



Comhshaol, Oidhreacht agus Rialtas Áitiúil
Environment, Heritage and Local Government



Oifig an Aire
Office of the Minister

Charles Hendry MP
Minister of State
Department of Energy & Climate Change
3 Whitehall Place
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24 January 2011

Dear Charles,

I refer to your letter of 27 July 2010 to my predecessor, M John Gormley, TD, on the subject of the UK draft Nuclear National Policy Statement (NPS).

I welcome the fact that this correspondence takes place in the context of regular and useful dialogue between our officials on nuclear issues in general. This dialogue has recently included discussion of the issues raised in Mr Gormley's letter of 22 February 2010 to then Secretary of State for Energy and Climate Change, Ed Miliband MP, regarding areas of potential concern for Ireland in relation to the proposed UK new nuclear programme.

As you will be aware, the Government of Ireland, in its engagement with neighbouring countries which have nuclear power programmes, places the highest priority on the protection of the Irish population and the environment and is committed to engaging constructively in order to pursue that policy priority and defend those interests. In that context, I am grateful for the steps taken to address the Government of Ireland's concerns on the issue of possible transboundary effects from the proposed programme on the environment of Ireland, both in your letter, and in the ongoing dialogue between our officials.

I note your view that the construction of new nuclear power stations, in line with the Nuclear NPS, is not likely to have any significant effects on the environment of this State. I note however that you have identified the possibility of transboundary effects in the event of a significant unintended release of radioactive emissions, e.g. as a result of an accident, and that you have assigned a very low probability to such an unintended



release of radiation due to the robustness of the regulatory regime. My understanding is that this conclusion depends in part on the outcome of certain regulatory processes and environmental impact assessments, which will take place at future junctures in the implementation of the proposed programme. It seems therefore, that certain questions raised by the Irish authorities with regard to possible effects for Ireland cannot comprehensively be answered until later in the process of programme development. Others which seem relevant to the Government of Ireland in consideration of possible environmental effects of the proposed programme are, I understand, not being considered within this assessment process. Accordingly, the Government of Ireland is not in a position at this stage to formulate a definitive view of your conclusion regarding potential transboundary effects.

It is the view of the Government of Ireland at present, on the basis of the information available, that the environmental assessments you have conducted on these plans to date do not address fully all of our concerns. The Government of Ireland considers it vital that all necessary steps are taken to ensure that these concerns are addressed prior to the construction and licensing of any new plants, and also that the relevant Irish authorities are fully and formally consulted during such assessments.

In this context, the Government of Ireland believes that an overarching assessment of all possible cumulative effects for Ireland of the new build programme, including possible effects associated with the long term management of wastes associated with the new build programme, and with particular regard to any possible impacts on the Irish Sea, is needed to address our concerns. I understand from the content of the letter of 10 May 2010 of your predecessor the Rt Hon Lord Hunt of Kings Heath, further assessment of cumulative effects may take place in the context of environmental impact assessments of specific nuclear power plant planning applications in due course, although it is still not clear to us whether this will adequately encompass possible effects associated with waste disposal.

Our respective Governments and citizens are fully aware of the historical environmental damage caused by nuclear waste to the shared marine environment of the Irish Sea, resulting from nuclear operations, particularly at Sellafield, over many decades. In light of this, the Government of Ireland expects that all possible steps will be taken to avoid any increase in the radiological burden in the Irish Sea.

The British Government's recognition of Ireland as an important stakeholder in matters of UK nuclear policy development is appreciated. I have noted above the useful dialogue between our officials, and the co-operation extended by your side. It is the Government of Ireland's view that this existing bilateral engagement, supported by ongoing contact at regulator level, is the most effective mechanism through which to raise and seek to have addressed the concerns I have outlined. As mentioned above, at future appropriate stages in your programme development and implementation processes, the Government of Ireland expects that the relevant Irish authorities will be consulted fully and formally, and I would appreciate an assurance in this regard. Among such stages will be the environmental impact assessments of specific developments, particularly when possible

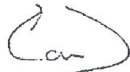
transboundary impacts are being examined, during which opportunities for formal transboundary consultations as provided for under Article 7 of the Environmental Impact Assessment Directive (Directive 85/337/EEC) will arise.

Having regard to these considerations, the Government of Ireland is of the view that the appropriate and most productive way forward would be to avail of the aforementioned mechanisms of consultation, rather than to seek a formal transboundary consultation at the Strategic Environmental Assessment level in this particular instance.

Please note that this letter also constitutes a contribution to the UK Department of Energy and Climate Change's consultation on the revised draft Nuclear National Policy Statement and associated documents, published on 18 October 2010.

The Government of Ireland's primary concern remains at all times the protection of the environment and the safety of the public. I know and appreciate that this concern is shared by the UK Government, and I am most grateful for your support and cooperation in this matter.

Yours sincerely,



Éamon Ó Cuív, TD
Minister for the Environment,
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