

# MANAGEMENT OF THE UK'S PLUTONIUM STOCK

A consultation on the proposed justification  
process for the reuse of plutonium



Department of Energy and Climate Change  
3 Whitehall Place  
London  
SW1A 2AW

Telephone: 0300 068 4000  
Website: [www.decc.gov.uk](http://www.decc.gov.uk)

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For further information on this consultation, contact:  
Plutonium Management Team  
Department of Energy and Climate Change  
3 Whitehall Place  
London  
SW1A 2AW  
Telephone: 0300 068 6552  
Email: [plutonium@decc.gsi.gov.uk](mailto:plutonium@decc.gsi.gov.uk)

The consultation can be found on DECC's website:  
[http://www.decc.gov.uk/en/content/cms/consultations/pluto\\_reuse/pluto\\_reuse.aspx](http://www.decc.gov.uk/en/content/cms/consultations/pluto_reuse/pluto_reuse.aspx)

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# General information

## Purpose of this consultation

The purpose of this consultation is to outline, and seek views on, the proposed application and decision making process for a justification decision under the Justification of Practices Involving Ionising Radiation Regulations (2004) concerning the reuse of the UK's stockpile of separated civil plutonium.

**Issued:** 28<sup>th</sup> May 2012

**Respond by:** 20<sup>th</sup> August 2012

## Responses to:

Plutonium Management Team  
Department of Energy & Climate Change,  
Third Floor Area D,  
3 Whitehall Place,  
London, SW1A 2AW  
Tel: 0300 068 6552

Email: [plutonium@decc.gsi.gov.uk](mailto:plutonium@decc.gsi.gov.uk)

Consultation reference: URN 12D/075 – A consultation on the proposed justification process for reuse of plutonium

## Territorial extent:

The content of this consultation is relevant to the United Kingdom of Great Britain and Northern Ireland.

## How to respond:

Your response will be most useful if it is framed in direct response to the questions posed, though further comments and evidence are also welcome.

When responding please state whether you are responding as an individual or representing the views of an organisation. If responding on behalf of an organisation, please make it clear who the organisation represents and, where applicable, how the views of members were assembled.

Responses should be submitted, preferably by e-mail, using the above contact details.

## Additional copies:

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## Confidentiality and data protection:

Information provided in response to this consultation, including personal information, may be subject to publication or disclosure in accordance with the access to information legislation (primarily the Freedom of Information Act 2000, the Data Protection Act 1998 and the Environmental Information Regulations 2004).

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If you want information that you provide to be treated as confidential please say so clearly in writing when you send your response to the consultation. It would be helpful if you could explain to us why you regard the information you have provided as confidential. If we receive a request for disclosure of the information we will take full account of your explanation, but we cannot give an assurance that confidentiality can be maintained in all circumstances. An automatic confidentiality disclaimer generated by your IT system will not, of itself, be regarded by us as a confidentiality request.

We will summarise all responses and place this summary on our website at [www.decc.gov.uk/en/content/cms/consultations/](http://www.decc.gov.uk/en/content/cms/consultations/). This summary will include a list of names or organisations that responded but not people's personal names, addresses or other contact details.

### **Quality assurance:**

This consultation has been carried out in accordance with the Government's Code of Practice on consultation, which can be found here:

<http://www.bis.gov.uk/files/file47158.pdf>

If you have any complaints about the consultation process (as opposed to comments about the issues which are the subject of the consultation) please address them to:

DECC Consultation Co-ordinator  
3 Whitehall Place  
London SW1A 2AW  
Email: [consultation.coordinator@decc.gsi.gov.uk](mailto:consultation.coordinator@decc.gsi.gov.uk)

