste Safely (MRWS) programme for development of a geological disposal facility, and high-level strategic NDA decisions, but excludes other activity dealing with legacy waste and decommissioning);
- Proposals to restructure the Nuclear Directorate of the Health and Safety Executive; and
- Other activity relating to new nuclear build.

Links are given to other relevant web addresses, where appropriate.

The accompanying diagram shows in calendar form when the activity is expected to occur. All timings are indicative and subject to change. Both documents will be updated regularly to take account of changes.

Office for Nuclear Development, June 2009

This document is current as of: JUNE 2009

Ref.	Owner	Estimated Timing	Description of activity	Next steps and context
WASTE AND DECOMMISSIONING FUNDING ARRANGEMENTS				
1	DECC	Autumn 2009	<p>Two related consultations on new nuclear waste and decommissioning funding arrangements, which will run in parallel. These follow on from the 2008 consultation on Funded Decommissioning Programme (FDP) guidance.</p> <p>1) A consultation on: DECC's cost model, including estimates of the cost of waste management, disposal and decommissioning; and the methodology for establishing a fixed unit price for the disposal of intermediate level waste and spent fuel.</p> <p>2) A consultation on draft regulations implementing the waste and decommissioning funding arrangements provisions in the Energy Act 2008. The Regulations will cover operators' fees, verification of FDPs and modifications of FDPs above a materiality threshold.</p>	<p>The Energy Act 2008 requires any operator of a new nuclear power station to have a Funded Decommissioning Programme (FDP) approved by the Secretary of State before construction begins. FDPs will ensure that operators of new nuclear power stations have secure funding arrangements in place to cover the full costs of decommissioning and their full share of waste management and disposal costs.</p> <p>Finalised guidance for operators will be published after the consultations.</p>
REGULATORY JUSTIFICATION				
2	DECC	Autumn 2009	<p>Consultation on proposed Regulatory Justification decision documents. This will include proposed decision documents about whether new nuclear reactor designs included in the Nuclear Industry Association's application should be Justified under the terms of the Regulations or not.</p> <p>The Secretary of State will consider responses to this consultation before making his decision as Justifying Authority in early 2010.</p>	<p>Regulatory Justification is the process, required by European law, for assessing whether the social, economic or other benefits of any new 'Class or Type of Practice' involving ionising radiation outweigh any associated health detriment.</p> <p>The Nuclear Industry Association (NIA) submitted an application to BERR in</p>

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			<p>As part of this consultation, DECC proposes to run public engagement events at one or more locations around the country. These will provide an opportunity for interested parties to ask questions about the proposed decision documents</p>	<p>June 2008, for Justification of a 'Class or Type of Practice' including the four nuclear power reactor designs initially submitted to the nuclear regulators for Generic Design Assessment (see items 3 and 4, below). DECC consulted on the NIA's application in early 2009, and responses to this will be taken into account in preparing the Secretary of State's proposed decision document.</p>
GENERIC DESIGN ASSESSMENT (GDA) AND SITE LICENSING				
3	Nuclear Regulators	Ongoing	<p>Opportunity for public to comment on and ask questions about the Safety, Security and Environmental Reports submitted by reactor design companies to the regulators.</p> <p>Questions from the public go to the relevant reactor design company (or 'requesting party') for response. The regulators see both the questions and answers and will use these to help inform their assessments.</p> <p>See http://www.hse.gov.uk/newreactors/publicinvolvement.htm for further information.</p>	<p>Part of the Generic Design Assessment (GDA) process, for assessing reactor designs for new nuclear power stations. The safety, security and environmental implications of designs will be considered by the Nuclear Installations Inspectorate (NII), Office for Civil Nuclear Security (OCNS) and Environment Agency (EA) respectively, as part of one overall assessment process.</p> <p>Site-specific aspects of reactor designs will be assessed during the site licensing process.</p>
4	Environment Agency (EA)	Spring/ Summer 2010	<p>Consultations on the Environment Agency's views on reactor designs and draft 'Statement of Generic Design Acceptability'.</p> <p>There will be separate consultations for each of the</p>	<p>These consultations will incorporate outputs from Step 3 of the GDA process, being undertaken by NII.</p> <p>Comments on these consultations will</p>

