

## **FORATOM position paper on the management of spent nuclear fuel and radioactive waste**

### **Introduction**

This position statement presents the views of the nuclear industry on the European Commission Draft Proposal for an EU Council Directive on the management of spent nuclear fuel and radioactive waste, presented on 6 November 2002.

The European nuclear industry acknowledges the obligation for each member state, whether or not it uses nuclear power generation, to legislate for final disposal of all categories of radioactive wastes arising from electricity generation, medical applications, universities, industry or any other source.

The industry wishes to implement in due course disposal solutions for wastes in a safe and environmentally acceptable manner. However, we recognise that this can only be done at a time consistent with addressing the different political and social considerations prevailing in the individual states. We therefore support the objective of the draft directive, which is in line with our efforts to assure the sustainability of nuclear as a source of energy for now and for the future.

The industry would like to see the implementation of final repositories sooner rather than later, but recognises that this process is politically complex, and that there are important interim stages, which in a democratic context must be carefully prepared.

### **Position of the European nuclear industry**

We would like to draw attention to the following points.

- \* Legislation for the management of radioactive wastes is primarily the responsibility of the member states. Though there may be some technical variation in the way such wastes are kept in interim storage from one EU country to another, the same principles of containment and safety are applied, in conformity with the international standards and conventions of the IAEA.
- \* All radioactive wastes are safely managed under independent regulatory control. Final disposal solutions have already been implemented in a number of countries for low- and intermediate-level wastes. These take the form of surface, near surface and deep geological repositories.
- \* High-level wastes and spent fuel are safely stored on an interim basis in specially designed surface and near-surface facilities which could continue in service for a long time to come. While safe interim solutions can be made to last for many years, it is nevertheless desirable to implement permanent solutions.

- \* The industry believes that each member state should publish individual programmes, covering all stages of waste management, up to and including the implementation of permanent disposal solutions. Such programmes should integrate the technical, geological, political and economic considerations specific to each country, leading to definition of the solution preferred by respective national governments, through the normal democratic processes.
- \* Member states should, within reasonable limits, have the freedom to set their national programmes to their own timescales for final disposal of waste, taking account of their particular legislative and political circumstances. Reports to the European Commission at regular intervals, say three to five years, would allow assessments and comparisons of progress to be made.
- \* The programme dates which the Directive would impose on all member states, to achieve final disposal by 2018, would be difficult, even for those EU countries whose programmes are most advanced. However, the industry supports the proposal that member states should publish plans for disposal of radioactive wastes within 3 years of implementation of this Directive.
- \* For candidate countries, these programme dates would be even more difficult to achieve, and therefore the Commission should pay special attention to their needs. In certain cases, especially noting possible difficulties with funding, longer time scales might be necessary. In certain cases, there may be a need for financial assistance from the Community.
- \* Member states do not always have the same definition of wastes, nor of terms associated with radioactive waste management activities. The proposed Directive could usefully include definitions of the various categories of waste such as proposed in the document SEC (1999) 1302 final. The Directive should also contain a standard definition of "*contamination*" and use already existing international standard definitions (cf. IAEA). Collaboration between the EC, the IAEA and NEA for agreement on suitable common definitions is essential.
- \* Each member state, whatever the quantities of radioactive waste it produces, should state in its programme how these wastes will be disposed of. It is important especially for those member states that have developed major nuclear programmes to identify and develop a suitable site for a final repository on their own territory.
- \* The option to develop shared repositories should remain open. There should be no objection in principle to groups of states collaborating to provide a common disposal facility where they see mutual benefit, consistent with national policy and legislation.
- \* Community funded research is appropriate to refine solutions for final disposal of radioactive wastes. Underground research facilities have been in operation for many years in several countries, enabling progress on site characterisation and the development of multi-barrier concepts. International collaboration should be encouraged for research on the behaviour of radionuclides in geological formations. The European Commission project to create a network

of major radioactive waste management organisations across Europe is a good step in this direction.

- \* Each member state should develop its own communication programme delivering public information concerning radioactive waste management. Collaboration at national level should be encouraged. Bearing in mind that the safe management of waste is now more a political and societal issue than a purely technical one, communication programmes should aim to advise citizens of the possible solutions in a dispassionate way, and should seek their involvement in the decision-making process.
- \* The European Commission should develop an appropriate communication programme for informing EU citizens about the progress being made towards final disposal of all radioactive wastes.

## **Conclusion**

In summary, we welcome the Commission's proposal since an EU-wide initiative on the management of radioactive waste could provide a useful incentive to bring forward acceptable solutions to this long-standing requirement. Implementing practical solutions is the key to gaining public confidence for the longer-term future of nuclear energy in the European Union.

However, more flexibility is needed to overcome the variety of differing historical, geological, and political circumstances that apply in different countries. In this context, we have doubts about the common implementation deadline that has been proposed by the Commission. The Directive should allow appropriate degrees of freedom within which member states can find their own solutions within a reasonable time frame. FORATOM also suggests that the European Commission should take a higher public profile in communicating with the general public on the waste issue.