# Chapter One

## Background

1. Plutonium is a radioactive element that emits ionising radiation and its use is therefore subject to stringent regulatory requirements. Justification is a high-level assessment of the economic, social or other benefits in relation to the health detriment of the class or type of practice. Justification is one of a number of statutory, regulatory and license clearance processes (described in more detail later in this Chapter). Additional safety, security and environmental assessments would also need to be carried out to allow the reuse of plutonium.
2. The UK currently stores, safely and securely, a significant quantity of separated civil plutonium. For a number of years there was no clear policy for its long-term management. In February 2011, the Government launched a consultation<sup>1</sup> on its proposed preliminary policy on the long-term management of the UK's civil plutonium stockpile.
3. The Government's response to its consultation on the long-term management of UK owned separated civil plutonium<sup>2</sup> identified reuse of plutonium as mixed oxide fuel (MOX) as the preferred option for the long-term management of UK owned separated civil plutonium.
4. While the Government has set out a preferred policy, there is not yet sufficient information to decide whether to proceed with procuring a new MOX plant. The Government is now undertaking the next phase of work, which will provide the information required to make such a decision. Only when the Government is confident that its preferred option could be implemented safely and securely, that it is affordable, deliverable, and offers value for money, will it be in a position to proceed with a new MOX plant.
5. In addition, before procuring a MOX plant, the Government needs to be satisfied that the whole MOX path from fabrication through to disposal is found to be justified, in that it must be shown that the net-benefits associated with the practice outweigh the health detriments.

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<sup>1</sup> A consultation on the long-term management of UK owned separated civil plutonium, <http://www.decc.gov.uk/assets/decc/Consultations/plutonium-stocks/1243-uk-plutonium-stocks.pdf>

<sup>2</sup>A consultation response on the long-term management of UK-owned separated civil plutonium, <http://www.decc.gov.uk/assets/decc/Consultations/plutonium-stocks/3694-govt-resp-mgmt-of-uk-plutonium-stocks.pdf>

## Introduction

6. On 13<sup>th</sup> April 2012, the Nuclear Decommissioning Authority (NDA) wrote to the Department of Energy and Climate Change (DECC) stating its intention to make an application under regulation 9 of the Justification of Practices Involving Ionising Radiation Regulations (2004) (for a new class or type of practice) in relation to the following:
  - a) The retrieval and conversion of the current holdings of separated plutonium into MOX fuel, including pre-treatment if required,
  - b) its subsequent irradiation, in the UK, in the reactor types which have received interim Design Acceptance Confirmations (iDACs) and interim Statements of Design Acceptability (iSoDAs) through the Generic Design Assessment (GDA)<sup>3</sup> process (the AP1000 and the EPR),
  - c) management of the spent fuel in a manner consistent with other spent uranium fuel arisings.
7. DECC welcomes NDA's intention to apply for a justification decision.
8. The purpose of this consultation is to set out, and seek views on, the proposed process for making applications, and the decision-making process for justification decisions concerning the reuse of plutonium as a means of long-term management of the UK's separated civil plutonium stockpile.
9. Following this consultation, and subject to the comments received, DECC intends to produce and publish guidance to prospective applicants outlining the process for making applications and the decision-making process.

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<sup>3</sup> GDA, also known as pre-licensing, allows the generic safety, security and environmental aspects of new nuclear reactor designs to be assessed before applications are made for licenses and permits to build particular designs of reactor on a particular sites. More information can be found at:

[http://www.decc.gov.uk/en/content/cms/meeting\\_energy/nuclear/new/generic/generic.aspx](http://www.decc.gov.uk/en/content/cms/meeting_energy/nuclear/new/generic/generic.aspx)