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			reactor designs being considered under GDA, though these consultations might run simultaneously.	feed into a final 'Statement of Generic Design Acceptability' by EA. This Statement will in turn form one part of the overall GDA decision.
5	Environment Agency (EA)	After submission of site licence applications	Consultations on relevant applications for site specific environmental permits and draft permits.	If and when the EA receives applications for site specific environmental permits, it will consult on these, as part of the site licensing process.
STRATEGIC SITING ASSESSMENT (SSA), NATIONAL POLICY STATEMENT (NPS) AND DEVELOPMENT CONSENT				
6	Department for Communities and Local Government (CLG)	<p>Closed 20 April 2009</p> <p>30 March – 19 June 2009</p> <p>Expected Summer 2009</p>	<p>CLG intend to consult publicly on the main pieces of secondary legislation and guidance for the new planning regime in three packages during the course of 2009:</p> <p>i) Consultation on list of statutory consultees for National Policy Statements (NPSs);</p> <p>ii) Consultation on pre-application consultation procedures and the detailed procedures for making applications under the new regime – see also item 8 below;</p> <p>iii) Consultation on how the Infrastructure Planning Commission (IPC) will examine and decide on applications, including details of how examinations will be run; prescribed matters the IPC must have regard to when coming to decisions; and the fees it can charge.</p> <p>For more information and current consultations see: http://www.communities.gov.uk/planningandbuilding/pla</p>	<p>The Planning Act 2008 sets out the framework for the new planning regime but leaves the detailed procedures and rules to be set out in secondary legislation and guidance.</p> <p>CLG prioritised the consultation on statutory consultees, so that Departments can begin consulting on draft NPSs (see items 7 and 15 below).</p> <p>CLG are aiming that the second package will come into force during October 2009 and the third package in April 2010.</p> <p>The plan is to establish the IPC as a legal body so that is able to start advising potential applicants from Autumn 2009 and be ready to receive applications in the first half of 2010.</p>

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			nning/planningpolicyimplementation/reformplanningsystem/planningbill/	
7	DECC	Autumn 2009	<p>Consultation on the draft Nuclear National Policy Statement (NPS), including a draft list of sites (the output from SSA), Appraisal of Sustainability and Habitats Regulations Assessment.</p> <p>This will include consultation with local communities potentially affected by proposals. As set out in the Planning Act 2008, the Government will engage with the relevant local authorities in deciding what steps are appropriate in publicising its proposals.</p> <p>The draft Nuclear NPS will also be subject to Parliamentary Scrutiny.</p>	<p>The public had the opportunity to comment on new nuclear sites nominated into the Strategic Siting Assessment (SSA) between 15 April and 14 May 2009. Government is currently assessing each nominated site against the SSA criteria. Sites that are found to be potentially suitable will be listed in the draft Nuclear National Policy Statement (NPS). For more information on SSA go to: http://www.nuclearpowersiting.decc.gov.uk/</p> <p>Once finalised and designated, the Nuclear NPS will guide the Infrastructure Planning Commission (IPC) in considering applications for development consent for new nuclear power stations.</p> <p>(See also item 15 on other NPSs, below).</p>
8	Promoters (i.e. applicants for development consent)	Before submission of applications to the IPC	<p>The Planning Act 2008 introduces a statutory requirement for promoters to consult local communities and other key groups before submitting an application under the Act.</p> <p>In addition to a requirement to consult with local</p>	<p>Responses to consultation would need to be taken account of by the promoter when taking the proposed application forward.</p> <p>The IPC would need to be satisfied that</p>

