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Dear Mr. Robin Clarke,

The United Kingdom has notified proposals for a process and criteria for a Strategic Siting Assessment (SSA) for new nuclear power stations on August 8, 2008.

The Austrian public had the opportunity to comment on the relevant documents from September 26 until November 7, 2008. Austria informed the United Kingdom November 10, 2008, that Austria didn't have any comments at that time but wanted to be informed on the following stages.

Austria was informed on the process, where industry could nominate sites for potential new nuclear power stations until March 31, 2009, on January 27, 2009.

Further on, Austria has been informed that six draft National Policy Statements (NPS) have been issued by the UK Government November 6, 2009. One of these statements contains potential sites for new nuclear power stations based on the SSA and nomination process.

All the National Policy Statements have been - besides other assessments - subject to appraisals of sustainability, which include environmental appraisals according to Directive 2001/42/EC on Strategic Environmental Assessment.

The National Policy Statements and the relevant reports were made public in Austria from December 22, 2009 until February 9, 2010. Austria has been invited to send her comments to the United Kingdom until February 22, 2010. Austria forwards the following comment:

The Austrian Federal Government remains convinced that nuclear power represents neither a sustainable form of energy supply nor a viable option of combating climate change. This



conviction also implies that Austria opposes any promotion of the use of nuclear power as well as the construction of new nuclear power reactors.

While respecting national sovereignty and international law regarding national energy policies, the protection of the Austrian population and of the environment is of utmost importance. With this in mind, a key objective of Austrian nuclear policy remains the establishment of high and legally binding safety standards for - as well as their uncompromising application to - nuclear power plants and other nuclear facilities. If and when adverse transboundary impacts on Austria emanating from a nuclear power plant or from any other nuclear installation cannot effectively be excluded, the Austrian Federal Government will use all legal means available to defend the country's safety interests. This includes advocating a maximum of transparency and participation.

Against this background, the Federal Ministry of Agriculture, Forestry, Environment and Water Management has commissioned a "Report on the Review of the Nuclear National Policy Statement of the UK". Please find enclosed a copy of this report.

In case the Government of the United Kingdom remains committed to keep the nuclear option open, the report concludes that the *information provided in the draft Nuclear National Policy Statement for the consideration of the Infrastructure Planning Commission constitutes adequate guidance for making an informed and correct decision.*

Nevertheless, it should be noted that *although the progress of research and work on constructing a Geological Disposal Facility (GDF) worldwide is taken into consideration, there is not, up to date, a GDF in operation anywhere in the world. The feasibility of this technology is yet to be ascertained from the practical point of view of realisation and operation, as well as its timely availability to accommodate the waste generated by the new NPPs in UK.* The Austrian Government is deeply concerned, that a nuclear policy should be based on the NDA's assessment, that *"a UK facility could be operational for the disposal of legacy ILW by about 2040, with legacy HLW/spent fuel emplacement beginning around 2075".*

Furthermore, the draft NPS claims that *"France has already demonstrated that it is technically feasible to build nuclear power stations at the rate that would be needed in the UK if new nuclear power stations were to be constructed on all 10 sites listed in this NPS by the end of 2025."* The report states that, *while it is not impossible to repeat the French experience, the UK context may be expected to be different, making such a rate of construction challenging. The French fleet of reactors, especially those constructed in the eighties, had an outstanding degree of standardisation, while in UK two and possibly even more different types of reactors may be expected. Increased number of reactor types and sites, even in a case when generic designs are approved, increase the complexities and the need for resources for the regulatory process. An additional bottleneck may occur if the license applications for several units are submitted within a short period of time. Furthermore, as the Finnish experience has shown, starting a nuclear build after a long suspension can be challenging in terms of resources needed from engineering and analysis, over to manufacturing and construction (and eventually commissioning).* This is likely to increase a number of risk factors, in particular by putting additional stress on the regulatory process. As this may have detrimental effects on nuclear safety it is of particular concern to the Austrian Government.

Finally, while appreciating that measures should be *taken for both, the impacts and the potential mitigation options, more thoroughly studied at the project level,* Austria has to underline that adverse transboundary impacts cannot be excluded at this point of the process.

Consequently, Austria requests these arguments to be taken duly into account and to be informed continuously in the future.

Kind regards,

On behalf of the Minister:  
Dr Ursula Platzner-Schneider

Enclosure