## Justification – The Legal Basis

10. Before a new class or type of practice that involves a risk from ionising radiation can be undertaken in the UK, it must be considered to be justified. It is not necessary to show as part of justification that the class or type of practice is the best of all the available options.
11. The concept of justification is based on the internationally accepted principle of radiological protection that no practice involving exposure to ionising radiation should be adopted unless it produces sufficient benefits to the exposed individuals or to society in general to offset the health detriment it may cause. This principle is derived from the recommendations of the International Commission on Radiological Protection (ICRP) and, in particular, ICRP 60. It has been incorporated into European Community law by articles 6(1) and (2) of Directive 96/29/Euratom (Basic Safety Standards Directive)<sup>4</sup>.
12. Articles 6(1) and (2) were implemented in the UK by the Justification of Practices Involving Ionising Radiation Regulations 2004<sup>5</sup> (Justification Regulations). Regulation 4 of the Justification Regulations has the effect that a new class or type of practice involving exposure to ionising radiation may only be carried out if it has been found to be justified, that is, a Justifying Authority has made a decision determining that the relevant class or type of practice is justified by its economic, social or other benefits in relation to the health detriment it may cause (justification decision).
13. The requirement under article 6 of the Basic Safety Standards Directive does not apply to practices which were carried out in the UK before 13<sup>th</sup> May 2000 or to those which have already been found to be justified. Such practices are known as “existing practices” and are permitted, provided that there has not been an adverse justification decision in relation to them.
14. Regulation 9 of the Justification Regulations provides that any person may make an application to a Justifying Authority for a justification decision at any time, and that the Justifying Authority must consider and make a determination on such applications. The Justifying Authority may also make a justification decision on its own initiative.
15. Regulation 10 of the Justification Regulations provides that any person may make an application to a Justifying Authority for a review of an existing practice if “new or important evidence about the efficacy or consequences of the practice is acquired or if there has been a justification decision that the relevant class or type of practice is not justified”.

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<sup>4</sup> Council Directive 96/29 Euratom of 13 May 1996 laying down the basic safety standards for the protection of health of workers and the general public against the dangers arising from ionising radiation. (O.J.L 159 29/06/1996 p.1).

<sup>5</sup> Statutory Instrument 2004/1769.

16. The Justifying Authority will need to consider whether an application relates to a 'new'<sup>6</sup> or 'existing' class or type of practice before considering whether the class or type of practice is justified.

### What is a 'Practice'?

17. The Basic Safety Standards Directive defines a "practice" as "a human activity that can increase the exposure of individuals to radiation from an artificial source or from natural radiation sources where use is being made of its radioactive, fissile or fertile properties". The Justifying Authority will determine what constitutes the relevant class or type of practice(s) once it has received an application(s).

### Justifying Authorities

18. There are four Justifying Authorities in the UK, namely, the relevant Secretary of State and the three Devolved Administrations to the extent that they have competence in respect of the subject matter of that particular justification application. However, since nuclear energy is a reserved matter, the responsibility for reaching a justification decision in relation to an application concerning the reuse of Plutonium is likely to rest with the Secretary of State for Energy and Climate Change, as the sole Justifying Authority in the UK, and any justification decision they make will apply UK-wide.

19. Where the Secretary of State is the sole Justifying Authority, he will, in accordance with the Concordat<sup>7</sup> between the Government and the Devolved Administrations, consult the Devolved Administrations before reviewing an existing justification decision, determining whether a practice is 'new' or reaching a justification decision. And, as the sole Justifying Authority, he will also consult the Devolved Administrations before exercising certain functions under the Regulations, such as requiring applicants to provide further information.

### Health Detriment

20. Activities involving the use of ionising radiation have the potential to cause health detriments. However, it is important to put this into context. Everyone is routinely exposed to ionising radiation emitted from naturally occurring sources. Occupational exposures are typically many times smaller than the natural background radiation. For example, the average additional dose for workers at Springfields fuel fabrication facility between 1998 and 2003 was less than a third of the average level of national background radiation in the UK<sup>8</sup>.

21. The majority of the annual dose of radiation in the UK (84%) is from natural sources (predominantly from radon from rocks). The remaining 16% of the annual radiation dose is

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<sup>6</sup> A class or type of practice is considered 'new' for the purposes of the Justification Regulations if no practice in that class or type was carried out in the United Kingdom before 13 May 2000, or the class or type of practice was not found to be justified.