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			<p>authorities, people who would be directly affected by proposals and the local community generally, promoters would have to consult a list of statutory consultees specified by the Secretary of State in secondary legislation (see item 6(i) above).</p> <p>When deciding how to go about consulting the local community generally, promoters would need to take into account the views of the local authorities, as well as any guidance issued by the Secretary of State and the IPC.</p> <p>(For nuclear, this may include applications for development consent for new nuclear power stations from developers, as well as applications for development consents for associated upgrades to the electricity transmission network from the National Grid).</p>	<p>the promoter had complied with consultation and publicity requirements before accepting the application.</p>
9	IPC	During IPC examination of applications	<p>The Planning Act provides that, where an interested party triggers an open floor hearing, each interested party is entitled to make oral representations at an open-floor hearing. This means that interested parties will always have a right to be heard. This right is subject to the examining authority's powers to control examinations.</p>	<p>The IPC will determine whether or not to grant development consents to proposals for new nuclear power stations.</p>
OTHER WASTE AND DECOMMISSIONING				
10	NDA	2010	<p>Consultation on the site assessment methodology for Stage 4 of the MRWS programme.</p> <p>Proposals were published at the same time as the White Paper and stakeholders can comment on them. However, full consultation will not begin until decisions</p>	<p>The MRWS White Paper* sets a requirement on NDA to develop proposals for a site assessment methodology. The proposals will be developed in consultation with stakeholders and used in stage 4 of the</p>

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			<p>to participate are taken.</p> <p>The site assessment process will start from the point at which a community has made an Expression of Interest in opening up discussions with Government on the possibility of hosting a geological disposal facility at some point in the future. Stage 4 of that process will involve more detailed assessments (e.g. through desk-based studies) of the suitability of a specific site or sites within each potential host community. The proposed methodology covers this more detailed assessment.</p>	<p>MRWS site selection process.</p> <p>(*Available at: http://www.defra.gov.uk/environment/radioactivity/mrws/pdf/white-paper-final.pdf)</p>
11	NDA	Summer 2010	<p>Consultation on draft revised NDA Strategic Plan.</p>	<p>Will result in a revised NDA Strategic Plan approved by Ministers, to replace the current Strategy published in 2006.</p>
12	NDA	Late 2009	<p>Consultation on the Draft NDA Business Plan for 2010-2013.</p> <p>Information on other NDA consultations can be found at http://www.ndabusiness.dialoguebydesign.net</p>	<p>Will result in a Business Plan and budget for 2010/11 approved by Ministers.</p>
OTHER				
13	DECC and DWP	Summer 2009	<p>Consultation on proposals to restructure the Nuclear Directorate of the Health and Safety Executive (HSE).</p> <p>Government has announced its intention to restructure the Nuclear Directorate of the HSE as an autonomous body within the auspices of the HSE.</p>	<p>The new organisation would have greater autonomy and flexibility to respond to the challenges of a changing nuclear environment. The proposals would effect an organisational restructuring only and would not affect the requirements and standards with which duty holders must comply.</p>
14	DECC	Autumn 2009	<p>Consultation on amending the Nuclear Installations Act 1965 to implement the changes made to the Paris and</p>	<p>The changes will significantly increase the scale and scope of the operator's</p>

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			Brussels Conventions on third party nuclear liability in 2004.	liabilities for damage caused by a nuclear incident. The intention is to lay regulations by end 2009 and bring them into force in 2010.
15	DECC	Autumn – Winter 2009	<p>Government consultations on suite of energy National Policy Statements, including the overarching Energy NPS, Electricity Networks NPS, NPSs for certain types of non-nuclear electricity power generation and NPSs for other energy infrastructure such as gas transmission and storage.</p> <p>(See also item 7 on the Nuclear NPS, above).</p>	The overarching Energy NPS will set the overall policy framework to guide the new Infrastructure Planning Commission (IPC) in considering applications for development consent for nationally significant energy infrastructure projects. The Electricity Networks NPS will guide the IPC in considering applications for certain large-scale changes to the electricity transmission network.