

Philip Matthews
Executive Director

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Dear Sir/Madam,

Consultation response: Specified radioactive substances activity - fusion

1. Introduction

Nuleaf (the Nuclear Legacy Advisory Forum) is a Special Interest Group of the Local Government Association (LGA). We are directly supported by over 100 local authorities and national park authorities across England and Wales. Our remit encompasses all aspects of the management of the UK's nuclear waste legacy, including interim storage, treatment and disposal. Our primary objectives are:

- to provide a mechanism to identify, where possible, a common, local government viewpoint on nuclear legacy management issues;
- to represent that viewpoint, or the range of views of its member authorities, in discussion with national bodies, including Government, the Nuclear Decommissioning Authority (NDA) and the regulators;
- to seek to influence policy and strategy for nuclear legacy management in the interests of affected communities; and
- to develop the capacity of its member authorities to engage with nuclear legacy management at a local level.

Nuleaf is active in advising Government, the NDA and RWM on all aspects of strategy, policy and practice in the management of nuclear waste.



We sit alongside the Environment Agency on the UK Government's Radioactive Substances Policy Group (RSPG) and in a number of NDA fora. Local Planning Authorities have a regulatory role through the land use and waste planning system, and it is important that the planning and permitting regimes around nuclear sites interface effectively.

While Nuleaf's focus is on decommissioning and legacy waste management, we do engage in proposals for new nuclear development, including technologies such as fusion, due to their impact on the UK's nuclear legacy and on NDA sites. Our members met with UKAEA last year and a number of them are involved in the current siting process for the STEP fusion facility. Local authorities have a significant role in this.

In terms of the additional questions in the consultation:

- (i) We are responding only to part (ii) of the current Environment Agency charging scheme proposals from October 2021: amending EPR charges to include fusion activities in nuclear regulation.
- (ii) This response is being made on behalf of Nuleaf. Our remit and interest in this issue is set out above.

2. Comments on the proposals to amend EPR charges to include fusion activities.

It is timely for the Environment Agency to consider its role in the regulation of fusion technology. As the consultation document notes, fusion activity in the UK is likely to increase significantly over the coming decade and beyond.

Related to this, we note the Government's regulatory review of fusion and suggest that a link is made between this consultation and that. It is important that there is a consistent and proportionate regulatory regime for fusion and fission proposals.

Our response to the two questions posed is as follows:

Question 5: Do you agree with our proposal to introduce a new specified radioactive substances activity definition (c) in section 2(1) of the Environmental Permitting Charging Scheme?



We support the proposal to extend the definition of a 'specified radioactive substances activity' to include fusion activities. As the consultation notes, this change offers a number of benefits including:

- Cost recovery
- The use of appropriate specialists in pre-application engagement
- Helping to protect people and the environment

We agree that any fusion proposals are likely to attract a lot of interest from the public: this technology is not widely understood and many people may have safety and environmental concerns.

Local authorities, as the democratic representatives of host communities, will also have many questions about the impact of such developments in terms of socio-economics and effects on the environment. We therefore support the ambition (4.2) for the provision of specialist staff able to provide detailed pre-application advice.

Question 6: *Do you agree with our assessment of the economic impact of this proposal to broaden the specified radioactive substances activity (S-RSA) definition in the Environmental Permitting Charging Scheme?*

Yes, we agree with the assessment made and support full cost recovery.

The consultation states that this could amount to £100k/year. Such charges for radioactive substances regulation of fusion are only a small fraction of the overall costs of such a project and so this would seem reasonable. It is important that the EA and the other UK Environment Agencies do recover the costs incurred from regulating industry.

I hope these comments are helpful.

Yours faithfully,

Philip Matthews
Executive Director, Nuleaf