<sup>7</sup> Concordat on the implementation of the Justification of Practices Involving Ionising Radiation Regulations 2004,

<http://www.decc.gov.uk/assets/decc/what%20we%20do/uk%20energy%20supply/energy%20mix/nuclear/radioactivity/concordat-justification.pdf>

<sup>8</sup> Ionising Radiation Exposure of the UK Population: 2005 Review HPA-RPD-001 published by the Health Protection Agency

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from artificial sources. The largest of the artificial exposure relates to medical procedures (15% of the overall annual exposure). The average dose to a member of the public due to radioactive discharges from the nuclear power industry is less than 0.1% of the average annual dose from all sources (see Figure 1 below).

22. The law requires, not only for activities involving ionising radiation to be justified, but also that exposure to ionising radiation is kept below stringent legal levels, and are further reduced to as low as is reasonably practicable (the ALARP principle).
23. Applicants seeking a justification decision for the reuse of plutonium will need to satisfy the Justification Authority that the health detriments are offset by the benefits associated with the practice. Benefits can cover economic, societal or other benefits.

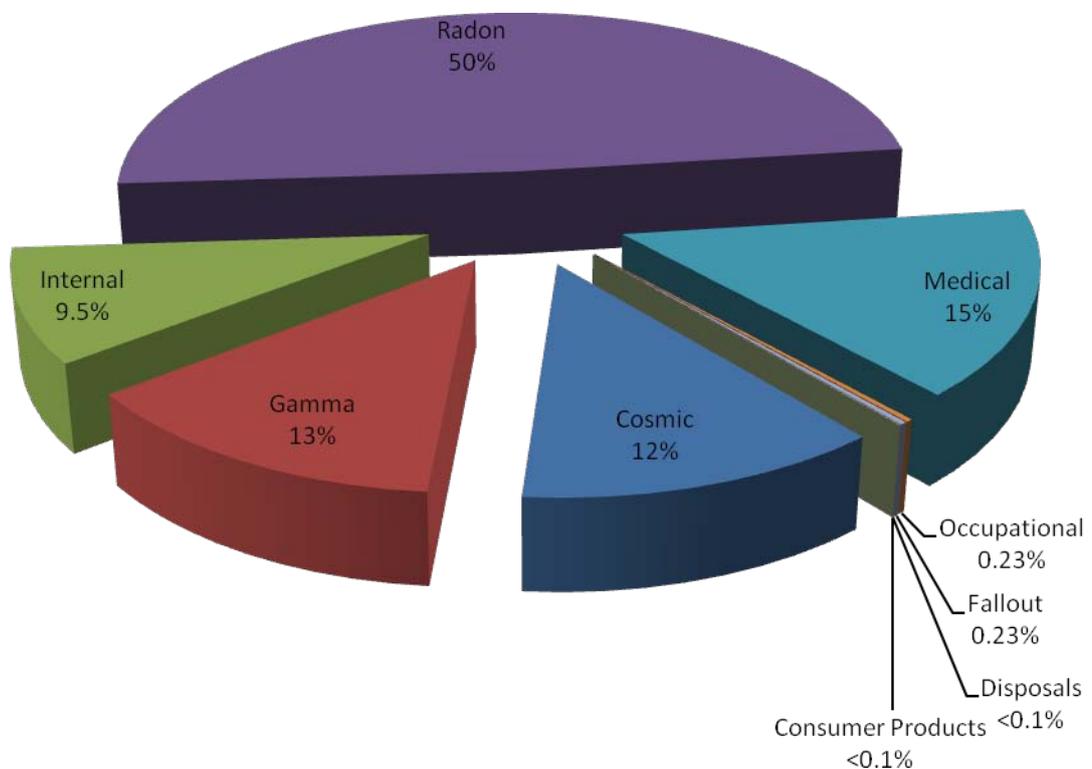


Figure 1 – Contributions to the average UK annual radiation dose. Reproduced from Ionising Radiation Exposure of the UK Population: 2005 Review HPA-RPD-001 published by the Health Protection Agency

## Chapter Two

### Justification Process

24. The Government has previously produced guidance on the Justification Regulations<sup>9</sup>, and more recently, guidance specifically relating to justifying nuclear power<sup>10</sup>. However, neither of these sets of guidance relate to the justification process concerning the reuse of plutonium. The Government has therefore considered the process for making such applications for a justification decision concerning the reuse of plutonium and has proposed a process that is set out in this document.
25. The Government has identified a preferred option for managing the UK's civil plutonium stockpile – this is through reuse as MOX. However, the Government recognises that it is possible that other technologies may be found to be credible in appropriate timescales. As such, the preferred approach is to produce generic guidance to applicants which, rather than limiting the guidance specifically to the consideration of applications which are for the reuse of Plutonium as MOX, will cover applications from a wide range of reuse technologies.
26. Of course, the production of generic guidance does not mean that the process for considering applications will be any less stringent. Applications will still need to contain a sufficient level of detail to enable the Secretary of State to assess the benefits and detriments of the practice for which the applicants are seeking a justification decision. Such an approach will, however, enable the NDA or other applicants to make use of the guidance in relation to potential future applications for alternative technologies.

**Question One – Do respondents agree with the Government's view that it is sensible to issue generic guidance for the reuse of plutonium? We welcome comments on this proposed approach.**

### The Justification Process – Proposed Next Steps

27. The Government is consulting on the proposed justification process through this document. Subject to consultation responses, the Government proposes to communicate the justification process through the following next steps:

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<sup>9</sup>The Justification of Practices Involving Ionising Radiation Regulations 2004 (SI 2004 No 1769) – Guidance on their application and administration

[http://www.decc.gov.uk/assets/decc/what%20we%20do/uk%20energy%20supply/energy%20mix/nuclear/whitepaper08/actions/regjust/1\\_20090817172537\\_e\\_@@\\_justificationguidance.pdf](http://www.decc.gov.uk/assets/decc/what%20we%20do/uk%20energy%20supply/energy%20mix/nuclear/whitepaper08/actions/regjust/1_20090817172537_e_@@_justificationguidance.pdf)

<sup>10</sup>The Justification of Practices Involving Ionising Radiation Regulations 2004 - Guidance for applications relating to new nuclear power

<http://www.decc.gov.uk/assets/decc/what%20we%20do/uk%20energy%20supply/energy%20mix/nuclear/whitepaper08/actions/regjust/file45384.pdf>

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- producing a response to this consultation which will confirm the process for making and considering justification applications;
- producing generic guidance for applicants wishing to justify the reuse of plutonium and publishing this on the DECC website;
- publishing applications received from applicants on the DECC website;
- following the procedure outlined in the Justification Regulations.
- consulting at any other stages where it is considered appropriate.

### Indicative Timetable

28th May 2012	Consultation on this draft justification process begins.
20 <sup>th</sup> August 2012	Consultation closes.
October 2012	Consider comments and if appropriate publish guidance to applicants online.

# Chapter Three

## The Proposed Decision-making Process

### How will the Government Consider Applications?

28. Whilst the justification process is a high level consideration, in order to reach a decision the Justifying Authority is likely to need to evaluate a significant amount of information, some of which may be technical in nature.
29. Where necessary, the Justifying Authority will seek advice from technical and other experts. Before the Justifying Authority reaches a decision, it is proposed that the justification process should follow a series of steps, in a way that should be helpful to applicants, regulators, statutory consultees and all other interested parties. We have set out the proposed steps below (although it is possible that the sequence of those proposed may change) in table 1.
30. It is proposed that the Justifying Authority publishes applications as they are received. If additional information is requested from the applicant, the request and that information will also be published.
31. It may be necessary to publish applications in redacted form where it contains sensitive information, although it is the Government's intention to limit the need for this.
32. Having considered the application and any relevant advice commissioned, the Justifying Authority will produce a draft decision document, setting out its assessment of the benefits and detriments of the class or type of practice. The Authority will consult the statutory consultees, the Devolved Administrations, relevant Government Departments, the public, and other interested parties as appropriate (e.g. overseas Governments, non-Governmental organisations). The Justifying Authority will then consider all comments made during the consultation period before producing a final decision document for a decision by the Secretary of State.
33. If the class or type of practice is found to be justified by the Justifying Authority, a justification decision in the form of a Statutory Instrument will be laid before Parliament. If the class or type of practice is not found to be justified, a decision notice will be published in accordance with regulation 14 of the Justification Regulations.

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Stage	Description
1	Publish guidance for applicants.
2	Receive and publish application.
3	<p>Consider applications and determine whether proposed Class or Type of Practice is a new or existing (consulting in accordance with the Concordat).</p> <p>If the class or type of practice is found to be 'new' the Justifying Authority will carry out a justification assessment. (Stages 4-10)</p> <p>If it is found to be existing, the Justifying Authority will consider whether to review the justification of that class or type of practice. It may only do so if new or important evidence about the efficacy or consequences of the class or type of practice has been acquired.</p>
4	Assess whether sufficient information has been provided by applicants to make a justification decision. Request any additional information from the applicants and publish any additional information received.
5	Assess applications, gathering additional information from other sources where appropriate and specialist advice where necessary.
6	Prepare draft decision document.
7	Consult statutory consultees (Health and Safety Executive, Food Standards Agency, Health Protection Agency, Environment Agency, Scottish Environmental Protection Agency, Department of Environment for Northern Ireland), Devolved Administrations, relevant Government Departments, other interested parties (e.g. overseas Governments, non-Governmental organisations) and the public on the draft decision document.
8	Consider consultation responses on the draft decision document.
9	Depending on the outcome of this consultation, publish the final decision.
10	<p>If new class or type of practice is found to be justified make justification decision in the form of secondary legislation (a Statutory Instrument) and publish in accordance with the Justification Regulations.</p> <p>If new class or type of practice is not found to be justified publish decision notice to that effect in accordance with regulation 14 of the Justification Regulations.</p>

Table 1 – Proposed Justification Process

**Question Two – Are the proposed application and decision-making processes clear, appropriate and proportionate? If not, how can they be improved?**

**What Information Should an Applicant Provide?**

34. In accordance with the Justification Regulations, it is proposed that an applicant should provide sufficient information to allow the Justifying Authority to undertake a high-level assessment of the net economic, social or other benefits against the health detriments of introducing technology for the reuse of plutonium into the UK.
35. Table 2 provides an indicative list of information expected of applicants.
36. Table 2 is not intended to be prescriptive, but rather indicates the main information likely to be necessary to enable a clear, high-level assessment of the health detriments and the net economic, social or other benefits associated with the introduction of a plutonium reuse technology. Applicants are advised to exercise their own judgement on what may be relevant to their application, but are also encouraged to follow the guidance set out below.
37. To facilitate the justification decision, the Justifying Authority will require information on both the anticipated benefits and detriments (e.g. routine, controlled radiological discharges) and the benefits and detriments brought about by the materialisation of risks (e.g. radiological exposures due to accidents). For potential detriments, the applicant should explain how the risks of their occurrence are adequately controlled or mitigated below the acceptable regulatory limits.
38. Applicants may also wish to provide additional information which they consider will help substantiate their application, including expert reports and work commissioned by the applicant.
39. We anticipate that the majority of the benefits associated with the reuse of plutonium will only be realised across the whole plutonium lifecycle (see table 3 below). NDA have indicated that they believe that this will constitute a new class or type of practice.
40. Whilst such a process does not of itself preclude applications being made under regulation 10 of the Justification Regulations (for a review of an existing class or type of practice) the guidance is geared towards applicants making an application under regulation 9.
41. The method by which the net-benefits and radiological health detriments of the class or type of practice for which a justification decision is being sought are compared is proposed to be at the discretion of the applicant. However since the reuse process is likely to consist of a number of distinct phases (as shown in table 3), each with their own specific benefits and detriments, and a number of overarching benefits and detriments that apply to the process as a whole, we recommend that applicants apply the information in table 2 below to each phase of the process, and separately to the class or type of practice as a whole. This should allow for all of the benefits and detriments associated with the class or type of practice to be captured, and will thus allow for the Secretary of State to make a fair and fully informed justification decision.

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Information Requirement	Guidance
<b>Introductory information on the proposed class or type of practice</b>	
<b>Description of the proposed class or type of practice</b>	<p>Applicants should provide information in the following areas:</p> <ul style="list-style-type: none"> <li>• A summary of the class or type of practice (or phase of the class or type of practice).</li> <li>• The main technical characteristics of the class or type of practice (and of the phases within the class or type of practice).</li> <li>• Confirmation of whether or not the application is being made under Regulation 9 of the 2004 Regulations (for a decision in relation to a new class or type of practice).</li> </ul>
<b>Radiological health detriments</b>	
<b>Radiological Health detriments</b>	<p>Applicants should provide information in the following areas:</p> <ul style="list-style-type: none"> <li>• How the proposed class or type of practice may cause a radiological detriment to human health (including the general public, plant workers, other specific population groups).</li> <li>• Radiological health detriments associated with normal operation and accident conditions.</li> <li>• How design, operation and mitigation strategies will reduce the risk and magnitude of accidental radiological exposures to below regulatory limit.</li> <li>• Any other potential radiological health detriments.</li> </ul>
<b>Economic, societal or other benefits and detriments</b>	
<b>Radioactive waste and decommissioning</b>	<p>Applicants should provide information in the following areas:</p> <ul style="list-style-type: none"> <li>• How decommissioning, waste management, spent fuel management and disposal would be dealt with.</li> <li>• The nature and volume of radioactive waste and spent fuel that could be expected to be produced at each stage.</li> <li>• The features of the design that will facilitate decommissioning.</li> <li>• Mitigation strategies, regulatory arrangements and</li> </ul>

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	<p>related assurance to address detriments and risks.</p> <ul style="list-style-type: none"> <li>Any other potential benefits and detriments associated with radioactive waste and decommissioning.</li> </ul>
<p><b>Environmental</b></p>	<p>Applicants should provide information in the following areas:</p> <ul style="list-style-type: none"> <li>The total carbon emissions across the full lifecycle of the proposed class or type of practice (compared to the full lifecycle for conventional UOX fuel).</li> <li>Net contribution to the UK's overall carbon emissions.</li> <li>Non-radiological effects on people and the environment (water, air, chemicals, light, thermal, noise, landscape animal health, flora, fauna etc.) Throughout construction, operation and decommissioning.</li> <li>Radiological effects on animal health, flora and fauna.</li> <li>Normal operation and accident or terrorism related conditions, including management and disposal of waste (radioactive and non-radioactive).</li> <li>Accident and terrorism mitigation strategies.</li> <li>Assurance provided against stated risks (including reference to the regulatory regime).</li> <li>Any other potential environmental benefits and detriments.</li> </ul>
<p><b>Non-proliferation and physical protection (security)</b></p>	<p>Applicants should provide information in the following areas:</p> <ul style="list-style-type: none"> <li>How the proposed class or type of practice will help to mitigate the security and non-proliferation sensitivities associated with long term storage of separated plutonium.</li> <li>A risk profile showing changes in the security and non-proliferation sensitivities associated with separated plutonium and plutonium bearing materials throughout the lifecycle of the class or type of practice.</li> </ul> <p>Any other potential benefits and detriments from a security perspective.</p>
<p><b>Other benefits and detriments</b></p>	<p>Applicants should provide information in the following</p>

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	<p>areas:</p> <ul style="list-style-type: none"> <li>• Non-radiological health detriments in normal/accident conditions (including to the general public, plant workers, other specific population groups).</li> <li>• Contribution to security of supply.</li> <li>• Economic benefits and detriments.</li> <li>• Benefits and detriments to UK jobs and skills.</li> <li>• Benefits and detriments to UK's long-term objectives (for example, impact on Sellafield's Lifetime Plan objectives).</li> </ul>
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Table 2 – List of Indicative Information to be Provided

Stage	Description
<b>Plutonium Retrieval</b>	<p>The retrieval of separated plutonium from stores.</p> <p>To include internal transport of UK-owned separated plutonium from its point of storage to its point of pre-treatment.</p>
<b>Preparation of Separated Plutonium</b>	<p>Any preparatory activities required to make ready the inventory of UK-owned plutonium for fabrication into fuel.</p> <p>To include internal transport of UK-owned separated plutonium from its point of preparation to its point of fabrication into fuel and the decommissioning of facilities associated with preparatory activities.</p>
<b>Fuel Fabrication</b>	<p>The process of taking the prepared separated plutonium and fabricating fuel assemblies from it.</p> <p>To include internal transport of fuel assemblies from their point of manufacture to their point of irradiation and the decommissioning of fabrication facilities.</p>
<b>Fuel Irradiation</b>	<p>The generation of electricity through the irradiation of plutonium bearing fuel assemblies in nuclear fission</p>

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	<p>reactors.</p> <p>Should include the internal transport, storage and management of spent plutonium bearing fuel and decommissioning of reactors.</p> <p>The Government's response to its consultation on the long-term management of UK owned separated civil plutonium identified that "it would be preferable to have the plutonium put permanently beyond reach via its final disposal in a geological disposal facility (GDF)...", and as such applicants are advised to consider whether spent fuel could be disposed of in a GDF, should one become available.</p>
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Table 3 – Suggested Phases in the Plutonium Reuse Lifecycle

**Question Three – Is the indicative list of information in Table 3 sufficient and appropriate to assist in the making of justification applications and justification decisions? Does the indicative list omit any relevant information, or include any unnecessary information?**

### **How will the Government Consider Multiple Applications for Similar Practices?**

42. If multiple applications are made for technologically similar classes or types of practice and have a similar benefits and detriments then they may be assessed together and determined under a single decision document.
43. However, the Government is not anticipating it will receive multiple applications for technologically similar plutonium reuse options such that a single justification decision may be made. As such the Government considers it is likely that separate justification decisions for each application will be required.

**Question Four – Are there any other ways in which the draft justification process can be improved? If so, how?**

# Annex A – Catalogue of Consultation Questions

Question Number	Consultation Question
1.	Do respondents agree with the Government's view that it is sensible to issue generic guidance for the reuse of plutonium? We welcome comments on this proposed approach.
2.	Is the proposed application and decision-making process clear, appropriate and proportionate? If not, how can they be improved?
3.	Is the indicative list of information in Table 3 sufficient and appropriate to assist in the making of justification applications and justification decisions? Does the indicative list omit any relevant information, or include any unnecessary information?
4.	Are there any other ways in which the draft justification process can be improved? If so, how?

# Annex B – Consultation Criteria

## **Criterion 1: When to consult**

Formal consultation should take place at a stage when there is scope to influence the policy outcome.

## **Criterion 2: Duration of consultation exercises**

Consultations should normally last for at least 12 weeks with consideration given to longer timescales where feasible and sensible.

## **Criterion 3: Clarity of scope and impact**

Consultation documents should be clear about the consultation process, what is being proposed, the scope to influence and the expected costs and benefits of the proposals.

## **Criterion 4: Accessibility of consultation exercises**

Consultation exercises should be designed to be accessible to, and clearly targeted at, those people the exercise is intended to reach.

## **Criterion 5: The burden of consultation**

Keeping the burden of consultation to a minimum is essential if consultations are to be effective and if consultees' buy-in is to be obtained.

## **Criterion 6: Responsiveness of consultation exercise**

Consultation responses should be analysed carefully and clear feedback should be provided to participants following the consultation.

## **Criterion 7: Capacity to consult**

Officials running consultations should seek guidance in how to run an effective consultation exercise and share what they have learned from the experience.

More information on the consultation criteria can be found at

<http://bis.gov.uk/policies/better-regulation/consultation-guidance/code-of-practice>

or by contacting DECC's consultation coordinator at [consultation.coordinator@decc.gsi.gov.uk](mailto:consultation.coordinator@decc.gsi.gov.uk).

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Department of Energy & Climate Change  
3 Whitehall Place  
London SW1A 2HD  
[www.decc.gov.uk](http://www.decc.gov.uk)

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